



MAINE STATE BOARD OF NURSING

35 ANTHONY AVENUE • STATE HOUSE STATION 158
AUGUSTA, MAINE 04333-0158
(207) 624-5275 • FAX (207) 624-5290

In re:) **CONSENT AGREEMENT**
Susan D. Shaft) **REGARDING VOLUNTARY**
of Yarmouth, Maine) **SURRENDER OF LICENSE**
License #R035160)

INTRODUCTION

This document is a Consent Agreement regarding Susan D. Shaft's license to practice professional nursing in the State of Maine, entered into pursuant to 32 M.R.S.A. Section 2105-A(1-A)(B) and 10 M.R.S.A. Section 8003(5)(B). The parties to this Consent Agreement are: Susan D. Shaft, the Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine.

By letter dated September 22, 1992, Ms. Shaft was advised by the Board that it had received a report dated September 17, 1992 from Ms. Lynn Moulthrop, Clinical Director for Nursing at Maine Medical Center, containing information that Ms. Shaft may have violated 32 M.R.S.A. Section 2105-A(2)(B), (2)(E) and (2)(F). Ms. Shaft responded to the Board in a letter dated November 20, 1992. Subsequently, the Board requested that Ms. Shaft attend an informal conference on February 10, 1993 pursuant to 32 M.R.S.A. Section 2105-A(1-A). Ms. Shaft was present and was not represented by counsel.

FINDINGS OF FACT

As a result of the informal conference, the Board made the following findings of fact:

1. Ms. Shaft admits to the diversion of Tylox from the Mid-Maine Medical Center in the summer and early fall of 1992, but states that this is the first such instance of diversion.
2. Ms. Shaft admits to taking Tylox once while on duty, toward the end of her shift.
3. There was some evidence that patients were deprived of medication needed for pain relief.
4. Ms. Shaft admits to falsifying patient records.

5. Ms. Shaft has resigned from her employment at Mid-Maine Medical Center.
6. Ms. Shaft has completed in-patient treatment for substance abuse, PTSD and depression.
7. Ms. Shaft is involved in self-help with a sponsor and is also involved in aftercare and counseling.
8. Ms. Shaft states that she has a twelve year history of nursing employment without previous problems.
9. Representatives of Mid-Maine Medical Center stated that they may be willing to rehire Ms. Shaft in the future under certain conditions.
10. Ms. Shaft states that she is not yet ready to return to the practice of nursing.
11. Ms. Shaft is no longer involved in a very stressful domestic situation, as she was at the time.
12. Ms. Shaft states that she has been free of non-prescribed medications since September 16, 1992.

COVENANTS

Based on the above findings of fact, the Board voted to enter in an agreement with Ms. Shaft under which she will voluntarily surrender her license for a period of one year from September 16, 1992. The Board will accept the voluntary surrender of Ms. Shaft's license under the following conditions:

1. Ms. Shaft will remain free of non-prescribed substances.
2. Ms. Shaft will continue in her prescribed aftercare treatment, self-help and counseling, and will arrange to have quarterly reports submitted to the Board from her psychiatrist and psychologist in June and September of 1993. Ms. Shaft waives any claims of confidentiality and privilege which she may have with respect to these reports.
3. Ms. Shaft agrees to notify the Board in writing of any change in her therapists.
4. Ms. Shaft will notify any treating physician of her chemical dependency.
5. Ms. Shaft will under take no employment in any position in the field of health care.

6. The Board agrees to take no further disciplinary action upon these facts so long as Ms. Shaft fully complies with these conditions. The Board will consider reinstatement of Ms. Shaft's license at the December 1993 Board meeting, at which time the Board will consider the degree to which Ms. Shaft has complied with these conditions.
7. Ms. Shaft understands that this document is a Consent Agreement which affects her rights to practice nursing in Maine. Ms. Shaft understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering this Consent Agreement. Ms. Shaft affirms that she executes this Consent Agreement of her own free will.

DATED: 6-29-93

BY: Susan D. Shaft
SUSAN D. SHAFT

FOR THE MAINE STATE BOARD OF
NURSING

DATED: 7/29/93

BY: Jean C. Caron
JEAN C. CARON, R.N., M.S.
Executive Director

FOR THE DEPARTMENT OF
ATTORNEY GENERAL

DATED: 8/3/93

BY: Timothy W. Collier
TIMOTHY W. COLLIER
Assistant Attorney General
Counsel to the Board