



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

ANGUS S. KING, JR.  
GOVERNOR

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

**BEFORE THE MAINE STATE BOARD OF NURSING**

IN THE MATTER OF LICENSE NO.  
R037972 ISSUED TO:

**DIANE L. SCHINELLA**

To practice registered professional nursing  
in the State of Maine

**ORDER TERMINATING  
PROBATION**

WHEREAS, on **June 10, 1999**, License No. R037972 issued to Diane L. Schinella was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and


WHEREAS, on **April 13, 2000**, the Board of Nursing duly considered all evidence presented to it concerning Diane L. Schinella's compliance with the conditions of said probation; and

WHEREAS, the Board found that Diane L. Schinella has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation executed on **July 12, 1999** is hereby terminated.

DATED this 18th day of April 2000.

**MAINE STATE BOARD OF NURSING**

BY:   
Myra A. Broadway, J.D., M.S., R.N.  
Executive Director



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IN RE: )  
**Diane L. Schinella, R.N.** ) **CONSENT AGREEMENT**  
 of So. Portland, Maine ) **REGARDING PROBATION**  
 License #R037972 )

**INTRODUCTION**

This document is a Consent Agreement regarding Diane L. Schinella's license to practice professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 10 M.R.S.A. Section 8003(5)(A-1)(4) and 32 M.R.S.A. Section 2105-A(1-A)(B). The parties to this Consent Agreement are: Diane L. Schinella, Maine State Board of Nursing ("Board") and the Department of the Attorney General. The parties reached this Agreement following an informal conference on June 10, 1999 regarding information submitted by Visiting Nurse Service of Southern Maine, Inc., thru letter dated June 23, 1998.

**FACTS**

1. Ms. Schinella admitted to falsifying documents, indicating a visit and services that were never rendered. Ms. Schinella subsequently submitted a bill to Elder Independence of Maine for the visit and services.
2. When payment was denied, Ms. Schinella had the opportunity, but did not take the opportunity, to inform the agency of the falsified documents.
3. Prior to the incident Ms. Schinella was on an action plan with her employer to improve her documentation skills.
4. The facility recognizes that Ms. Schinella has good clinical skills.
5. Ms. Schinella admits wrongdoing and sought counseling.
6. This was an isolated incident.



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**AGREEMENT**

7. Ms. Schinella agrees and understands that her conduct constitutes grounds for discipline under 32 M.R.S.A. Section 2105-A(2)(A), (2)(E), (2)(F) and (2)(H).
8. Ms. Schinella's license to practice professional nursing in the State of Maine is on probation. The period of probation will continue for a period of six months of nursing employment. Ms. Schinella's license is subject to the following conditions:
  - a. Notice to employer: Ms. Schinella will notify any and all of her nursing employers of the terms of this Consent Agreement and shall provide them with a copy of it. For purposes of this Consent Agreement, nursing employment is any employment during which Ms. Schinella performs nursing services or holds herself out as a nurse, such as through the designation "RN".
  - b. Employer quarterly reports: Ms. Schinella will arrange for and ensure the submission to the Board of quarterly reports addressing her professional conduct from her nursing employer(s).
  - c. Notice of employment status: Ms. Schinella will immediately notify the Board in writing of any employment in the field of nursing, including the place and position of employment, and any change in nursing employment thereafter.
  - d. Term of probationary status: Ms. Schinella agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement beyond the six (6) month period, until and unless the Board, at Ms. Schinella's written request, votes to terminate Ms. Schinella's probation. When considering whether to terminate the probation, the Board will consider the degree to which Ms. Schinella has complied with the provisions of this Agreement.
9. Ms. Schinella understands that this document imposes discipline regarding her license as a registered professional nurse in the State of Maine. Ms. Schinella 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. Modification of this Consent Agreement must be in writing and signed by all parties. Ms. Schinella affirms that she executes this Consent Agreement of her own free will.

8. The Consent Agreement becomes effective upon the date of the last necessary signature below.

DATED: 7/6/99

*Diane Schinella RN*  
DIANE L SCHINELLA, R.N.

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

DATED: July 8, 1999

*Myra A. Broadway*  
MYRA A. BROADWAY, J.D., M.S., R.N.

**FOR THE DEPARTMENT OF  
ATTORNEY GENERAL:**

DATED: July 12, 1999

*Ruth E. McNiff*  
RUTH E. MCNIFF  
Assistant Attorney General  
Counsel to the Board