



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: PATRICIA A. GINTY, R.N.)
 of Old Orchard Beach, Maine)
 License #R028093)
**CONSENT AGREEMENT
 FOR VOLUNTARY
 SURRENDER OF LICENSE**

INTRODUCTION

This document is a Consent Agreement (“Agreement”) regarding Patricia A. Ginty’s license to practice registered professional nursing in the State of Maine. The parties to this Agreement are Patricia A. Ginty (“Ms. Ginty” or “Licensee”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A (1-A) (C), 10 M.R.S.A. §§ 8003 (A-1) (4), 8003 (5) (B) and 10 M.R.S.A. § 8003 (5) (D). The Board met with Ms. Ginty for an informal conference via telephone conference call on August 5, 2009. The parties reached this Agreement on the basis of a Board Notice of Complaint/Provider Report dated May 5, 2008, with information submitted by Evergreen Manor Nursing and Rehabilitation Center (“Evergreen”) dated April 25, 2008.

FACTS

1. Patricia A. Ginty has been a registered professional nurse licensed to practice in Maine since November 1984.
2. Patricia A. Ginty was terminated from Evergreen on February 27, 2008. The substance of her termination is contained in the Provider Report from Evergreen dated April 25, 2008 and Ms. Ginty’s response dated “Memorial Day 2008” [Exhibit A].
3. The factual basis of this Agreement is Ms. Ginty’s substandard nursing care, a breach of patient confidentiality, and violation of HIPPA laws by her removal of patient records from the facility without authorization.
4. Patricia A. Ginty also failed to disclose that she had the pending Evergreen complaint as required on her “Registered Nurse License Renewal” application for 2009-2011, which was received by the Board on June 26, 2009.
5. Patricia A. Ginty wishes to resolve this matter by voluntarily surrendering her registered professional nurse license and accepting this Agreement, thereby waiving her rights to an adjudicatory hearing.

AGREEMENT

6. The Maine State Board of Nursing will accept Patricia A. Ginty’s offer to voluntarily surrender her registered professional nurse license. Ms. Ginty understands and agrees that



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should this matter go to hearing before the Board on the above-stated facts and the underlying information to support those facts, it is more likely than not the facts would support the Board's findings in this Agreement.

7. Patricia A. Ginty understands and agrees that based upon the above-stated facts, this document imposes discipline regarding her license to practice registered professional nursing in the State of Maine. The grounds for discipline are for unprofessional conduct pursuant to 32 M.R.S. § 2105-A (2) (F).
8. Patricia A. Ginty understands and agrees that her license will remain on surrender status and subject to the terms of this Agreement indefinitely until and unless the Board, at her written request, votes to reinstate her license. Ms. Ginty understands and agrees that if the Board reinstates her license, it may be for a probationary period.
9. The State of Maine is a "party state" that has adopted the Nurse Licensure Compact ("Compact"), which is set out in Chapter 11 of the Rules and Regulations of the Maine State Board of Nursing. The State of Maine is Ms. Ginty's "home state" of licensure and primary state of residence, which means she has declared the State of Maine as her fixed permanent and principle home for legal purposes; her domicile. Other party states in the Compact are referred to as "remote states," which means party states other than the home state that have adopted the Compact. Ms. Ginty understands this document is a Consent Agreement subject to the Compact.
10. Ms. Ginty understands that she does not have to execute this Consent Agreement and has the right to consult with an attorney before entering into the Agreement.
11. Patricia A. Ginty 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." while her nursing license is surrendered.
12. This Agreement is a public record within the meaning of 1 M.R.S.A. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S.A. § 408.
13. Modification of this Agreement must be in writing and signed by all parties.
14. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
15. Patricia A. Ginty affirms that she executes this Agreement of her own free will.
16. This Agreement becomes effective upon the date of the last necessary signature below.


I, PATRICIA A. GINTY, R.N., HAVE READ AND UNDERSTAND THE FOREGOING
CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE
CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, KNOWINGLY, AND INTELLI-
GENTLY AND AGREE TO BE BOUND BY THIS AGREEMENT. I UNDERSTAND
THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND
THERE IS NO OTHER AGREEMENT OF ANY KIND.

DATED: X 10-19-09

X 
PATRICIA A. GINTY, R.N.

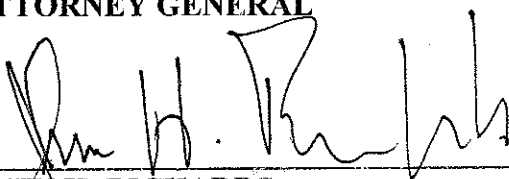
FOR THE MAINE STATE
BOARD OF NURSING

DATED: 10/21/09


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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: 10/22/09


JOHN H. RICHARDS
Assistant Attorney General