



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: KARLA L. KNOOP) **CONSENT AGREEMENT**
 of New Gloucester, Maine) **FOR**
 License #R049180) **PROBATION**

INTRODUCTION

This document is a Consent Agreement (“Agreement”) regarding Karla L. Knoop’s (“Ms. Knoop” or “Licensee”) license to practice registered professional nursing in the State of Maine. The parties to this Agreement are Ms. Knoop, 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.A. § 8003(5), (A-1) (4) and 10 M.R.S.A. § 8003(5) (B). On January 6 and March 23, 2010, the Board met with Ms. Knoop in an informal conference. The parties reached this Agreement on the basis of: 1) Board Notice of Complaint/Provider Report dated January 30, 2009 with information from Saint Joseph’s Manor (“St. Joseph’s”) dated January 14 and April 29, 2009; 2) Ms. Knoop’s responses dated February 10 and March 31, 2009; 3) Board Notice of Complaint/Provider Report dated October 6, 2009 with information from Heritage Rehabilitation & Living Center (“Heritage Rehabilitation”) received by the Board on September 15 and October 5, 2009; and 4) Ms. Knoop’s response dated October 30, 2009.

FACTS

1. Karla L. Knoop has been a registered professional nurse licensed to practice in Maine since September 2003.
2. Karla L. Knoop was separated from employment during her 90-day probationary period at St. Joseph’s on December 29, 2008 for substandard job performance related to the administration and documentation of narcotic medications, specifically Oxycodone. On November 25, 2008, Ms. Knoop signed a “Report of Oral Warning Discussion” regarding the discrepancies in her medication administration.
3. On September 9, 2009, Ms. Knoop was terminated from Heritage Rehabilitation for diverting a resident’s medication (Promethazine) for her own personal use. An investigation of the matter by the Winthrop Police Department led to a criminal prosecution for stealing drugs in the Augusta District Court, CR-09-2251. On December 22, 2009, the case was deferred for disposition until December 21, 2010 [Exhibit 1], with a substance abuse evaluation as part of her bail conditions. The Board received a copy of the evaluation from John Wood, LADC, on February 22, 2010 [Exhibit 2].
4. Karla L. Knoop admits that she has a substance abuse problem and has taken the steps to seek treatment; she continues with counseling.
5. In lieu of an adjudicatory hearing, Ms. Knoop has agreed to enter this Agreement with the Board.

AGREEMENT

6. Karla L. Knoop understands and agrees that based upon the above-stated facts, this document imposes discipline regarding her license to practice nursing in the State of Maine. The grounds for discipline for violations are under 32 M.R.S.A. § 2105-A(2)(B), (2)(F), (2)(H) and Chapter 4, sections 1(A)(2), 1(A)(6), 1(A)(8) and Chapter 4, section 3(Q) of the Rules and Regulations of the Maine State Board of Nursing. Specifically, the violations are:



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- a. M.R.S.A. § 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.)
- b. M.R.S.A. § 2105-A (2) (F). Unprofessional Conduct. Ms. Knoop engaged in unprofessional conduct because she violated a standard of professional behavior that has been established in the practice for which she is licensed. (See also Rule Chapter 4, Section 1.A.6.)
- c. M.R.S.A. § 2105-A (2) (H). A violation of this chapter or a rule adopted by the Board. (See also Rule Chapter 4, Section 1.A.6.)
- d. Rule Chapter 4, Section 3. *Unprofessional Conduct* is defined as: *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:*

Chapter 4, Section Q. Ms. Knoop possessed, obtained and administered prescription drugs to herself, except as directed by a person authorized by law to prescribe drugs.

7. Karla L. Knoop's license as a registered professional nurse is placed on probation, which will continue until final disposition of her criminal matter in the Augusta District Court. Her probationary license will be subject to the following conditions:
 - a. Karla L. Knoop shall fully cooperate with the representatives of the Board in its monitoring and investigation of her compliance with probation. She shall inform the Board in writing within 15 days of any address change.
 - b. Karla L. Knoop will abstain completely from the use of alcohol or drugs, with the exception of substances used in accordance with a valid prescription from a treatment provider(s) who is aware of her substance abuse history.
 - c. Karla L. Knoop will arrange for and ensure the submission of quarterly reports to the Board by her treatment provider(s) and such reports shall continue until her probation is terminated. If Ms. Knoop's treatment is terminated during her probation, she shall notify the Board and provide written documentation.
 - d. Karla L. Knoop will notify the Board in writing within five business days after she obtains any nursing employment and/or an educational program in the field of nursing. Notice under this section shall include the place and position of employment or the nursing educational program. If during the period of probation, Ms. Knoop's employment as a nurse or her educational program in the field of nursing terminates, she shall notify the Board in writing within five business days after she is terminated or separated, regardless of cause, with a full explanation of the circumstances.
 - e. Karla L. Knoop will notify any and all of her nursing employers and faculty involved in any clinical studies of the terms of this Agreement and provide them with a copy of it.
 - f. Karla L. Knoop will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer and/or clinical faculty regarding her general nursing practice, to include clinical competency, adherence to following policies and procedures relative to the standards of nursing practice, and documentation.

- g. Karla L. Knoop agrees and understands that the Board and the Office of the Attorney General shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her treatment for substance abuse which the Board deems necessary to evaluate her compliance with the Agreement and her continued recovery. Ms. Knoop shall provide such information, authorize the release of such records and information, and authorize any such discussions and communications with any and all persons involved in her care, counseling and employment as may be requested by the Board.
8. Karla L. Knoop agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement beyond the above-referenced probationary period until, and unless the Board, at her written request, votes to terminate her probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Knoop has complied with the provisions of this Agreement.
 9. Karla L. Knoop understands and agrees that if any member of the Board or the Board's Executive Director receives reasonably reliable information suggesting that she has not remained substance-free in accordance with this Agreement, her license will be immediately and automatically suspended pending further review by the Board. In the event any member of the Board or its Executive Director receives such information, it will be immediately forwarded to Ms. Knoop for response. Ms. Knoop understands and agrees that in such an event, her license shall remain suspended pending a hearing. The Board shall hold a hearing within 60 days of the automatic suspension unless both the Licensee and the Board agree to hold the hearing later, or the Executive Director and/or the Office of the Attorney General earlier determine that such information is without merit. If the information received is proven to be inaccurate or incorrect, either through hearing or determination by the Executive Director and/or the Office of the Attorney General, Ms. Knoop's license will be immediately reinstated retroactive to the date of suspension.
 10. If Ms. Knoop violates any other condition of her probation, the Board will give written notice to her regarding her failure to comply. Notice will be sent by certified mail, return receipt requested, to the last known address of the Licensee that is on file with the Board. The Licensee has 30 days from receipt of this notification to respond to the Board, in writing, regarding the alleged violation(s). The Board will review the Licensee's timely response to determine what action, if any, it determines to take. If the Licensee fails to timely respond to the Board's notification regarding her failure to comply, her license will be immediately suspended pending a hearing at the next regularly scheduled Board meeting. If after notice and a hearing, the Board finds that the Licensee has failed to meet the conditions of probation, 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.
 11. 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. Knoop'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. Knoop understands this Agreement is subject to the Compact. She agrees that during the pendency of this Agreement, her nursing practice will be limited to the State of Maine as it pertains to the Compact. If Ms. Knoop wishes to practice in any other party state within the Compact, she shall arrange to have the party state in which she intends to practice provide the Board with written authorization that she has been approved to practice in that state.
 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. Karla L. Knoop understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Consent Agreement.
14. Karla L. Knoop affirms that she executes this Agreement of her own free will.
15. Modification of this Agreement must in writing and signed by all parties.
16. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
17. This Agreement becomes effective upon the date of the last necessary signature below.


I, KARLA L. KNOOP, 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: 8/4/10


KARLA L. KNOOP, R.N.

FOR THE MAINE STATE
BOARD OF NURSING

DATED: 8/15/10


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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: 8/17/10


JOHN H. RICHARDS
Assistant Attorney General