



STATE OF MAINE
 BOARD OF NURSING
 158 STATE HOUSE STATION
 AUGUSTA, MAINE
 04333-0158

ANGUS S. KING, JR.
 GOVERNOR

JEAN C. CARON, M.S., R.N.
 EXECUTIVE DIRECTOR

In re:)
Janice K. Mercinko)
 of Belfast, Maine)
 License #P007919) **CONSENT AGREEMENT REGARDING**
VOLUNTARY SURRENDER OF LICENSE

INTRODUCTION

This document is a Consent Agreement regarding Janice Mercinko's license to practice practical nursing in the State of Maine, entered into pursuant to 32 M.R.S.A. Section 2105-A(1-A)(B) and 10 M.R.S.A. Section 8003(5)(B). The parties to this Consent Agreement are: Janice K. Mercinko, the Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine.

By letter dated April 5, 1994, Ms. Mercinko was advised by the Board that it had received a letter dated March 31, 1994 from Sandra LaPorte, Vice President for Nursing, Penobscot Bay Medical Center, stating that Ms. Mercinko had been placed on administrative leave as a result of an on-going medical examiner's investigation into the death of a patient. This letter was supplemented by another letter from Ms. LaPorte to the Board dated June 23, 1994 indicating that Ms. Mercinko had been terminated from employment at the Penobscot Bay Medical Center. This letter was forwarded to Ms. Mercinko by letter dated July 12, 1994. On December 20, 1995, the Board received a letter from Ms. Mercinko in which she offered her immediate "resignation" and returned to the Board her license to practice practical nursing in Maine.

FACTS

1. On January 3, 1996, Ms. Mercinko was convicted of one count of Tampering with Public Records, a Class D criminal offense under 17-A M.R.S.A. Section 456(1)(A).
2. On January 3, 1996, Ms. Mercinko was also convicted of one count of Endangering the Welfare of an Incompetent Person, a Class D criminal offense under 17-A M.R.S.A. Section 555(1).
3. Ms. Mercinko received a \$500 fine for each conviction.

COVENANTS

The Board has voted to enter into an agreement with Ms. Mercinko under which she will voluntarily surrender her license to practice practical nursing in Maine. The Board will accept the voluntary surrender of Ms. Mercinko's license with the following condition: should she petition the Board for reinstatement of her license, the decision on reinstatement at that point will be at the discretion of the Board. The Board agrees to take no further action upon these facts so long as Ms. Mercinko fully complies with this Consent Agreement.

Ms. Mercinko understands that this document is a Consent Agreement which extinguishes her legal right to practice practical nursing in Maine. Ms. Mercinko understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney

before entering this Consent Agreement. Ms. Mercinko affirms that she executes this Consent Agreement of her own free will.

DATED: Dec 2, 1996

Janice K. Mercinko
JANICE K. MERCINKO

**FOR THE MAINE STATE BOARD OF
NURSING:**

DATED: 12/5/96

Jean C. Caron
JEAN C. CARON, M.S., R.N.
Executive Director

**FOR THE DEPARTMENT OF
ATTORNEY GENERAL:**

DATED: 12/5/96

Timothy W. Collier
TIMOTHY W. COLLIER
Assistant Attorney General
Counsel to the Board