



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: TANYA L. PIPER, R.N.)
 of South Berwick, Maine)
 License #R048183) **CONSENT AGREEMENT
 FOR REINSTATEMENT
 AND PROBATION**

INTRODUCTION

This document is a Consent Agreement regarding Tanya L. Piper's license to practice registered professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A(1-A)(B), 10 M.R.S.A. § 8003(5)(A-1)(4) and 10 M.R.S.A. § 8003(5)(B). The parties to this Consent Agreement are Tanya L. Piper ("Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. The Board met with Ms. Piper on October 7, 2004, regarding her petition for reinstatement of her registered professional nurse license.

FACTS

1. Tanya L. Piper voluntarily surrendered her registered professional nurse license and entered a Consent Agreement with the Board on July 4, 2004, attached and marked as Exhibit A.
2. Tanya L. Piper has been substance free since January, 2004.
3. Tanya L. Piper is currently in aftercare treatment for substance abuse, which consist of attending NA twice a week, attending a professional support group once a week and attending counseling once every two weeks.
4. Tanya L. Piper has complied with the terms and conditions of the July 4, 2004, Consent Agreement.
5. Tanya L. Piper is currently on probation through Board Order in New Hampshire.

REINSTATEMENT WITH CONDITIONS OF PROBATION

6. Tanya L. Piper's license to practice registered professional nursing in the State of Maine is reinstated on a probationary status with conditions. The period of probation will commence on Ms. Piper's return to nursing practice, either through employment or pursuant to an educational program. The period of probation will be for a period of two years, to be effective only while she is employed in nursing practice or enrolled in a



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nursing education program. For purposes of this Agreement, nursing employment is any employment during which Ms. Piper performs nursing services. Ms. Piper's probationary license will be subject to the following conditions:

- a. Ms. Piper will remain substance free with the exception of prescribed medications by her physician who is aware of Ms. Piper's substance abuse history.
 - b. Ms. Piper will continue in an aftercare treatment program to such an extent and for as long as her treatment provider(s) recommend.
 - c. Ms. Piper will arrange for and ensure the submission of quarterly reports to the Board by her treatment provider(s) for as long as she remains in treatment or until her probationary period terminates, whichever occurs first.
 - d. Ms. Piper will immediately notify the Board in writing should she return to employment or an educational program in the field of nursing. Notice under this section shall include the place and position of employment or the educational program and any subsequent change in employment or educational program.
 - e. Ms. Piper will notify any and all of her nursing employers and notify faculty involved in any clinical studies of the terms of this Consent Agreement and shall provide them with a copy of it.
 - f. Ms. Piper will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer(s) regarding her nursing practice.
 - g. Ms. Piper's employment is restricted during the period of probation to structured settings, which shall not include assignments from temporary employment agencies, school nursing, working as a traveling nurse or working within the correctional system.
 - h. Ms. Piper shall comply with the Consent Agreement regarding her registered professional nurse license in the State of New Hampshire.
7. Tanya L. Piper shall not be entitled to utilize her multistate nursing privileges under her Maine registered professional nurse license during the period of probation.
 8. Tanya L. Piper agrees and understands that the Board and the Department of Attorney General shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her treatment for substance abuse which the Board deems necessary to evaluate Ms. Piper's compliance with the Consent Agreement and her continued recovery. Ms. Piper shall provide such information, shall authorize the release of such records and information, and shall authorize any such

discussions and communications with any and all persons involved in her care, counseling and employment as may be requested by the Board for the purpose of evaluating Ms. Piper's compliance with the Consent Agreement and her continued recovery.

9. Tanya L. Piper agrees and understands that if any member of the Board or the Board's Executive Director receives reasonably reliable information suggesting that Ms. Piper has not remained substance free in accordance with the Consent Agreement, Ms. Piper's license will be immediately and automatically suspended pending further review by the Board. In the event any member of the Board or its Executive Director receives such information, the information will be immediately forwarded to Ms. Piper for a response. Ms. Piper agrees and understands that in such event, her license shall remain suspended pending a hearing. The Board shall hold a hearing within 60 days of the automatic suspension unless both the Licensee and the Board agree to hold the hearing later, or the Executive Director and/or the Department of the Attorney General earlier determine that such information is without merit. If the information received is proven to be inaccurate or incorrect, either through hearing or determination by the Executive Director and/or the Department of the Attorney General, Ms. Piper's license will be immediately reinstated retroactive to the date of suspension.
10. Tanya L. Piper agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the two year probationary period, until and unless the Board, at Ms. Piper's written request, votes to terminate Ms. Piper's probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Piper has complied with the provisions of this Agreement.
11. Tanya L. Piper understands that this document is a Consent Agreement that affects her rights to practice nursing in Maine. Ms. Piper 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.
12. If Ms. Piper 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.
13. Tanya L. Piper affirms that she executes this Consent Agreement of her own free will.


14. Modification of this Consent Agreement must be in writing and signed by all parties.
15. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
16. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, TANYA L. PIPER, 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: Oct 25, 2004

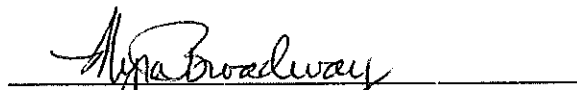

TANYA L. PIPER, R.N.

DATED: Oct. 20, 2004


JANET E. MICHAEL, ESQ.
Attorney for Tanya L. Piper

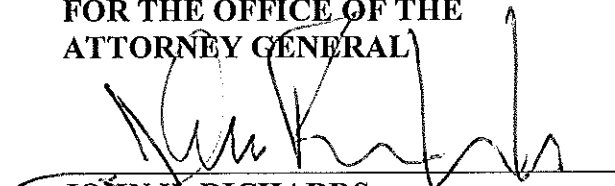
**FOR THE MAINE STATE
BOARD OF NURSING**

DATED: 11/2/04


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

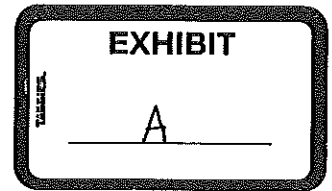
**FOR THE OFFICE OF THE
ATTORNEY GENERAL**

DATED: Nov. 3, 2004


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: TANYA L. PIPER)
 of South Berwick, Maine)
 License #R048183) **CONSENT AGREEMENT
 FOR VOLUNTARY
 SURRENDER OF LICENSE**

INTRODUCTION

This document is a Consent Agreement regarding Tanya L. Piper's license to practice registered professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 10 M.R.S.A. § 8003(5)(B), (5)(D) and 32 M.R.S.A. § 2105-A(1-A)(C). The parties to this Consent Agreement are Tanya L. Piper, Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. An informal conference was held on June 9, 2004. The parties reached this Agreement based on information submitted by her attorney Janet Michael through letter dated March 17, 2004 which included the New Hampshire Board of Nursing Settlement Agreement.

FACTS

1. Tanya L. Piper has been a registered professional nurse for seven years and has been licensed to practice as a registered professional nurse in Maine since 2003.
2. Tanya L. Piper entered into a Settlement Agreement ("Settlement") with the New Hampshire Board of Nursing dated February 23, 2004. Exhibit A. The Settlement resulted from Ms. Piper's admission to the misappropriation of narcotic pain medications for her own use and her admission to a substance abuse problem. Ms. Piper also stated to the Maine Board that she has a prior history of addiction to Percocet.
3. The Settlement provides for a suspension period of nine months retroactive to January 4, 2004 and allows Ms. Piper to request reinstatement of her New Hampshire license in September 2004.
4. Tanya L. Piper has been substance free for five months as of June 9, 2004.
5. Tanya L. Piper's aftercare treatment for substance abuse currently consists of attending N.A. two to three times a week and seeing a counselor once a week.



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Consent Agreement for Voluntary Surrender of License

Tanya L. Piper

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6. Based upon the above stated facts Ms. Piper has offered to surrender her registered professional nursing license commensurate with New Hampshire's suspension period until September 2004.

AGREEMENT

7. The Maine State Board of Nursing will accept Tanya L. Piper's voluntary surrender of her license, license #R048183, and Ms. Piper agrees and understands that the voluntary surrender of her license will be commensurate with the suspension period imposed in the Settlement with the New Hampshire Board of Nursing and Ms. Piper may petition for reinstatement of her Maine license in September, 2004.
8. Tanya L. Piper agrees and understands that her license will remain on surrender status and subject to the terms of this Consent Agreement indefinitely beyond the surrender period, until and unless the Board, at Ms. Piper's written request, votes to reinstate Ms. Piper's license. When considering whether to reinstate Ms. Piper's license, the Board will consider the extent to which Ms. Piper has complied with the provisions of this Consent Agreement and the New Hampshire Settlement.
9. Tanya L. Piper understands that this document is a Consent Agreement that affects her rights to practice registered professional nursing in Maine. Ms. Piper understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering the Consent Agreement.
10. If Ms. Piper 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.
11. Tanya L. Piper agrees and understands that when she petitions the Board for reinstatement of her license, it will be for a probationary period determined by the Board.
12. Tanya L. Piper understands and agrees that as a condition of reinstatement of her registered professional nursing license she will continue treatment and counseling for substance abuse to such an extent and for as long as recommended by her treatment provider(s). Ms. Piper will arrange for and ensure the submission to the Board of quarterly reports from her treatment provider(s). In addition, Ms. Piper agrees and understands that the Board shall have access to any and all medical

Consent Agreement for Voluntary Surrender of License

Tanya L. Piper

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records and all otherwise confidential or medically privileged information pertaining to her treatment and therapy which the Board deems necessary to evaluate Ms. Piper's compliance with this Consent Agreement and her continued recovery. Ms. Piper shall notify her health care physician of her substance abuse problem.

Ms. Piper shall provide such information, shall authorize any release of such records and information, and shall authorize any such discussions and communications with any and all persons involved in her care as may be requested by the Board for the purpose of evaluating Ms. Piper's compliance with this Consent Agreement.


13. Tanya L. Piper 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. including, in a veterinarian's office, while her nursing license is surrendered. In addition, Ms. Piper is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.
14. Modification of this Consent Agreement must be in writing and signed by all parties.
15. Tanya L. Piper affirms that she executes this Consent Agreement of her own free will.
16. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, TANYA L. PIPER 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: 6/23/04


TANYA L. PIPER

DATED: 6/23/04


JANET E. MICHAEL, ESQ.
Attorney for Tanya L. Piper

Consent Agreement for Voluntary Surrender of License

Tanya L. Piper

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FOR THE MAINE STATE
BOARD OF NURSING

DATED: July 6, 2004



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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: July 8, 2004



JOHN H. RICHARDS
Assistant Attorney General

RECEIVED

JUL 10 2004

MAINE STATE BOARD OF NURSING

BEFORE THE
NEW HAMPSHIRE BOARD OF NURSING

Exhibit A.
COPY

IN THE MATTER OF:
Tanya Piper, RN #044080-21

SETTLEMENT AGREEMENT

THIS AGREEMENT is entered into between the New Hampshire Board of Nursing (Board) and Tanya Piper (Respondent) is a Registered Nurse in the State of New Hampshire having graduated from University of New Hampshire in 1997 and licensed by examination on September 9, 1997 and over whom the Board has jurisdiction pursuant to RSA 326-B and the Board rules.

On January 12, 2004, the Board received a complaint from, Anne Marie Bularzik, Vice President, Acute Care, representing Exeter Hospital, Exeter, NH alleging that Respondent had admitted to misappropriating percocet for her own use.

Respondent admits: misappropriation of narcotic pain medications, and that she has a substance abuse problem with narcotic pain medications and that, therefore, she has violated RSA 326-B:12 II (c): dishonest and unprofessional conduct and RSA 326-B: 12 H (e): abuse of habit-forming drugs which render a licensee unfit to practice nursing .

- I. To resolve the aforementioned admission in a fair and reasonable manner, the Respondent agrees to the following terms and stipulations set forth below:
- A. Respondent's RN license shall be suspended for nine months, retroactive to January, 2004, or until Respondent successfully petitions the Board for reinstatement of said license, whichever is later.
 - B. Respondent shall not seek reinstatement of the RN license before September, 2004.
 - C. Respondent shall provide a copy of this Settlement Agreement to all nurse-licensing boards where currently licensed and schools of nursing where currently enrolled within 30 days of receipt of the NH Board-executed copy. Respondent shall also provide a copy of this Agreement to all nurse-licensing Boards or schools of nursing for which Respondent makes future application, at the time of such application.
- II. If Respondent wishes to petition for reinstatement of the RN license, Respondent shall, in a letter to the Board, petition the Board for reinstatement. Respondent shall demonstrate to the Board the ability to safely perform nursing activities through evidence of successful rehabilitation, character references, personal testimony and written exhibits; said evidence shall specifically include, but is not limited to:
- A. A comprehensive evaluation by Respondent's professional counselor (who is skilled in the area of substance abuse/dependence treatment) addressing Respondent's progress regarding continuing abstinence from abuse of chemical substances, including alcohol, and which provides:
 - 1. The length of time Respondent has been chemically free, and if any relapses have occurred since treatment began,
 - 2. The extent to which Respondent has complied with treatment, and
 - 3. The counselor's opinion as to whether Respondent can successfully return to nursing practice and, if so, whether any work restrictions are needed to protect public safety and/or assist Respondent in continuing recovery.
 - 4. Whether Respondent is taking any prescription medications, the reason therefore, and what effect, if any, said medications may have on Respondent's ability to safely provide nursing-related activities;
 - B. Three letters of reference that address Respondent's professionalism, timeliness and productive work habits. If Respondent has been employed since the date of this agreement, at least one of the references must be from an employer.
 - C. Evidence of attendance at some formalized support program (e.g. 12-step meetings, intensive outpatient program) at least three (3) times per week;

- D. A personal statement from Respondent which describes Respondent's recovery experiences including specific examples of the behavioral, psychological, and (if desired) spiritual changes that have been made which support recovery; and
 - E. Through oral presentation in support of Respondent's petition, provide the Board with a comfort level that Respondent is able to safely provide nursing care as an RN.
- III. Upon the reinstatement of Respondent's RN license, said license shall be suspended for two years, said suspension shall be immediately stayed and the license shall be placed on probation 1) for a period of time and 2) under conditions and restrictions to be determined by the Board at the time Respondent's petition for reinstatement is considered.

Should Respondent apply for any New Hampshire license under RSA 326-B authority on or after the date of this Agreement, Respondent shall by the act of filing such an application, automatically waive any statute of limitations or laches defense which may otherwise be available concerning the misconduct allegations set forth above, and consents to these allegations being fully addressed in the context of her license application. Respondent shall bear the burden of proving that Respondent possesses sufficient knowledge, judgment and skills, and character qualifications to be licensed in any such future licensing proceedings;

Respondent is aware of and understands the right to have a formal disciplinary hearing pursuant to RSA 326-B:13 and hereby waives those rights and requests that this Agreement be accepted with the same force and effect as an order entered as result of a formal hearing;

This Agreement is entered into by Respondent, voluntarily, after the opportunity to consult with counsel, and with full understanding of the legal consequences of this Agreement;

This Agreement constitutes the entire agreement and understanding between the parties, and supersedes all prior agreements and understandings.

This Agreement becomes a public record upon signature, a summary of the misconduct noted above may be published in the Board's Newsletter and notification of federal or other state agencies and boards of nursing shall be effected as required or permitted by law.

I have carefully read and fully understand the conditions of this Agreement:

1-26-03
(Date)

Tanya Piper
Tanya Piper

1-26-04

Do not write below this line

EXECUTED THIS 23rd DAY OF February 2004

FOR THE NEW HAMPSHIRE BOARD OF NURSING:

Margaret J. Walker
Margaret J. Walker, MBA, BS, RN
Executive Director

JUL 1 2004

STATE BOARD OF NURSING

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STATE BOARD OF NURSING
JUL 1 2004