



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

PAUL R. LEPAGE
 GOVERNOR

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

IN RE: SUSAN M. O'CONNOR, LPN
 of Bangor, ME
 License No. LPN10462

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**CONSENT AGREEMENT
 FOR VOLUNTARY
 SURRENDER OF LICENSE**

INTRODUCTION

This document is a Consent Agreement ("Agreement") regarding Susan M. O'Connor's license as a licensed practical nurse ("LPN") in the State of Maine. The parties to this Agreement are Susan M. O'Connor ("Licensee" or "Ms. O'Connor"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S. §2105-A (1-A) (C), 10 M.R.S. §§ 8003 (A-1) (4), 8003 (5) (B) and 8003 (5) (D). The parties reached this Agreement on the basis of 1) a Board Complaint dated January 23, 2012, which includes a Provider Report from Treats Falls House, Inc. ("Treats Falls") dated January 5, 2012 and an Attorney General Investigations Incident Report dated November 21, 2011; 2) Ms. O'Connor's response to the Board Notice dated January 30, 2012; and 3) a Summary Investigative Report of Complaint #12025 from the Licensing & Regulatory Services, Maine Department of Health & Human Services, dated January 31, 2012.

FACTS

1. Susan M. O'Connor has been licensed to practice in Maine as an LPN since May 28, 1991. On February 12, 2004, Ms. O'Connor entered into a Consent Agreement for Censure with the Board for unprofessional conduct and failure to follow policy and protocols. [Exhibit A]
2. Susan M. O'Connor was working as a per diem LPN at Treats Falls in November 2011; she had completed orientation and worked one shift on her own when she was placed on administrative leave for administering ten times the prescribed dose of morphine to a resident. Ms. O'Connor stated she had misread the label of Morphine Solution and administered 2.5 mls instead of 0.25 mls to the resident, who was subsequently admitted to the emergency department for medical intervention with Narcan. Ms. O'Connor resigned her position on November 18, 2011 and states she has no plans to return to nursing practice.
3. The Maine Department of Health & Human Services, Licensing & Regulatory Services, substantiated the allegation of improper quality care/treatment on the basis of the medication error made by Susan M. O'Connor.
4. Susan M. O'Connor wishes to resolve this matter by surrendering her LPN license, thereby waiving her rights to an adjudicatory hearing.

AGREEMENT

5. The Maine State Board of Nursing will accept Susan M. O'Connor's offer to voluntarily surrender her LPN license. Ms. O'Connor 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 they would support the Board's findings in this Agreement. Further, she understands and agrees that this document imposes discipline regarding her nursing practice in the State of Maine. The grounds for discipline are found under Title 32 M.R.S. §§2105-A (2) (E), (2) (F), (2) (H) and Chapter 4, Sections 1 (A) (5), 1 (A) (6), 1 (A) (8), and Chapter 4, Sections 3(B), 3(F) and 3(H) of the Rules and Regulations of the Maine State Board of Nursing ("Board Rules"). Specifically, the violations are:



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- a. 32 M.R.S. §2105-A (2) (E). Incompetence. A licensee is considered incompetent in the practice if the licensee has:
 - (1) Engaged in conduct that evidences a lack of ability or fitness to discharge the duty owed by the licensee to a client or patient or the general public; or
 - (2) Engaged in conduct that evidences a lack of knowledge or inability to apply principles or skills to carry out the practice for which the licensee is licensed. See also: Board Rule Chapter 4, Sections 1.A.5.a. and 1.A.5.b.
- b. 32 M.R.S. §2105-A (2) (F). Unprofessional Conduct. Ms. O'Connor has engaged in unprofessional conduct, which violates a standard of professional behavior that has been established in the practice for which she is licensed. See also: Board Rule Chapter 4, Section 4.1.A.6.
- c. 32 M.R.S. §2105-A (2) (H). Ms. O'Connor violated a Maine Revised Statute in Title 32, Chapter 31 and rules adopted by the Board. See also: Board Rule Chapter 4, Section 1.A.8.
- d. Board Rule Chapter 4, Section 3. Unprofessional Conduct: *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:*
 - B. Ms. O'Connor assumed duties and responsibilities within the practice of nursing without adequate preparation or when competency had not been maintained.
 - F. Ms. O'Connor failed to take appropriate action or follow policies and procedures in the practice situation designed to safeguard the patient.
 - H. Ms. O'Connor negligently caused physical or emotional injury to a patient.
6. Susan M. O'Connor 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. O'Connor understands and agrees that if the Board reinstates her license, it may be for a probationary period.
7. 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 Board Rules. The State of Maine is Ms. O'Connor'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. O'Connor understands this Agreement is subject to the Compact.
8. Susan M. O'Connor understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Agreement.
9. Susan M. O'Connor shall not work or volunteer in any capacity for a health care provider as defined by Title 24 M.R.S. § 2502 (2) or in any position holding herself out as a licensed practical nurse or with the designation "LPN" while her nursing license is surrendered.
10. This Agreement is a public record within the meaning of 1 M.R.S. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S. § 408.
11. This Agreement is subject to the federal reporting requirements pursuant to Section 1128E of the Social Security Act and 45 CFR Part 61 and any other interstate/national reporting requirements.

12. Modification of this Agreement must be in writing and signed by all parties.
13. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
14. Susan M. O'Connor affirms that she executes this Agreement of her own free will.
15. This Agreement becomes effective upon the date of the last necessary signature below.

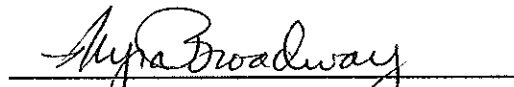
I, SUSAN M. O'CONNOR, LPN, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY NURSING LICENSE. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, KNOWINGLY, AND INTELLIGENTLY AND AGREE TO BE BOUND BY THIS AGREEMENT. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.

DATED: 8/26/12


SUSAN M. O'CONNOR, LPN

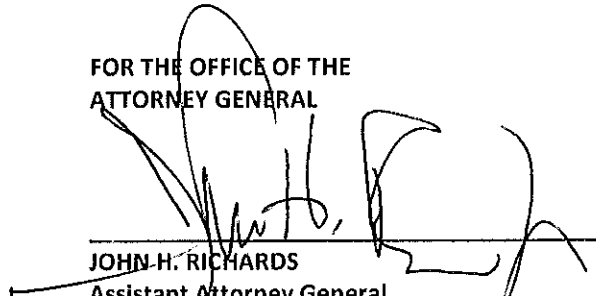
FOR THE MAINE STATE
BOARD OF NURSING

DATED: 8/29/12


MYRA A. BROADWAY, JD, MS, RN
Executive Director

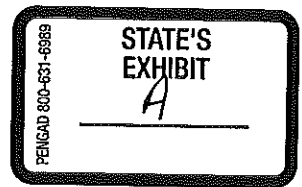
FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: 8/29/12


JOHN H. RICHARDS
Assistant Attorney General



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: SUSAN M. O'CONNOR, L.P.N.)
 of Bangor, Maine) **CONSENT AGREEMENT**
 License #P010462) **FOR CENSURE**

INTRODUCTION

This document is a Consent Agreement regarding Susan M. O'Connor's license to practice practical nursing in the State of Maine. The parties enter into this Agreement pursuant to 10 M.R.S.A. § 8003(5)(A-1)(1), § 8003(5)(B) and 32 M.R.S.A. § 2105-A(1-A)(A). The parties to this Consent Agreement are Susan M. O'Connor ("Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. An informal conference was held on January 7, 2004. The parties reached this Agreement on the basis of information submitted by State of Maine, Department of Developmental Services, Bangor Mental Health Institute ("BMHI"), Bangor, Maine dated March 31, 2003.

FACTS

1. Susan M. O'Connor has been a licensed practical nurse since 1991.
2. Susan M. O'Connor admits that she did not follow BMHI's policy and protocols on maintaining a one-on-one contact with a patient who was in the "quiet room" and only being monitored by video.
3. Susan M. O'Connor admits that she slept while on the unit. *(on my break)*
4. Susan M. O'Connor admits that the above instances were contrary to BMHI's policies and procedures.
5. There was no documented patient harm connected to the above instances and Ms. O'Connor is still employed at BMHI.

AGREEMENT

6. Susan M. O'Connor agrees and understands that her conduct constitutes in the above stated facts are grounds for discipline under Title 32 M.R.S.A. § 2105-A(2)(F), (2)(H) and Chapter 4.1.A.6. and Chapter 4.3.F. Susan M. O'Connor is hereby **CENSURED** for unprofessional conduct and for failing to take appropriate action or follow policies and procedures in a practice situation designed to safeguard the patient.



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7. Susan M. O'Connor understands that this Consent Agreement imposes discipline regarding her license to practice practical nursing in the State of Maine. Ms. O'Connor 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 this Consent Agreement.
8. Susan M. O'Connor affirms that she executes this Consent Agreement of her own free will.
9. Modification of this Consent Agreement must be in writing and signed by all the parties.
10. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
9. This Consent Agreement becomes effective upon the date of the last necessary signature below.


I, SUSAN M. O'CONNOR, L.P.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: 2/8/04


SUSAN M. O'CONNOR, L.P.N.

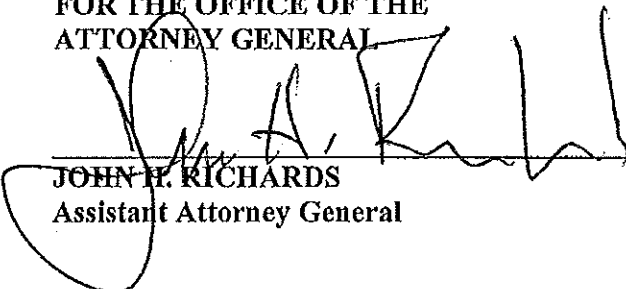
FOR THE MAINE STATE
BOARD OF NURSING

DATED: 2/10/04


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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: 2/12/04


JOHN H. RICHARDS
Assistant Attorney General