



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

**BEFORE THE MAINE STATE BOARD OF NURSING**

IN THE MATTER OF LICENSE NO. )  
 R051641 ISSUED TO: )

LOUISE A. MCDONOUGH )

To practice registered professional )  
 nursing in the State of Maine )  
 ----- )

**ORDER TERMINATING  
 PROBATION**

WHEREAS, on **June 13, 2007**, License No. **R051641** issued to **Louise A. McDonough** was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and

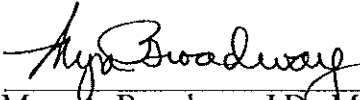
WHEREAS, on **September 4, 2008**, the Board of Nursing duly considered all evidence presented to it concerning **Louise A. McDonough's** compliance with the conditions of said probation; and

WHEREAS, the Board found that **Louise A. McDonough** has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation executed on **February 29, 2008** is hereby terminated.

DATED this **9th** day of **September 2008**.

**MAINE STATE BOARD OF NURSING**

BY:   
 Myra A. Broadway, J.D., M.S., R.N.  
 Executive Director



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JOHN ELIAS BALDACCI  
 GOVERNOR

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

IN RE: LOUISE A. MCDONOUGH, R.N.            )  
       of Stockton Springs, Maine            )  
       License #R051641                        )

**CONSENT AGREEMENT**  
   **FOR PROBATION**  
   **WITH CONDITIONS**

**INTRODUCTION**

This document is a Consent Agreement regarding Louise A. McDonough’s license to practice registered professional nursing in the State of Maine. The parties enter into this Consent Agreement pursuant to 32 M.R.S.A. § 2105-A (1-A) (B) and 10 M.R.S.A. § 8003(5) (B). The parties to this Consent Agreement are Louise A. McDonough (“Licensee” or “Ms. McDonough”), Maine State Board of Nursing (“ME Board”) and the Office of the Attorney General, State of Maine. The Board considered Ms. McDonough’s application to renew her license as a registered professional nurse and her Consent Agreement For Probation with the Board of Registration in Nursing (“MA Board”) dated April 19, 2007, incorporated herein and attached hereto as Exhibit A. The parties reached this Consent Agreement based upon the facts stated below.

**FACTS**

1. Louise A. McDonough has been a registered professional nurse licensed to practice in Maine since 2005.
2. Louise A. McDonough filed a renewal application as a registered professional nurse with the Maine State Board of Nursing on February 7, 2007. Ms. McDonough answered “No” to questions No. 3, “Is there any pending complaint pending against your license in any state or jurisdiction?” Ms. McDonough failed to disclose that there was a complaint pending before the MA Board at the time of her renewal application. The MA Board concluded the matter with a Consent Agreement dated April 19, 2007, with discipline, and placing Ms. McDonough’s Massachusetts license on probation for a period of one (!) year. Exhibit A.

**AGREEMENT WITH CONDITIONS OF PROBATION**

3. Louise A. McDonough agrees and understands that the ME Board is taking reciprocal action on her Maine license as a registered professional nurse with that of the MA Board.
4. Louise A. McDonough’s license to practice registered professional nursing in the State of Maine will be placed on probationary status commensurate with Massachusetts’s probation. Exhibit A. In addition, Ms. McDonough agrees and understands that her Maine license will have the following additional terms and conditions:



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OFFICES LOCATED AT: 161 CAPITOL ST., AUGUSTA, ME  
<http://www.maine.gov/boardofnursing/>

PHONE: (207) 287-1133


FAX: (207) 287-1149

- a. Louise A. McDonough will notify any and all of her nursing employers and notify faculty involved in any clinical studies if she is enrolled in a nursing educational program, of the terms of this Consent Agreement and shall provide them with a copy of it.
  - b. Louise A. McDonough will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer or clinical faculty regarding her nursing practice.
  - c. Louise A. McDonough will immediately notify the Board in writing regarding any material change in her nursing employment or entry into an educational program in the field of nursing. Notification under this section shall include the place and position of employment or the educational program and the same notification shall apply to any subsequent change in employment or change in educational program.
  - d. Louise A. McDonough's employment is restricted during the period of probation to structured settings with on-site supervision by another registered professional nurse. Structured settings shall not include assignments from temporary employment agencies, school nursing, working as a traveling nurse or working within the correctional system.
5. 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. McDonough's "home state" of licensure and primary state of residence, which means that Ms. McDonough has declared that the State of Maine is her fixed permanent and principle home for legal purposes; her domicile. Other party states that are in the Compact are referred to as a "remote state," which means a party state, other than the home state that has adopted the Compact. Ms. McDonough understands that this document is a Consent Agreement that is subject to the Compact. Ms. McDonough agrees that during the pendency of this Consent Agreement her nursing practice may be limited to the State of Maine as it pertains to the Compact. If Ms. McDonough 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.
6. Louise A. McDonough agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the one (1) year probationary period established by the MA Board Consent Order, until and unless the Board, at Ms. McDonough's written request, votes to terminate Ms. McDonough's probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. McDonough has complied with the provisions of this Consent Agreement.

7. This Consent 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.
8. Louise A. McDonough understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering into the Consent Agreement.
9. If Louise A. McDonough 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.
10. Louise A. McDonough affirms that she executes this Consent Agreement of her own free will.
11. Modification of this Consent Agreement must in writing and signed by all the parties.
12. This Consent Agreement is not subject to appeal or review by the Licensee but may be enforced by an action in the Superior Court.
13. This Consent Agreement becomes effective upon the date of the last necessary signature below.

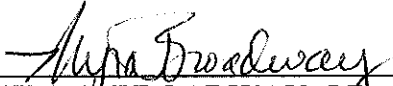
**I, LOUISE A. MCDONOUGH, R.N., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.**

DATED: 2/25/08

  
\_\_\_\_\_  
LOUISE A. MCDONOUGH, R.N.

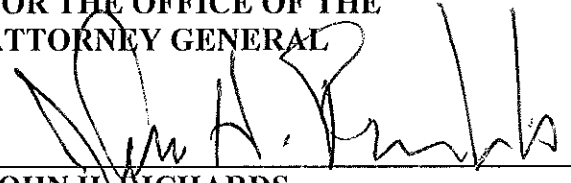
FOR THE MAINE STATE  
BOARD OF NURSING

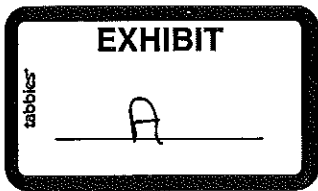
DATED: 2/26/08

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

FOR THE OFFICE OF THE  
ATTORNEY GENERAL

DATED: 2/29/08

  
\_\_\_\_\_  
JOHN H. RICHARDS  
Assistant Attorney General



COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION IN NURSING

In the Matter of ) Docket No. RN-06-105
Louise McDonough )
RN License No. 123118 )
License Exp. Date: 03/15/08 )

CONSENT AGREEMENT FOR PROBATION

The Massachusetts Board of Registration in Nursing (Board) and Louise McDonough (Licensee), a Registered Nurse (RN) licensed by the Board, License No. 123118, do hereby stipulate and agree that the following information shall be entered into and become a permanent part of the Licensee's record maintained by the Board:

- 1. The Licensee agrees that this Consent Agreement for Probation (Probation Agreement) is entered into in resolution of the Board's investigation of a complaint filed against her Massachusetts nursing license, Docket No. RN-06-105.
2. The Licensee acknowledges that, if proved, her conduct as alleged in Docket No. RN-06-105 would constitute failure to comply with the Board's Standards of Conduct at 244 Code of Massachusetts Regulations (CMR) 9.03(5), (35), (38), (39), (44) and (47) and warrants disciplinary action by the Board under Massachusetts General Laws (G.L.) Chapter 112, section 61 and Board regulations at 244 CMR 7.04, Disciplinary Actions. Specifically, the Licensee acknowledges that there is evidence based on which the Board, following a hearing, could find that while employed as a nurse at Tufts New England Medical Center in Boston, MA, during the period between January 2005 and June 2005, she:
- failed to properly calculate the rate and dosage of narcotic medications administered to a patient via intravenous drip,
- administered the medication to this patient in excess of the physician's order,
- failed to complete documentation relating to the care, treatment and administration of medications to this patient,
- failed to properly transcribe verbal and/or telephone order(s) for this patient, and
- failed to document waste of narcotic medications removed but not administered for this patient and two other patients.

3. The Licensee hereby agrees that she nursing license shall be placed on PROBATION for one (1) year (Probationary Period), commencing with the date on which the Board signs this Probation Agreement (Effective Date).
4. During the Probationary Period, the Licensee further agrees that she shall comply with all of the following requirements to the Board's satisfaction:
  - a. Comply with all laws and regulations governing the practice of nursing, and not engage in any continued or further conduct and actions as she acknowledged in Paragraph 2 above.
  - b. Not accept any home care assignment.
  - c. While employed as a nurse, receive direct supervision from a Registered Nurse who is physically located at all times in each facility in which the Licensee practices nursing.
  - d. Within thirty (30) days of the Effective Date of this Agreement and/or thirty (30) days after the commencement of any future nursing employment, review this Probation Agreement with each nursing employer (Employer) and arrange for each Employer to submit directly to the Board within this time period written verification of this review on its letterhead stationery.
  - e. Arrange for each Employer to submit directly to the Board *quarterly* written reports on its letterhead stationery attesting to the Licensee's satisfactory nursing practice, reliability and attendance and specifically evaluating Licensee's nursing practices with respect to the administration and waste of medications, particularly narcotics administered via intravenous drip, and her documentation related to the same. The Licensee is responsible for ensuring that these reports are received by the Board commencing ninety (90) days after the Effective Date of this Probation Agreement and on the first day of every third month thereafter.
  - f. Notify the Board in writing within ten (10) days of any change in the Licensee's employment status, including each change in Employer, each resignation or termination, and the name, address and telephone number of each new Employer.
  - g. Notify the Board in writing within ten (10) days of each change in the Licensee's name and/or address.
  - h. Timely renew her license to practice nursing.





- the Licensee to the Board, which demonstrates compliance with the terms of this Probation Agreement; or
- ii. the Probationary Period and requirements under this Probation Agreement, as modified by the Board are resumed upon approval by the Board based on its review of documentation submitted by the Licensee to the Board, which demonstrates compliance with the terms of the Probation Agreement; or
  - iii. this Probation Agreement is superseded by a subsequent consent agreement between the Board and the Licensee or by formal adjudication by the Board.
8. The Licensee understands and agrees that if her nursing license is surrendered or suspended by the Board in accordance with Paragraph 7 or 8 above, respectively, she will immediately return to the Board, by hand or certified mail, her current Massachusetts license to practice as a Registered Nurse. Upon said surrender or suspension, Licensee agrees that she will no longer be authorized to engage in the practice of nursing in the Commonwealth of Massachusetts and shall not in any way represent herself as a Registered Nurse until such time as the Board reinstates her nursing license or right to renew such license. Any evidence of unlicensed practice or misrepresentation as a Registered Nurse after the Board has notified the Licensee of her license surrender or suspension shall be grounds for further disciplinary action by the Board and the Board's referral of the matter to the appropriate law enforcement authorities for prosecution, as set forth in G.L. c. 112, sections 65 and 80.
9. The Licensee understands that entering into this Probation Agreement is a final act and not subject to reconsideration or judicial review.
10. The Licensee states that she has used legal counsel in connection with her decision to enter into this Probation Agreement or, if she has not used legal counsel, that the decision not to do so has been one taken of her own free will.
11. The Licensee understands that after its Effective Date, the Board is authorized to forward a copy of this Agreement to other licensing boards, law enforcement entities, or to any other individual or entity as required or permitted by law.
12. The Licensee agrees to return to the Board, either by hand or certified mail, two (2) duplicate originals of this Probation Agreement signed, witnessed and dated, within fifteen (15) days of her receipt of the unsigned, proposed Probation Agreement from the Board.

13. The Licensee understands that she has a right to formal adjudication concerning the allegations against her and that during said adjudication she would possess the right to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on her own behalf, to contest the allegations, to present oral argument, to appeal to the courts, and all other rights as set forth in the Massachusetts Administrative Procedures Act, G. L. c. 30A, and the Standard Adjudatory Rules of Practice and Procedure, 801 CMR 1.01 et seq. The Licensee further states that she understands that in executing this document entitled "Consent Agreement for Probation," she is knowingly and voluntarily waiving her right to a formal adjudication and to the rights listed above.

Supreme Hilli 4/13/07  
 Witness (sign and date)

Louise McDonough 4/13/07  
 Louise McDonough  
 Licensee (sign and date)

\_\_\_\_\_  
 Witness (print name)

Rula Harb  
 Rula Harb, MSN, RN  
 Executive Director  
 Board of Registration in Nursing

April 19, 2007  
 Effective Date of Probation Agreement

Fully Signed Agreement Sent to Licensee on 4.19.07

by Certified Mail No. 7006 2760 0003 7733 6094

Department of Public Health  
Office of the General Counsel

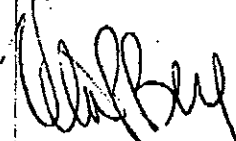
James F. Lamond, Esq.  
April 19, 2007

Page 2

Please note that Karen Fishman is responsible for monitoring compliance with the requirements of the Agreement. All correspondence and questions in connection with the Agreement should be directed to Ms. Fishman, Probation Monitor, Dept. of Public Health, Division of Health Professions Licensure at 239 Causeway St., Second Floor, Boston, MA 02114. You may also contact Ms. Fishman at (617) 973 - 0951.

Thank you for your cooperation in resolving this matter.

Sincerely,



Vita Palazzolo Berg  
Prosecuting Counsel  
Department of Public Health  
Office of the General Counsel  
(617) 973 - 0842

Enclosure

RECEIVED

FEB 26 2008

MAINE STATE  
BOARD OF NURSING

RECEIVED

MAR 04 2008

MAINE STATE  
BOARD OF NURSING

RECEIVED

FEB 15 2008

MAINE STATE  
BOARD OF NURSING

TOTAL P.07