



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

PAUL R. LePAGE

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

GOVERNOR

EXECUTIVE DIRECTOR

IN RE: ELINOR M. GOSSELIN, RN
 of Alfred, ME
 License #R049687

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**CONSENT AGREEMENT
 FOR VOLUNTARY
 SURRENDER OF LICENSE**

INTRODUCTION

This document is a Consent Agreement (“Agreement”) regarding Elinor M. Gosselin’s license as a registered professional nurse in the State of Maine. The parties to this Agreement are Elinor M. Gosselin (“Licensee” or “Ms. Gosselin”), 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. § 2105-A (1-A) (C), 10 M.R.S. §§ 8003 (A-1) (4), 8003 (5) (B) and 8003 (5) (D). The parties reached this Agreement on the basis of a Provider Report from Beacon Hospice, Inc. (“Beacon Hospice”), whose corporate office is located in Charlestown, MA, via New Hampshire Board of Nursing Complaint Form dated June 1, 2011 and correspondence from the Licensee received by the Maine Board on June 20, 2011.

FACTS

1. Elinor M. Gosselin has been licensed as a registered professional nurse to practice in Maine since April 27, 2004.
2. Elinor M. Gosselin was employed as a registered professional nurse by Beacon Hospice at Hyder Family Hospice House in Dover, NH until her resignation on May 31, 2011 due to diversion of controlled substances and working while impaired. Ms. Gosselin was working her regularly scheduled 3-11 PM shift when at approximately 9:30 PM a coworker found her slumped over her computer. She responded to her shoulder being shaken, but “had garbled speech and then was making nonsensical statements.” The facility contacted 911 and local police. Ms. Gosselin was resistant to going to the hospital when EMTs arrived, but the police subsequently convinced her to go to Wentworth-Douglass Hospital in Dover, NH.
3. Elinor M. Gosselin sent an e-mail resignation to the hospice house manager and later stated in a telephone conversation to the manager that she resigned because of her addiction to narcotics. When questioned, Ms. Gosselin stated she had not taken medications from patients, but took “leftover meds,” medications that remain when a patient dies. These medications are typically locked in a cabinet and then wasted by the pharmacy consultant.
4. Elinor M. Gosselin fully acknowledges her responsibility for the drug diversions and stated that she has no intention to practice nursing again. She is currently in substance abuse counseling.
5. Elinor M. Gosselin has offered to surrender her registered professional nursing license based upon the above-stated facts and thereby waives her right to an adjudicatory hearing.

AGREEMENT

6. The Maine State Board of Nursing will accept Elinor M. Gosselin’s offer to voluntarily surrender her registered professional nursing license. Ms. Gosselin understands and agrees that 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 they would support the Board’s findings in this Agreement. Further, she understands and agrees that this document imposes discipline regarding her nursing practice in the State of Maine. The grounds for discipline are found under Title 32 M.R.S. § 2105-A(2)(A), (2)(B), (2)(F) and (2)(H) and Chapter 4, Sections 1(A)(1), 1(A)(2), 1(A)(6), 1(A)(8) and Chapter 4, Sections 3(F), 3 (O), 3(P) and 3(Q) of the Rules and Regulations of the Maine State Board of Nursing. Specifically, the violations are:



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Title 32 M.R.S. §§:

- a. 2105-A (2) (A). Ms. Gosselin engaged in the practice of fraud or deceit in connection with a service rendered within the scope of her license. (See also Chapter 4, Section 1.A.1.)
 - b. 2105-A (2) (B). Habitual substance abuse that has resulted or is foreseeably likely to result in the licensee performing services in a manner that endangers the health or safety of patients. (See also Rule Chapter 4, Section 1.A.2.)
 - c. 2105-A (2) (F). Unprofessional Conduct. Ms. Gosselin has engaged in unprofessional conduct by violating standards of professional behavior that have been established in the practice for which she is licensed. (See also Rule Chapter 4, Section 1.A.6.)
 - d. 2105-A (2) (H). A violation of this chapter or a rule adopted by the Board. (See also Rule Chapter 4, Section 1.A.8.)
 - e. Chapter 4, Section 3. *Unprofessional Conduct* as defined by the Rules and Regulations of the Maine State Board of Nursing states that *Nursing behavior which fails to conform to legal standards of the nursing profession, and which could reflect adversely on the health and welfare of the public shall constitute unprofessional conduct and shall include, but shall not be limited to, the following:*
 - F. Failure to take appropriate action or follow policies and procedures in the practice situation designed to safeguard the patient.
 - O. Practicing nursing when physical or mental ability to practice is impaired by alcohol or drugs.
 - P. Diverting drugs, supplies or property of patients or health care provider.
 - Q. Possessing, obtaining, furnishing or administering prescription drugs to any person, including self, except as directed by a person authorized by law to prescribe drugs.
7. Elinor M. Gosselin understands and agrees that her nursing 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. Gosselin understands and agrees that if the Board reinstates her license, it may be for a probationary period.
 8. 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. Gosselin’s “home state” of licensure and primary state of residence, which means that 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. Gosselin understands this Agreement is subject to the Compact.
 9. Elinor M. Gosselin 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.
 10. Elinor M. Gosselin shall not work or volunteer in any capacity for a health care provider as defined by Title 24 M.R.S. § 2502 (2) or in any position holding herself out as a registered professional nurse or with the designation “RN” while her nursing license is surrendered.
 11. This Agreement is a public record within the meaning of 1 M.R.S. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S. § 408.
 12. Modification of this Agreement must be in writing and signed by all parties.

13. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
14. Elinor M. Gosselin affirms that she executes this Agreement of her own free will.
15. This Agreement becomes effective upon the date of the last necessary signature below.

I, ELINOR M. GOSSELIN, RN, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, KNOWINGLY, AND INTELLIGENTLY AND AGREE TO BE BOUND BY THIS AGREEMENT. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.

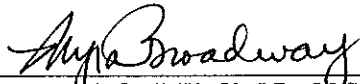
DATED: 9/13/11



ELINOR M. GOSSELIN, RN

FOR THE MAINE STATE
BOARD OF NURSING

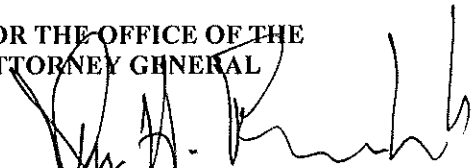
DATED: 9/15/11



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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: 9/16/11



JOHN H. RICHARDS
Assistant Attorney General

