



Maine State Board of Nursing

295 WATER STREET
AUGUSTA, MAINE 04330

In Re: Etoile T. Martin

DECISION

This matter came on for Adjudicatory Hearing before the Maine State Board of Nursing on July 15, 1986. The Adjudicatory Hearing was held pursuant to 32 M.R.S.A. §2105-A(1)(C) and 5 M.R.S.A. §10003. The hearing was held at 5:00 p.m. in the Cumberland Room at the Augusta Civic Center, Augusta, Maine. Present at the hearing were Board members Richard L. Sheehan, R.N., Chairman, Betty B. Clark, R.N., Monique G. Patenaude, Barbara K. Dow, L.P.N., Cynthia A. Desjardins, R.N., Anne H. Napier, R.N., Kathleen F. Murray, R.N. Also present were Board counsel Theresa Skaling Ketchum, Special Assistant Attorney General, Kenneth W. Lehman, Assistant Attorney General, Jean C. Caron, R.N., Executive Director, and Elizabeth T. Richard, R.N., Assistant Executive Director. Despite notice to Ms. Martin comporting with 5 M.R.S.A. §9052, she failed to attend.

At issue was whether sufficient grounds exist to refuse to renew Ms. Martin's license because of a professional diagnosis of a mental or physical condition which has resulted or may result in her performing her duties in a manner which endangers the health or safety of her patients, in accord with 32 M.R.S.A. §2105-A(1)(C) and (2)(C).

FINDINGS OF FACT

Given Ms. Martin's failure to appear at the hearing, the Board reviewed the July 3, 1986 Notice of Hearing served upon Ms. Martin and reviewed the return receipt from the certified mailing of the Notice of Hearing, addressed to Etoile T. Martin, R.F.D. #3, Freeport, Maine, 04032, signed by Ralph E. Martin on July 10, 1986. The Board determined that full and sufficient service of process had been accomplished; therefore, it would proceed with the hearing.

In the course of the hearing, the Board admitted numerous documents as Exhibit 1. Each of the documents in Exhibit 1 were identified as to the date, the author and the addressee. Included with Exhibit 1 was evidence that Ms. Martin was and still is suffering from a mental illness. The evidence presented reveals that Ms. Martin's mental illness includes a history of psychotic and

bizarre behavior. Among other things, she has been diagnosed a paranoid schizophrenic. The Exhibit also contains information that Ms. Martin's mental illness has resulted or may result in her performing her nursing duties in a manner which endangers the health or safety of her patients.

DECISION

Based upon the evidence admitted at the Adjudicatory Hearing, after careful consideration of this evidence, the Board decided by unanimous vote that there is substantial evidence to show that there has been a professional diagnosis that Ms. Martin has a mental illness which was resulted or may result in her performing her duties in a manner which endangers the health or safety of her patients.

Therefore, pursuant to 32 M.R.S.A. §2105-A(1)(C) and (2)(C) and to 5 M.R.S.A. §10003, the Maine State Board of Nursing hereby unanimously decides to not renew Ms. Martin's license to practice nursing in the State of Maine.

DATED: Aug 26, 1986

SIGNED: Richard L. Sheehan
MAINE STATE BOARD OF NURSING
Richard L. Sheehan, R.N.
Chairman