



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

ANGUS S. KING, JR.
 GOVERNOR

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

IN RE: **LINDA A. HOLBROOK, R.N.**) **CONSENT AGREEMENT**
 of Lewiston, Maine) **FOR REPRIMAND AND**
 License #R037393) **PROBATION**

INTRODUCTION

This document is a Consent Agreement regarding Linda A. Holbrook's license to practice professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A and 10 M.R.S.A. § 8003(5)(B). The parties to this Agreement are Linda A. Holbrook, the Maine State Board of Nursing ("the Board") and the Department of Attorney General, State of Maine. This Consent Agreement arose out of an informal conference held on October 21, 1998 to discuss issues raised by the letter dated December 2, 1997 from Home Resources of Maine, Inc. and the complaint initiated by the Board described in the letter dated December 23, 1997.

FACTS

1. In 1986, Linda A. Holbrook was convicted, under the name Polley, of burglary, theft, forgery, and negotiating a worthless instrument.
2. In 1989, Ms. Holbrook was convicted under the name Puntolillo of negotiating a worthless instrument.
3. On May 7, 1994, Linda A. Holbrook submitted a sworn application to the Board for a license as a registered professional nurse.
4. The application requests an applicant to list any other names used previously. Linda A. Holbrook failed to disclose the names, Polley and Puntolillo, which she had previously used.
5. Linda A. Holbrook also specifically denied in her application that she had ever been convicted of a crime other than a minor traffic violation.
6. In 1997, Home Resources conducted a routine criminal background check on Ms. Holbrook and discovered her prior criminal convictions. Home Resources of Maine terminated Ms. Holbrook's employment because Ms. Holbrook had lied on her employment application regarding her criminal history.
7. Following receipt of the report of Ms. Holbrook's termination submitted by Home



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Resources of Maine, Inc. pursuant to the Maine Health Security Act, the Board determined that Ms. Holbrook had lied on her application for licensure as a professional nurse in the State of Maine. Consequently, the Board on its own motion, issued a complaint alleging violations of 32 M.R.S.A. § 2105-A arising from the false information submitted by Ms. Holbrook on her license application.

8. The Board has not received any reports questioning Ms. Holbrook's clinical competence.

AGREEMENT

9. **Violations:** Ms. Holbrook's conduct constitutes grounds for discipline under 32 M.R.S.A. § 2105-A(2)(A) and (2)(F).
10. **Reprimand:** Linda A. Holbrook is hereby **REPRIMANDED**.
11. **Probation:** Linda A. Holbrook's license to practice professional nursing in the State of Maine is on probation. The period of probation will continue for a minimum period of two years of nursing employment. Ms. Holbrook's probationary license is subject to the following conditions:
- a. **Notice to employer:** Ms. Holbrook 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. Holbrook performs nursing services or holds herself out as a nurse, such as through the designation "R.N."
 - b. **Employer quarterly reports:** Ms. Holbrook will arrange for and ensure the submission to the Board of quarterly reports addressing her professional conduct from her nursing employer(s).
 - c. **Notice of employment status:** Ms. Holbrook will immediately notify the Board in writing of any employment in the field of nursing, including the place and position of employment, and any change in nursing employment thereafter.
 - d. **Automatic suspension:** Ms. Holbrook agrees and understands that if any member of the Board or the Board's Executive Director receives reasonably reliable information suggesting that Ms. Holbrook has engaged in deceitful or dishonest conduct relating to her nursing practice, Ms. Holbrook's license will be immediately and automatically suspended pending further review or hearing by the Board. In the event such information is received by any member of the Board or its Executive Director, the information will be mailed to Ms. Holbrook for a response. Ms. Holbrook agrees and understands that her license will remain suspended unless and until the Board is satisfied that Ms. Holbrook's license may be reinstated consistent with the public health and welfare in the area of nursing service.

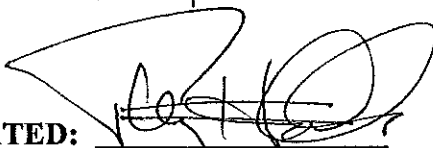
e. **Term of probationary status:** Ms. Holbrook agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement beyond the minimum two year probationary period, until and unless the Board, at Ms. Holbrook's written request, votes to terminate Ms. Holbrook's probation. When considering whether to terminate the probation, the Board will consider the degree to which Ms. Holbrook has complied with the provisions of this Agreement.

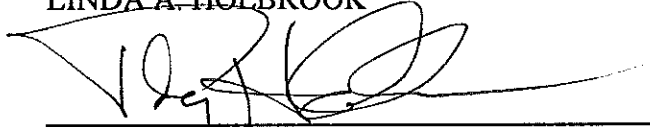
12. **Miscellaneous provisions:** Ms. Holbrook understands that this document is a Consent Agreement which affects her license to practice nursing in Maine. This Consent Agreement may be amended only in writing, signed by all the parties. Ms. Holbrook understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering this Consent Agreement. Ms. Holbrook affirms that she executes this Consent Agreement of her own free will.

13. **Effective date:** This Consent Agreement becomes effective upon the last necessary signature below.

DATED: 12/8/98

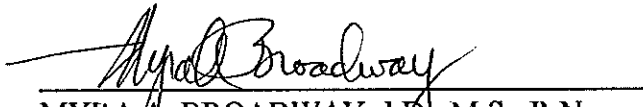
Linda Holbrook
LINDA A. HOLBROOK

DATED: 
12/8/98


TOBY H. HOLLANDER, ESQ.
Counsel for Ms. Holbrook


FOR THE MAINE STATE BOARD OF NURSING:

DATED: Jan. 2, 1999


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

FOR THE DEPARTMENT OF ATTORNEY GENERAL:

DATED: Jan. 5, 1999


SUSAN A. SPARACO
Assistant Attorney General