



Maine State Board of Nursing

295 WATER STREET
AUGUSTA, MAINE 04330
TEL. 289-5324

September 27, 1988

Thomas W. Eliason, C.R.N.A.
1 Reynolds Street
So. Portland, ME 04106

Dear Mr. Eliason:

This will confirm that at its September 15, 1988 meeting, the Board of Nursing voted to terminate the probationary status of your registered nurse license, on the basis that you have fully met the conditions of your July 15, 1986 agreement with the Board of Nursing.

Best wishes for continued recovery.

Sincerely yours,

MAINE STATE BOARD OF NURSING

Jean C. Caron, R.N.
Executive Director

JCC:vlc

cc: Martha F. Willard, Assistant Attorney General



Maine State Board of Nursing

295 WATER STREET
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In Re: Thomas W. Eliason, C.R.N.A.

ADMINISTRATIVE CONSENT DECREE

This document is a Consent Agreement concerning the license to practice nursing of Thomas Eliason, C.R.N.A. The parties to this Consent Agreement are Thomas Eliason, C.R.N.A. ("Mr. Eliason") and the State Board of Nursing (the "Board").

This Consent Agreement is made pursuant to 32 M.R.S.A. §2105-A(1)(A) (Supp. 1985).

RECITALS

- A. Mr. Eliason currently holds a license to practice as a registered professional nurse in the State of Maine.
- B. Mr. Eliason works at Mercy Hospital as a Certified Registered Nurse Anesthetist. In late April, 1986, the Board received notice that Mr. Eliason had been diverting schedule drugs from his employer, Mercy Hospital, for his personal use and that he had become addicted to these drugs. By that time, Mr. Eliason had been admitted to Mercy Hospital's Substance Abuse Program. By letters dated May 20 and 21, 1986, Mr. Eliason wrote the Board regarding this issue.
- C. By letter dated May 21, 1986, the Board wrote Mr. Eliason and informed him that an informal conference was scheduled for June 27, 1986. The Board provided Mr. Eliason with notice of the issues to be discussed at the informal conference, and he was advised of the right to be represented by an attorney.
- D. The informal conference was convened in executive session on June 27, 1986, at the Board's offices in Augusta, Maine. Mr. Eliason was not represented by counsel at that time.
- E. During the course of the informal conference, it became evident that Mr. Eliason needed counsel; therefore, the informal conference was adjourned in order to enable Mr. Eliason to secure counsel. The informal conference was reconvened on July 15, 1986 at the Civic Center in Augusta, Maine. At this time, Mr. Eliason was represented

by counsel.

- F. On the basis of the information presented to the Board and of the discussions held with Mr. Eliason at the informal conference, the Board found that the factual bases of the complaint were true and of sufficient gravity to warrant further action.
- G. The Board decided that entering into a Consent Agreement with Mr. Eliason, pursuant to 32 M.R.S.A. §2105-A, was appropriate in this case.

COVENANTS

1. In reliance upon and in consideration of the covenants undertaken by Mr. Eliason in this Consent Agreement, upon execution of this Consent Agreement by all parties, the Board and the Department of the Attorney General hereby agree to terminate their investigation of the complaint regarding Mr. Eliason's diverting schedule drugs for his personal use and his addiction to said drugs.
2. Mr. Eliason agrees as follows:
 - (a) PROBATION. That for a period of two years from the date this Consent Agreement is executed by all parties, he shall be on probation.
 - (b) SUBSTANCE SCREENING. That during the period of probation, he shall be subject to random screening for unauthorized use of schedule drugs. Mr. Eliason shall arrange for and submit to random urinalysis and/or blood testing for the purpose of determining the presence of such drugs in his body. Within two weeks after this Consent Agreement is fully executed, he shall notify the Board of the arrangements made for the random screening. The screening shall occur without prior warning to Mr. Eliason. Screening may be required of Mr. Eliason at any time of the day or night and on any day of the week, including, without limitation, days on which Mr. Eliason is not working. Mr. Eliason shall arrange for the results of each substance screening to be submitted in writing directly to the Board within ten days after each test. Refusal by Mr. Eliason, without good cause, to comply with any demand for substance screening, or if the screening indicates the presence of an unauthorized schedule drug in Mr. Eliason's body, then his license to practice as a registered professional nurse in the State of Maine shall be revoked. Mr. Eliason shall bear all costs incurred in the drug screening and reporting.
 - (c) COUNSELING. That he shall continue with aftercare until concluded by his substance abuse counselors. Mr. Eliason will ensure that every three months, the

Board shall receive reports from his counselor(s) regarding his progress with aftercare. Mr. Eliason shall bear all costs for counseling and submission of reports to the Board.

(d) WORK RESTRICTIONS. That he shall ensure that for six months from the date this Consent Agreement is fully executed, he will not use any narcotic drugs in the course of his work as a C.R.N.A. Furthermore, at such time as he begins handling and working with narcotics in the course of his work as a C.R.N.A., it is Mr. Eliason's responsibility to ensure that his employer has established procedures by which he is monitored each and every time he wastes narcotics. Mr. Eliason shall notify the Board of the procedures to be followed.

(e) WAIVER OF PRIVILEGES. That he waives any claims of privilege with respect to treatment he currently is receiving and treatment that he may in the future receive with respect to his drug problem. Furthermore, Mr. Eliason agrees that the Board must be notified by whomever is treating him in the event Mr. Eliason once again takes any unauthorized schedule drugs.

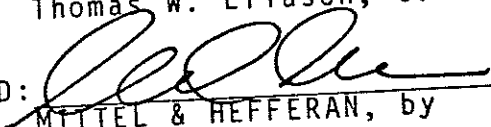
(f) APPEARANCE. That he shall appear before the Board if so ordered by the Board. The Board shall mail written notice of such order at least ten days prior to the scheduled appearance. The Board shall not excuse Mr. Eliason's failure to appear unless, prior to the scheduled appearance date, Mr. Eliason submits a written request for postponement demonstrating exigent circumstances preventing attendance. Unless excused by the Board, Mr. Eliason's failure to appear before the Board may result in suspension of his license.

(g) That if he takes and/or uses any unauthorized schedule drugs at any time in the next two years, his license to practice professional nursing in the State of Maine shall be revoked.

DATED: _____

SIGNED: Thomas W. Eliason, C.R.N.A.,

DATED: 8.21.86

SIGNED: 
MITTEL & HEFFERAN, by
Michael Asen
Attorneys for Thomas Eliason

DATED: _____

SIGNED: MAINE STATE BOARD OF NURSING
Richard L. Sheehan, R.N.
Chairman

DATED: _____

SIGNED: Kenneth W. Lehman, Asst. Atty. Gen.
Counsel for Board of Nursing