



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: **DIANE E. FOLGER, R.N.**)
 of Norristown, Pennsylvania)
 Pennsylvania License #RN224987L) **CONSENT AGREEMENT**
FOR A PROBATIONARY
LICENSE

INTRODUCTION

This document is a Consent Agreement regarding Diane E. Folger's request for licensure by endorsement 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 Diane E. Folger ("Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine.

FACTS

1. Diane E. Folger filed an application with the Board for a license as a registered professional nurse on November 15, 2002. Ms. Folger is licensed as a registered professional nurse (License No. RN224987L) in the State of Pennsylvania and meets the qualifications of 8 M.R.S.A. § 2205-A(1) for endorsement in the State of Maine.
2. Diane E. Folger has 2 convictions for Driving Under the Influence in the State of Pennsylvania. One conviction was in 2001.
3. Diane E. Folger admitted that she had a relapse into alcoholism in August 2002 and is currently in treatment.

REINSTATEMENT WITH CONDITIONS OF PROBATION

4. Diane E. Folger's application for a license to practice registered professional nursing in the State of Maine is granted on a probationary status with conditions. The period of probation will begin when Ms. Folger commences nursing practice, either through employment or pursuant to an educational program. The period of probation will be for a period of two years, to be effective only while she is employed in nursing practice or enrolled in a nursing education program. For purposes of this Agreement, nursing employment is any employment during which Ms. Folger performs nursing services. Ms. Folger's probationary license will be subject to the following conditions:
 - a. Diane E. Folger will provide the Board with a current substance abuse evaluation within 30 days.



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<http://www.maine.gov/boardofnursing/>

Consent Agreement for Probation

- b. Diane E. Folger will arrange for and provide the Board with a report from her current employer regarding her nursing practice within 30 days.
 - c. Diane E. Folger will abstain completely from the use of alcohol, with the exception of prescribed medications by her physician who is aware of Ms. Folger's substance abuse history.
 - d. Diane E. Folger will continue in A.A. and an aftercare treatment program to such an extent and for as long as her treatment providers recommend.
 - e. Diane E. Folger will arrange for and ensure the submission of quarterly reports to the Board by her treatment providers during the probationary period.
 - f. Diane E. Folger agrees and understands that the Board and the Department of Attorney General shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her treatment for substance abuse which the Board deems necessary to evaluate Ms. Folger's compliance with the Consent Agreement and her continued recovery. Ms. Folger shall provide such information, shall authorize the release of such records and information, and shall authorize any such discussions and communications with any and all persons involved in her care, counseling and employment as may be requested by the Board for the purpose of evaluating Ms. Folger's compliance with the Consent Agreement and her continued recovery.
 - g. Diane E. Folger's employment is restricted during the period of probation to structured settings, which shall not include assignments from temporary employment agencies. Ms. Folger will immediately notify the Board in writing when she commences nursing employment or enters an educational program in the field of nursing. Notice under this section shall include the place and position of employment or the educational program and any subsequent changes in employment or educational programs.
 - h. Diane E. Folger will notify any and all of his nursing employers and notify faculty involved in any clinical studies of the terms of this Consent Agreement and shall provide them with a copy of it.
 - i. Diane E. Folger will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer regarding her nursing practice.
5. The Board reserves the right to amend this Consent Agreement to impose additional conditions in this Consent Agreement subject to the contents of the reports that the licensee is required to provide to the Board in accordance with Paragraphs 3.a. and 3.b.

6. Diane E. Folger agrees and understands that her license will remain on probationary status and subject to the terms of this Consent Agreement indefinitely beyond the two year probationary period, until and unless the Board, at Ms. Folger's written request, votes to terminate Ms. Folger's probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Folger has complied with the provisions of this Agreement.
7. Diane E. Folger understands that this document is a Consent Agreement that affects her rights to practice nursing in Maine. Ms. Folger 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 the Consent Agreement.
8. If Ms. Folger 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.
9. Diane E. Folger affirms that she executes this Consent Agreement of her own free will.
10. Modification of this Consent Agreement must be in writing and signed by all parties.
11. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
12. This Consent Agreement becomes effective upon the date of the last necessary signature below.

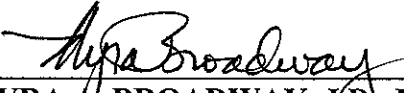
I, DIANE E. FOLGER, R.N., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF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

DATED: 3-21-03

Diane E. Folger R.N.
DIANE E. FOLGER, R.N.

**FOR THE MAINE STATE
BOARD OF NURSING**

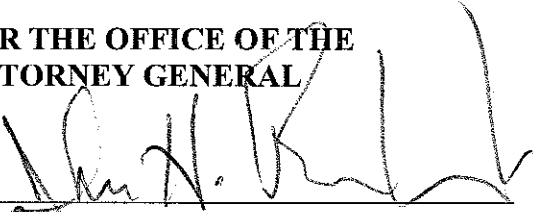
DATED: 3/29/03



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

**FOR THE OFFICE OF THE
ATTORNEY GENERAL**

DATED: 4/2/03



JOHN H. RICHARDS
Assistant Attorney General

03-07-03
11:00 AM
7:00 PM
MAY 12 2003