



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: DIANNE M. STEPHENSON)
 Cape Elizabeth, ME)
 License No. RN26688)

CONSENT AGREEMENT
 FOR REINSTATEMENT
 ON PROBATION

INTRODUCTION

This document is a Consent Agreement ("Agreement") regarding Dianne M. Stephenson's license as a registered professional nurse ("RN") in the State of Maine. The Parties to this Agreement are Dianne M. Stephenson ("Licensee" or "Ms. Stephenson"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. The parties met on February 29, 2012 regarding Ms. Stephenson's request for reinstatement of her RN license and enter into this Agreement pursuant to 32 M.R.S. § 2105-A (1-A) (B) and 10 M.R.S. § 8003 (5) (B).

FACTS

1. License History. Dianne M. Stephenson was originally licensed by the Board as an RN to practice in Maine on August 25, 1983. On February 14, 2007, Ms. Stephenson entered into a Consent Agreement with the Board placing her license on probation for a period of four (4) years [Exhibit A].

On August 16, 2011, Ms. Stephenson met with the Board in an informal conference during which she admitted to a March 8, 2011 drug diversion of Nubain for personal use. Ms. Stephenson also admitted that she had failed to comply with the terms and conditions of her February 2007 Agreement by not remaining abstinent from the use of drugs. On February 23, 2012, Ms. Stephenson entered into a Consent Agreement with the Board placing her license on voluntary surrender status, retroactive to August 16, 2011 [Exhibit B].

2. Dianne M. Stephenson met with her addictionologist on March 8, 2011 and subsequently entered the Mercy Recovery Program on March 14, 2011. Between March 15 - 28, 2011, she successfully participated in its Intensive Outpatient Substance Abuse Program and was discharged after having attended 11 daily treatment sessions. From April 8 - November 18, 2011, she participated in Mercy's Early Recovery Group, meeting in group therapy sessions for 22 weeks. She currently attends three different support group meetings weekly, is active in the 12-Step Program, and sees her addictionologist at least monthly. Ms. Stephenson states she has maintained sobriety since March 3, 2011. Random urine tests have been consistently negative, the most recent dated January 25, 2012.
3. The Board has determined that Ms. Stephenson has made significant progress in her recovery to warrant reinstatement of her RN license.

AGREEMENT

4. Dianne M. Stephenson's license as a registered professional nurse is placed on probationary status with conditions. The period of probation will be for a period of five (5) years, effective only while she is in nursing practice either through employment or pursuant to an educational program. Her probationary license will be subject to the following conditions:
 - a. Dianne M. Stephenson shall fully cooperate with the representatives of the Board in its monitoring and investigation of her compliance with probation. She shall inform the Board in writing within 15 days of any address change.



PRINTED ON RECYCLED PAPER

OFFICE LOCATED AT: 161 CAPITOL ST., AUGUSTA, ME
<http://www.maine.gov/boardofnursing/>

- b. Dianne M. Stephenson will notify the Board in writing within five business days of any changes in nursing employment and/or an educational program in the field of nursing. Notice under this section shall include the place and position of employment or the nursing educational program. If during the period of probation, Ms. Stephenson's employment as a nurse or her educational program in the field of nursing terminates, she shall notify the Board in writing within five business days after she is terminated or separated, regardless of cause, with a full explanation of the circumstances.
- c. Dianne M. Stephenson will abstain completely from the use of alcohol or drugs, with the exception of substances used in accordance with a valid prescription from treatment providers who are aware of her substance abuse history.
- d. Dianne M. Stephenson will continue in her treatment program to such an extent and for as long as her treatment providers recommend. She will arrange for and ensure the submission of quarterly reports to the Board by her treatment providers and such reports shall continue until her probation is terminated. If Ms. Stephenson's treatment is terminated during her probation, she shall notify the Board and provide written documentation from said provider(s).
- e. Dianne M. Stephenson's nursing employment is restricted during the period of probation to structured settings with on-site supervision by another registered professional nurse. Structured settings shall not include assignments from temporary employment agencies, home health, school nursing, work as a travel nurse or within the correctional system.
- f. Dianne M. Stephenson will notify any and all of her nursing employers of the terms of this Agreement and provide them with a copy of it.
- g. Dianne M. Stephenson will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer and/or clinical faculty regarding her general nursing practice including adherence to policies and procedures, clinical competency, and documentation of medication administration.
6. Dianne M. Stephenson agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement beyond the above-referenced five-year probationary period until and unless the Board, at her written request, votes to terminate her probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Stephenson has complied with the provisions of this Agreement.
7. Dianne M. Stephenson agrees and understands that the Board and the Office of the Attorney General shall have access to any and all substance abuse records and all otherwise confidential or medically privileged information pertaining to her substance abuse treatment which the Board deems necessary to evaluate her compliance with this Agreement. Ms. Stephenson shall provide such information, authorize the release of such records and information, and 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 her compliance with this Agreement.
8. If Ms. Stephenson violates any condition of her probation, the Board will give written notice to the Licensee regarding her failure to comply. She has 30 days from receipt of this notification to respond to the Board, in writing, regarding the alleged violation. The Board will review the Licensee's response to determine what action, if any, it determines to take. If the Licensee fails to timely respond to the Board's notification regarding her failure to comply, her license will be immediately suspended pending a hearing. If after notice and a hearing, the Board finds that the Licensee has failed to meet the conditions of probation, 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. § 8003 and Title 32 M.R.S. § 2105-A.
9. Dianne M. Stephenson understands and agrees that if any member of the Board or the Board's Executive Director receives reasonably reliable information suggesting that Ms. Stephenson has not remained substance-free in accordance with this Agreement, her 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, it will be immediately forwarded to Ms. Stephenson for response. Ms. Stephenson understands and agrees that in such an event, her license shall remain suspended pending a hearing. The Board shall hold a hearing within sixty (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 Office 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 Office of the Attorney General, Ms. Stephenson's license will be immediately reinstated retroactive to the date of suspension.

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 Board Rules. The State of Maine is Ms. Stephenson'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. Stephenson understands and agrees that this Agreement is applicable to her multi-state licensure privilege, if any, to practice nursing in Compact states.

IT IS FURTHER AGREED that while Ms. Stephenson's license is subject to this Agreement, she may not practice outside the State of Maine pursuant to a multi-state privilege without the written permission of the Maine State Board of Nursing and the Board of Nursing in the Party state(s) in which she wishes to practice.

11. Dianne M. Stephenson understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Agreement.
12. Modification of this Agreement must be in writing and signed by all parties.
13. 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.
14. This Agreement is not subject to review or appeal by Ms. Stephenson, but may be enforced by an action in the Superior Court.
15. This Agreement becomes effective upon the date of the last necessary signature below.

I, DIANNE M. STEPHENSON, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY REGISTERED PROFESSIONAL NURSE 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: 4/29/2012



DIANNE M. STEPHENSON

DATED: April 23, 2012


JANET E. MICHAEL, ESQ.
(Attorney for Dianne M. Stephenson)

FOR THE MAINE STATE
BOARD OF NURSING

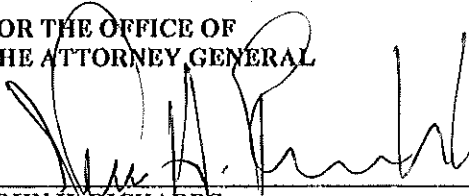
DATED: May 2, 2012



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

FOR THE OFFICE OF
THE ATTORNEY GENERAL

DATED: 5/3/12



JOHN H. RICHARDS
Assistant Attorney General