

**STATE OF MAINE
MAINE STATE BOARD OF NURSING**

IN RE: SUSAN C. HOOVLER)
Of Monson, Maine)
License No. CNP81562)

CONSENT AGREEMENT

Board Complaint 2012-150

INTRODUCTION

This document is a Consent Agreement (“Agreement”) regarding Susan C. Hoovler’s (“Ms. Hoovler” or “Licensee”) license to practice as a certified nurse practitioner in the State of Maine. The parties to this Agreement are Ms. Hoovler, the Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The parties enter into this Agreement pursuant to 10 M.R.S. §8003(5), (A-1)(4) and 10 M.R.S. §8003(5)(B). On January 7, 2013 the Board met with Ms. Hoovler in an informal conference. Subsequent to that informal conference, the Board voted to offer Ms. Hoovler this Consent Agreement to resolve a Board Complaint dated July 23, 2012 with information from the Maine Drug Enforcement Agency (“MDEA”) dated April 12, 2012 and received July 10, 2012 and Ms. Hoovler’s response received by the Board on September 24, 2012.

FACTS

1. Ms. Hoovler has been an advanced practice registered nurse, specifically a certified nurse practitioner, licensed by the Board to practice in Maine since September 1, 2008.
2. At all times pertinent to this matter, Ms. Hoovler was employed by C.A. Dean Hospital in a Family Practice setting located in Sangerville, Maine.
3. In April 2012, a local pharmacist alerted the Maine Drug Enforcement Agency to potential over-prescribing of narcotics by Ms. Hoovler.
4. A review of the Prescription Monitoring Program and the medical charts of some of Ms. Hoovler’s patients revealed instances where Ms. Hoovler wrote early prescription refills for narcotic pain medication, prescribed different narcotic pain medications at the same time for the same patient, and did not properly monitor her patients’ use of narcotic pain medications.
5. By her own choice, Ms. Hoovler is not currently practicing nursing.
6. In lieu of an adjudicatory hearing Ms. Hoovler has agreed to enter this Agreement with the Board.

AGREEMENT

7. Ms. Hoovler understands and agrees that based upon the above-stated facts this document imposes discipline regarding her license to practice as a certified nurse practitioner in the State of Maine. The grounds for discipline for violations are under 32 M.R.S. §2105-A (2)(E)(1) and (2), (2)(F), (2)(H) and Board Rule ch. 21, Use of Controlled Substances for Treatment of Pain.
8. Ms. Hoovler understands and agrees that the imposition of discipline will be to accept a WARNING.
9. Pursuant to Board Rule ch. 8 §5(A), Ms. Hoovler does not have the authority to prescribe and/or dispense prescription medications until she completes a course in pain management and pharmacology that has been pre-approved by the Board's Executive Director, and provides the Board with proof of completion.
10. Ms. Hoovler understands and agrees that she will notify the Board of her return to the practice of nursing.
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. This Agreement constitutes a final adverse licensing action that is reportable to the National Practitioner Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB) pursuant to Section 1128E of the Social Security Act and 45 C.F.R. Part 61.
13. Violation of any of the terms or conditions of this Consent Agreement by Ms. Hoovler shall constitute grounds for discipline, including but not limited to modification, suspension, or revocation of licensure or the denial or licensure or re-licensure.
14. Ms. Hoovler understands that she does not have to execute this Agreement and that she has the right to consult with an attorney before entering into the Consent Agreement.
15. Ms. Hoovler affirms that she executes this Agreement of her own free will.
16. Modification of this Agreement must in writing and signed by all the parties.
17. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.

18. This Agreement becomes effective upon the date of the last necessary signature below.

I, SUSAN C. HOOVLER, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY REGISTERED PROFESSIONAL NURSE LICENSE. 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: Feb. 15 2013



SUSAN C. HOOVLER, CNP

DATED: 2/19/13



SANDRA L. ROTHERA, ESQ.
Attorney for Ms. Hoovler

FOR THE MAINE STATE
BOARD OF NURSING


DATED: 3/15/13



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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: 3-21-13



CARRIE L. CARNEY
Assistant Attorney General