



STATE OF MAINE
BOARD OF NURSING
158 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0158

JOHN ELIAS BALDACCI
GOVERNOR

MYRA A. BROADWAY, J.D., M.S., R.N.
EXECUTIVE DIRECTOR

BEFORE THE MAINE STATE BOARD OF NURSING

IN THE MATTER OF LICENSE NO.)
R006549 ISSUED TO:)

DARLENE D FISH)

To practice registered professional nursing)
in the State of Maine)

**ORDER TERMINATING
PROBATION**

WHEREAS, on **October 17, 2001**, License No. **R036549** issued to **Darlene D. Fish** was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and

WHEREAS, on **June 13, 2007**, the Board of Nursing duly considered all evidence presented to it concerning **Darlene D. Fish's** compliance with the conditions of said probation; and

WHEREAS, the Board found that **Darlene D. Fish** has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation executed on **November 13, 2001** is hereby terminated.

DATED this **19th day of June 2007**.

MAINE STATE BOARD OF NURSING

BY: *Myra Broadway*
Myra A. Broadway, J.D., M.S., R.N.
Executive Director



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ANGUS S. KING, JR.
 GOVERNOR

MYRA A. BROADWAY, J.D., M.S., R.N.
 EXECUTIVE DIRECTOR

IN RE: **DARLENE D. FISH, R.N.**) **CONSENT AGREEMENT**
 of Sidney, Maine) **FOR LICENSE PROBATION**
 License #R036549) **WITH CONDITIONS**

INTRODUCTION

This document is a Consent Agreement regarding Darlene D. Fish's license to practice registered professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 10 M.R.S.A. § 8003(5)(A-1)(4), 10 M.R.S.A. § 8003(5)(B), and 32 M.R.S.A. § 2105-A(1-A)(B). The parties to this Consent Agreement are Darlene D. Fish ("Licensee"), Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine. An informal conference was held on October 17, 2001. The parties reached this Agreement on the basis of information submitted by Woodlawn Rehabilitation & Nursing Center, Skowhegan, Maine, by letter dated October 27, 2000 and information submitted by Hawthorne House, Freeport, Maine, by letter dated March 28, 2001.

FACTS

1. Darlene D. Fish has been a registered professional nurse licensed by the Board to practice in Maine since 1993.
2. The Board has received five provider reports/complaints regarding Ms. Fish's nursing practice between the years 1998 to 2001. Ms. Fish attributes her lack in nursing performance on personal issues she has been trying to address on her own.
3. Darlene D. Fish is currently working at Augusta Rehabilitation Center, Augusta, Maine where she will seek counseling through the employee assistance program to address her personal issues.
4. The complaint from Hawthorne House involves a medication error where Ms. Fish substituted and administered Vicodin for Percocet without obtaining a doctor's order. The doctor was informed subsequent to the medication's administration.
5. There is no documented patient harm.



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OFFICES LOCATED AT: 24 STONE ST., AUGUSTA, ME
 PHONE: (207) 287-1133

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FAX: (207) 287-1149

AGREEMENT

6. Darlene D. Fish agrees and understands that the conduct alleged constitutes grounds for discipline under 32 M.R.S.A. § 2105-A(2)(F) and (2)(H) and Chapter 4.1.A.6., 4.3.F of the Maine State Nursing Board Rules.
7. Darlene D. Fish's license to practice registered professional nursing is placed on a probationary status with conditions for a period of two years of nursing employment. The conditions of probation are as follows:
 - a. Darlene D. Fish will notify any and all of her nursing employers of the terms of this Consent Agreement and shall provide them with a copy of it. For purposes of this Consent Agreement, nursing employment is any employment during which Ms. Fish performs nursing services or holds herself out as a nurse such as through the designation "R.N."
 - b. Darlene D. Fish will immediately notify the Board in writing of any employment in the field of nursing, including the place and position of employment and of any change in nursing employment.
 - c. Darlene D. Fish will arrange for and ensure the submission to the Board of quarterly reports addressing her job performance from her nursing employer(s).
 - d. Darlene D. Fish will arrange for and ensure the submission to the Board of quarterly reports from her counselor.
8. Darlene D. Fish understands and agrees that her license will remain on probationary status and subject to the terms of this Agreement until and unless the Board, at Ms. Fish's request, votes to terminate Ms. Fish's probation.

If, at the conclusion of the two year period of probation, Ms. Fish demonstrates that she has complied with the terms and conditions of this Consent Agreement, the Board will vote to terminate the period of probation. If the Board concludes that the terms and conditions of this Consent Agreement have not been fulfilled, the Board may continue the probationary period or take disciplinary action as authorized by law.

9. Darlene D. Fish understands and agrees that this document imposes discipline regarding her license to practice professional nursing in the State of Maine. Ms. Fish understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering into this Consent Agreement.

10. Darlene D. Fish affirms that she executes this Consent Agreement of her own free will.
11. Modification of this Consent Agreement must in writing and signed by all the parties.
12. This Consent Agreement is not subject to appeal or review by the Licensee but may be enforced by an action in the Superior Court.
13. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, DARLENE D. FISH, R.N., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.

DATED: 11/6/01

Darlene D. Fish, R.N.
DARLENE D. FISH, R.N.

FOR THE MAINE STATE
BOARD OF NURSING

DATED: 11/7/01

Myra Broadway
MYRA A BROADWAY, J.D., M.S., R.N.
Executive Director

FOR THE DEPARTMENT OF
ATTORNEY GENERAL

DATED: 11/13/01

John H. Richards
JOHN H. RICHARDS
Assistant Attorney General