



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

IN RE: **BRENDA L. FISHER**)
 of Winslow, Maine)
 License #R029651) **CONSENT AGREEMENT**
FOR VOLUNTARY
SURRENDER OF LICENSE

INTRODUCTION

This document is a Consent Agreement regarding Brenda L. Fisher’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)(B), (5)(D) and 32 M.R.S.A. § 2105-A(1-A)(C). The parties to this Consent Agreement are Brenda L. Fisher, Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. An informal conference was on April 26, 2004. The parties reached this Agreement based on information submitted by Lakewood, Waterville, Maine in a letter received by the Board on February 17, 2004.

FACTS

1. Brenda L. Fisher has been a registered professional nurse to practice in Maine since 1986.
2. Brenda L. Fisher was suspended indefinitely from Lakewood on February 11, 2004 because she diverted scheduled drugs (Percocet & Vicodin) from the facility for a period of one year.
3. Brenda L. Fisher admits that she has a drug addiction and admits working on duty while under the influence of drugs. Ms. Fisher also admits that she had a previous addiction to alcohol.
4. Brenda L. Fisher completed the New Direction out-patient program in Waterville, Maine and currently sees a counselor every two to three weeks for aftercare.
5. Brenda L. Fisher offered to voluntarily surrender her registered professional nurse license on April 26, 2004.



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AGREEMENT

6. The Maine State Board of Nursing will accept Brenda L. Fisher's voluntary surrender of her license, license #R029651, and Ms. Fisher agrees and understands that the voluntary surrender of her license will be for a period of one year, the period of surrender to begin on April 26, 2004.
7. Brenda L. Fisher understands that this document imposes discipline regarding her license to practice registered professional nursing in the State of Maine under 32 M.R.S.A. § 2105-A(2)(A), (2)(B), (2)(F), (2)(H) and Chapter 4, sections 1(A)(1), 1(A)(2), (A)(6) and Chapter 4, sections 3(K), 3(P) and 3(Q) of the Rules and Regulations of the Maine State Board of Nursing.
8. Brenda L. Fisher agrees and understands that her license will remain on surrender status and subject to the terms of this Consent Agreement indefinitely beyond the one year surrender period, until and unless the Board, at Ms. Fisher's written request, votes to reinstate Ms. Fisher's license. When considering whether to reinstate Ms. Fisher's license, the Board will consider the extent to which Ms. Fisher has complied with the provisions of this Consent Agreement.
9. Brenda L. Fisher understands that this document is a Consent Agreement that affects her rights to practice registered professional nursing in Maine. Ms. Fisher understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering the Consent Agreement.
10. If Ms. Fisher fails to meet any of the obligations of this Consent Agreement, the Board may take any disciplinary action, which it deems appropriate and impose any of the sanctions, including but not limited to that found in Title 10 M.R.S.A. § 8003 and Title 32 M.R.S.A. § 2105-A.
11. Brenda L. Fisher agrees and understands that when she petitions the Board for reinstatement of her license, it will be for a probationary period.
12. Brenda L. Fisher understands and agrees that as a condition of reinstatement of her registered professional nursing license she will continue treatment and counseling for substance abuse to such an extent and for as long as recommended by her treatment providers. Ms. Fisher will arrange for and ensure the submission to the Board of quarterly reports from her treatment providers. In addition, Ms. Fisher agrees and understands that the Board shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her treatment and therapy which the Board deems necessary to evaluate Ms. Fisher's compliance with this Consent Agreement and her continued recovery. Ms. Fisher shall notify her health care physician of her substance abuse problem.

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Ms. Fisher shall provide such information, shall authorize any release of such records and information, and shall authorize any such discussions and communications with any and all persons involved in her care as may be requested by the Board for the purpose of evaluating Ms. Fisher's compliance with this Consent Agreement.

13. Brenda L. Fisher shall not work or volunteer, in any capacity, for a health care provider as defined by Title 24 M.R.S.A. § 2502 (2) or in any position holding herself out as a registered professional nurse or with the designation, R.N. including, in a veterinarian's office, while her nursing license is surrendered. In addition, Ms. Fisher is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.
14. Modification of this Consent Agreement must be in writing and signed by all parties.
15. Brenda L. Fisher affirms that she executes this Consent Agreement of her own free will.
16. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, BRENDA L. FISHER 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: 5/26/04

Brenda L. Fisher
BRENDA L. FISHER

**FOR THE MAINE STATE
BOARD OF NURSING**

DATED: 5/27/04

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

**FOR THE OFFICE OF THE
ATTORNEY GENERAL**

DATED: 6/1/04

John H. Richards
JOHN H. RICHARDS
Assistant Attorney General