



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: **CAROL E. HOLTZMAN**)
 of Andover, Maine)
 License #R038718) **CONSENT AGREEMENT**
FOR VOLUNTARY
SURRENDER OF LICENSE

INTRODUCTION

This document is a Consent Agreement regarding Carol E. Holtzman'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 Carol E. Holtzman, Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. An informal conference was held on July 30, 2003. The parties reached this Agreement based on information submitted by Stephens Memorial Hospital by letter dated March 17, 2003.

FACTS

1. Carol E. Holtzman was licensed to practice as a registered professional nurse in 1995.
2. Carol E. Holtzman admits that she has a substance abuse problem and admits that she diverted Hydrocodone from Stephens Memorial Hospital for her own use for a period of six months. Ms. Holtzman stated that in the past she episodically used Percoset due to pain resulting from dental surgery and to deal with stress and depression associated with family problems.
3. Carol E. Holtzman is currently using a prescribed medication (Zolot) and has been otherwise substance free since March 14, 2003.
4. Carol E. Holtzman currently sees a psychotherapist twice a week, attends N.A./A.A. three times per week, has a sponsor and is working through the 12-step program.
5. Carol E. Holtzman has worked for Stephens Memorial Hospital for the past ten years and has no reported issues regarding clinical competence.
6. There is no documentation of patient harm as a result of the drug diversion.
7. Carol E. Holtzman has offered to voluntarily surrender her license as a registered professional nurse.



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AGREEMENT

8. The Maine State Board of Nursing will accept Carol E. Holtzman's voluntary surrender of her license, #038718, and Ms. Holtzman agrees and understands that the voluntary surrender of her license will be for a period of one year. She will be credited for the time since she was substance free beginning March 14, 2003.
9. Carol E. Holtzman 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)(B), (2)(B), (2)(F), (2)(H) and Chapter 4, sections 1(A)(1), 1(A)(2), (A)(6) and Chapter 4, sections 3(P) and 3(Q) of the Maine State Board of Nursing Rules and Regulations.
10. Carol E. Holtzman 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. Holtzman's written request, votes to reinstate Ms. Holtzman's license. When considering whether to reinstate Ms. Holtzman's license, the Board will consider the extent to which Ms. Holtzman has complied with the provisions of this Consent Agreement.
11. Carol E. Holtzman understands that this document is a Consent Agreement that affects her rights to practice registered professional nursing in Maine. Ms. Holtzman 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.
12. If Ms. Holtzman 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.
13. Carol E. Holtzman agrees and understands that when she petitions the Board for reinstatement of her license, it will be for a probationary period.
14. Carol E. Holtzman agrees that she will continue treatment and counseling for substance abuse to such an extent and for as long as recommended by her treatment providers. Ms. Holtzman will arrange for and ensure the submission to the Board of quarterly reports from her treatment providers. In addition, Ms. Holtzman 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. Holtzman's compliance with this Consent Agreement and her continued recovery. Ms. Holtzman shall notify her health care providers of her substance abuse problem.

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Carol E. Holtzman 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. Holtzman's compliance with this Consent Agreement.

15. Carol E. Holtzman 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. Holtzman is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.
16. Modification of this Consent Agreement must be in writing and signed by all parties.
17. Carol E. Holtzman affirms that she executes this Consent Agreement of her own free will.
18. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, CAROL E. HOLTZMAN 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: 8/28/03

Carol E Holtzman
CAROL E. HOLTZMAN

FOR THE MAINE STATE
BOARD OF NURSING

DATED: Aug 29, 2003

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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: Sept. 4, 2003

John H. Richards
JOHN H. RICHARDS
Assistant Attorney General