

MSBON



MAINE STATE BOARD OF NURSING
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In re:)
Timothy J. Nelson)
of East Waterboro, Maine)
License #R026797)

CONSENT AGREEMENT
REGARDING VOLUNTARY
SURRENDER OF LICENSE

INTRODUCTION

This document is a Consent Agreement regarding Timothy J. Nelson's license to practice professional 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: Timothy J. Nelson, the Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine. By letter dated December 2, 1994 Mr. Nelson was advised by the Board that it had received a letter dated November 23, 1994 from Eloise Balasco, R.N., Vice President for Nursing, Mercy Hospital, stating that Mr. Nelson had been suspended from employment at the Hospital for inappropriate medication documentation. This information was supplemented by letter dated December 8, 1994 enclosing a letter dated December 2, 1994 from Ms. Balasco. Mr. Nelson responded in a letter to the Board dated December 15, 1994. The Board held an informal conference to discuss this matter on April 5, 1995. Mr. Nelson attended the conference without legal counsel. This Consent Agreement is a result of that informal conference.

FINDING OF FACTS

1. Mr. Nelson admits to the diversion of morphine and to the falsification of narcotic records at Mercy Hospital from February 1992 to November of 1994.
2. Mr. Nelson has had a chemical dependency problem dating back to 1986.
3. Mr. Nelson has completed an intensive twenty-one (21) day outpatient treatment program with family counseling and was at the time of the informal conference in both aftercare and a self-help recovery program.
4. Mr. Nelson has had chronic back pain, and his addiction started with prescription medications for that pain.
5. There was no documented harm to any patient as a result of Mr. Nelson's actions.

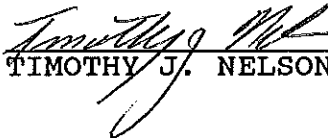
6. Mr. Nelson states that he has been drug-free since November of 1994.
7. Mercy Hospital remains supportive of Mr. Nelson and would consider him if he chose to reapply for employment at that facility.
8. Mr. Nelson states that he was not impaired on duty, although he would at times use morphine on the hospital grounds at the end of his shift.

COVENANTS

Mr. Nelson agrees voluntarily to surrender his license to practice professional nursing in Maine for a period of one (1) year. The Board accepts the voluntary surrender of Mr. Nelson's license with the following conditions:

1. Mr. Nelson will remain substance-free.
2. Mr. Nelson will continue his prescribed aftercare treatment process and self-help recovery program.
3. Mr. Nelson will provide to the Board quarterly reports from his substance abuse counselor so long as he remains in treatment.
4. Mr. Nelson will not seek nor accept employment in any position in the field of health care, including any unlicensed assistive personnel position.
5. Mr. Nelson will notify any treating physician of his chemical dependency diagnosis.
6. Should Mr. Nelson petition the Board for reinstatement of his 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 Mr. Nelson fully complies with this Consent Agreement.
7. Mr. Nelson understands that this document is a Consent Agreement which extinguishes his legal right to practice nursing in Maine. Mr. Nelson understands that he does not have to execute this Consent Agreement and that he has the right to consult with an attorney before entering this Consent Agreement. Mr. Nelson affirms that he executes this Consent Agreement of his own free will.

DATED: 2-9-96


TIMOTHY J. NELSON


FOR THE MAINE STATE BOARD OF
NURSING:

DATED: 2/21/96


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

FOR THE DEPARTMENT OF
ATTORNEY GENERAL:

DATED: 2/24/96


TIMOTHY W. COLLIER
Assistant Attorney General
Counsel to the Board