



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: DAVID W. STROUSE, R.N. )  
 of Bangor, Maine )  
 License # R041417 )**      **CONSENT AGREEMENT  
 FOR VOLUNTARY SURRENDER  
 OF LICENSE**

**INTRODUCTION**

This document is a Consent Agreement (“Agreement”) regarding David W. Strouse’s license as a registered professional nurse in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A (1-A) (C) and 10 M.R.S.A. § 8003 (5) (B), (5) (D). The parties to this Agreement are David W. Strouse (“Licensee” or “Mr. Strouse”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine; they reached this Agreement on the basis of 1) a Board Notice of Complaint dated January 21, 2010; and 2) Mr. Strouse’s response received January 25, 2010 [Exhibit A].

**FACTS**

1. David W. Strouse has been licensed as a registered professional nurse to practice in Maine since July 1997.
2. At all times relevant to this complaint, Mr. Strouse was employed at Allied Resources for Correctional Health (“Allied”) and provided nursing care to inmates at the Penobscot County Jail located in Bangor, Maine. According to the information provided in Exhibit A, approximately 28 medication errors occurred during the period of his employment with Allied.
3. David W. Strouse has offered to surrender his registered professional nurse license based upon the above-stated facts in lieu of an adjudicatory hearing before the Board.

**AGREEMENT**

4. The Maine State Board of Nursing will accept David W. Strouse’s offer to voluntarily surrender his registered professional nurse license. He 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 the facts would support the Board’s findings in this Agreement.
5. David W. Strouse understands and agrees that based upon the above-stated facts, this document imposes discipline regarding his registered professional nurse license in the State of Maine. The grounds for discipline for violations under 32 M.R.S.A. § 2105-A(2)(E)(1), (2)(E)(2) (2)(F), (2)(H) and Chapter 4, sections 1(A)(5)(a) and (b), 1(A)(6), 1(A)(8) and Chapter 4, sections 3(F) of the Rules and Regulations of the Maine State Board of Nursing. Specifically, the violations are:



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

PHONE: (207) 287-1133

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Title 32 M.R.S.A. §§:

- a. 2105-A (2) (E) (1). Incompetence in the practice for which Mr. Strouse is licensed by engaging in conduct that evidences a lack of ability or fitness to discharge the duty owed by the Licensee to a patient and the general public. (See also Chapter 4, Section 1.A.5.a.)
- b. 2105-A (2) (E) (2). Incompetence in the practice for which Mr. Strouse is licensed by engaging in conduct that evidences a lack of knowledge or inability to apply principles or skills to carry out the practice for which he is licensed. (See also Chapter 4, Section 1.A.5.b.)
- c. 2105-A (2) (F). Unprofessional Conduct. Mr. Strouse has engaged in unprofessional conduct by violating standards of professional behavior regarding patient care that have been established in the practice for which he is licensed. (See also Chapter 4, Section 1.A.6.)
- d. 2105-A (2) (H). A violation of this chapter or a rule adopted by the Board. (See also Chapter 4, Section 1.A.8.)

Chapter 4, Section 3. Unprofessional Conduct as defined by the Rules and Regulations of the Maine State Board of Nursing in Chapter 4, Section 3, states *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:*

- e. Section 3(F). Mr. Strouse failed to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard patients.
6. 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 Rules and Regulations of the Maine State Board of Nursing. The State of Maine is Mr. Strouse’s “home state” of licensure and primary state of residence, which means that he has declared the State of Maine as his fixed permanent and principle home for legal purposes; his 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. Mr. Strouse understands this Consent Agreement is subject to the Compact.
7. David W. Strouse understands that he does not have to execute this Consent Agreement and has the right to consult with an attorney before entering into the Agreement.
8. This Agreement is a public record within the meaning of 1 M.R.S.A. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S.A. § 408.
9. Modification of this Agreement must be in writing and signed by all parties.
10. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
11. David W. Strouse affirms that he executes this Agreement of his own free will.
12. This Agreement becomes effective upon the date of the last necessary signature below.


I, DAVID W. STROUSE, R.N., HAVE READ AND UNDERSTAND THE FOREGOING  
CONSENT AGREEMENT. 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 AGREE-  
MENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT  
OF ANY KIND.

DATED: 7/12/10

  
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DAVID W. STROUSE, R.N.

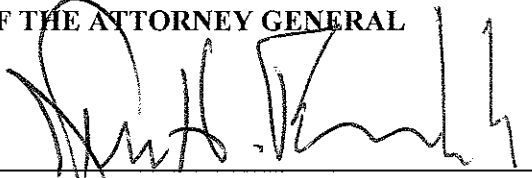
FOR THE MAINE STATE  
BOARD OF NURSING

DATED: 7/13/10

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

FOR THE OFFICE  
OF THE ATTORNEY GENERAL

DATED: 7/19/10

  
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JOHN H. RICHARDS  
Assistant Attorney General