



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: DREW M. MITCHELL** )  
**of Anson, Maine** )  
**License # R020811** ) **CONSENT AGREEMENT**  
**FOR VOLUNTARY**  
**SURRENDER OF LICENSE**

**INTRODUCTION**

This document is a Consent Agreement ("Agreement") regarding Drew M. Mitchell's license as a registered professional nurse in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A (1-A) (C) and 10 M.R.S.A. § 8003 (5) (B), (5) (D). The parties to this Agreement are Drew M. Mitchell ("Licensee" or "Ms. Mitchell"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. The parties reached this Agreement on the basis of 1) a Notice of Complaint/Provider Report from the Board dated August 15, 2008, which consists of information dated August 7, 2008 from Woodlawn Rehab & Nursing Center ("Woodlawn"), Skowhegan, Maine; and 2) correspondence received by the Board from Ms. Mitchell on September 16, 2008.

**FACTS**

1. Drew M. Mitchell has been licensed as a registered professional nurse to practice in Maine since August 1977.
2. Drew M. Mitchell was employed at Woodlawn. On June 3 and July 28, 2008, Ms. Mitchell reported that she alone drew a resident's blood for an INR (International Normalized Ratio), which is a test to measure blood coagulation. She reported that the June 3 result was 2.9, which is in the therapeutic range; she also reported this result to the resident's doctor. The nursing staff found it odd that Ms. Mitchell drew this resident's blood alone because this particular resident always required two staff members to be present for lab draws. This was brought to the attention of the Director of Nursing ("DON"), who immediately inspected the INR testing machine to confirm Ms. Mitchell's reported result of 2.9. The DON did not find these results in the machine, which automatically records test results in its memory. The resident was retested and found to have a result of 1.3, which is not within the therapeutic range. Further investigation determined that Ms. Mitchell reported she drew an INR of 2.4 on this same resident on June 3, 2008. The result and corresponding date could not be found in the INR testing machine memory.
3. ~~Drew M. Mitchell admits that she did not perform the INR tests on June 3 and July 28, 2008 and that she falsified the resident's records that the tests were done.~~ DM 11-2-10
4. The resident, whom Ms. Mitchell cared for on June 3 and July 28, had a history of strokes.
5. On August 5, 2008, Ms. Mitchell's employment at Woodlawn was terminated ~~because she falsified records and jeopardized a resident's health.~~ DM 11-2-10
6. Drew M. Mitchell has offered to surrender her registered professional nurse license ~~based upon the above-stated facts in lieu of an adjudicatory hearing before the Board.~~ DM 11-2-10

*I surrender my license because I could then or now prove that a second INR machine was brought into Woodlawn by Cherie another R.N. She had it from having care for her sister who died*

*DM Mitchell*

### AGREEMENT

7. The Maine State Board of Nursing will accept Drew M. Mitchell's offer to voluntarily surrender her registered professional nurse license. Ms. Mitchell understands and agrees that should this matter go to hearing before the Board on the above-stated facts and the underlying information to support those facts, it is more likely than not the facts would support the Board's findings in this Agreement.
8. Drew M. Mitchell understands and agrees that based upon the above-stated facts, this document imposes discipline regarding her registered professional nurse license in the State of Maine. The grounds for discipline for violations under 32 M.R.S.A. § 2105-A(2)(A), (2)(F), (2)(H) and Chapter 4, sections 1(A)(1), 1(A)(6), 1(A)(8) and Chapter 4, sections 3(F) and 3(K) of the Rules and Regulations of the Maine State Board of Nursing. Specifically, the violations are:

Title 32 M.R.S.A. §§:

- a. 2105-A (2) (A). Ms. Mitchell engaged in the practice of fraud or deceit in connection with a service rendered within the scope of her license. (See also Chapter 4, Section 1.A.1.)
- b. 2105-A (2) (F). Unprofessional Conduct. Ms. Mitchell has engaged in unprofessional conduct by violating standards of professional behavior regarding patient care that have been established in the practice for which she is licensed. (See also Chapter 4, Section 1.A.6.)
- c. 2105-A (2) (H). A violation of this chapter or a rule adopted by the Board. (See also Chapter 4, Section 1.A.8.)

Chapter 4, Section 3. Unprofessional Conduct as defined by the Rules and Regulations of the Maine State Board of Nursing in Chapter 4, Section 3, describes *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:*

- d. Section 3(F). Failure to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard residents.
  - e. Section 3(K). Falsification of a resident and health care provider record.
9. Drew M. Mitchell understands and agrees that her license will remain on surrender status and subject to the terms of this Agreement indefinitely until and unless the Board, at her written request, votes to reinstate her license. Ms. Mitchell understands and agrees that if the Board reinstates her license, it will be for a probationary period.
  10. 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. Mitchell's "home state" of licensure and primary state of residence, which means that 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. Mitchell understands this Consent Agreement subject to the Compact.

11. Drew M. Mitchell 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.
12. Drew M. Mitchell shall not work or volunteer in any capacity for a health care provider as defined by Title 24 M.R.S.A. § 2502 (2) or in any position holding herself out as a registered professional nurse or with the designation "R.N."
13. 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.
14. Modification of this Agreement must be in writing and signed by all parties.
15. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
16. Drew M. Mitchell affirms that she executes this Agreement of her own free will.
17. This Agreement becomes effective upon the date of the last necessary signature below.


**I, DREW M. MITCHELL, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, KNOWINGLY, AND INTELLI-GENTLY 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: 11-2-10

  
DREW M. MITCHELL

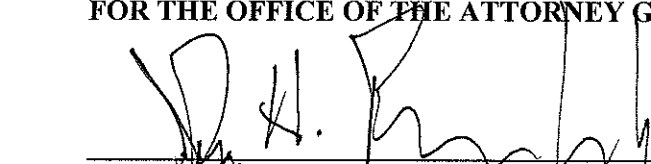
**FOR THE MAINE STATE BOARD OF NURSING**

DATED: Nov 8, 2010

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

**FOR THE OFFICE OF THE ATTORNEY GENERAL**

DATED: 11/29/10

  
JOHN H. RICHARDS  
Assistant Attorney General