



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: NATHAN SUNG TAO, R.N.)
 of Pownal, Maine)
 License No. R053856)

CONSENT AGREEMENT
 FOR VOLUNTARY SURRENDER
 OF LICENSE

INTRODUCTION

This document is a Consent Agreement (“Agreement”) regarding Nathan Sung Tao’s license to practice registered professional nursing in the State of Maine. The parties to this Agreement are Nathan Sung Tao (“Mr. Tao” or “Licensee”), 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 10 M.R.S. § 8003 (5) (D). The parties reached this Agreement on the basis of 1) a Board Complaint dated November 22, 2010, with a Provider Report from Central Maine Medical Center (“Central Maine”) dated November 8, 2010; and 2) criminal information from the State of Maine, Androscoggin Superior Court dated January 18, 2011.

FACTS

1. Nathan Sung Tao has been licensed as a registered professional nurse to practice in Maine since June 2007. At the time of the incidents discussed in this Agreement, Mr. Tao was licensed by the Board.
2. On October 20, 2010, Mr. Tao was terminated as a registered professional nurse from Central Maine because of an incident that occurred in Lewiston, Maine on October 19, 2010, resulting in his conviction and incarceration in the Androscoggin County Jail.
3. On January 18, 2011, Mr. Tao was convicted on three counts of criminal conduct in the Androscoggin Superior Court, Docket No. CR-10-993: Count 1, Criminal Threatening; Count 2, Domestic Violence Assault; and Count 3, Carrying a Concealed Weapon. Mr. Tao was sentenced to nine (9) months imprisonment for Count 1, Criminal Threatening; 364 days (suspended) imprisonment for Count 2, Domestic Violence Assault, to be served consecutive to Count 1; and 30 days imprisonment for Count 3, Carrying a Concealed Weapon, to be served concurrent with Count 1. In addition, Mr. Tao was placed on probation and committed to supervision by the Department of Corrections for a term of two (2) years. A copy of the Judgment and Commitment, Conditions of Probation and supporting documentation are attached hereto, incorporated herein and marked as Exhibit A.
4. Mr. Tao admits that he engaged in criminal conduct, which is unprofessional conduct and violates a standard of professional behavior in the practice for which he is licensed.
5. Nathan Sung Tao has agreed to surrender his registered professional nursing license and waives his rights to a hearing in this matter.

AGREEMENT

6. In lieu of a hearing before the Board, Nathan Sung Tao agrees to voluntarily surrender his registered professional nursing license. The Maine State Board of Nursing will accept Mr. Tao’s offer to voluntarily surrender his registered professional nursing license, License No. R053856.
7. Nathan Sung Tao understands that based upon the above-stated facts, this document imposes discipline regarding his license to practice as a registered professional nurse in the State of Maine. The grounds for discipline for violations are under 32 M.R.S. § 2105-A (2) (F) and (2) (H), and Chapter 4, sections 1(A) (6), and 1(A) (8). Specifically, the violations are:



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- a. M.R.S. § 2105-A (2) (F). Unprofessional Conduct. Mr. Tao engaged in unprofessional conduct because he violated a standard of professional behavior that has been established in the practice for which he is licensed. (See also Rule Chapter 4, Section 1.A.6.)
 - (1) Criminal Threatening, 17-A M.R.S. § 209 (1). Mr. Tao was found guilty of intentionally or knowingly placing another person in fear of imminent bodily injury.
 - (2) Domestic Violence Assault, 17-A § 207-A (1) (A). Mr. Tao was found guilty of intentionally, knowingly or recklessly causing bodily injury or offensive physical contact to another person. The conduct was committed against a family or household member as defined by Title 19-A, section 4002, subsection 4.
 - (3) Carrying a Concealed Weapon, 25 § 2001-A (1) (B). Mr. Tao was found guilty of wearing under his clothes or concealed about his person a firearm, or other dangerous or deadly weapon usually employed in the attack or defense of a person.
 - b. M.R.S. § 2105-A (2) (H). A violation of this chapter or a rule adopted by the Board. (See also Rule Chapter 4, Section 1.A.8.)
8. Nathan Sung Tao acknowledges that if this matter went to a hearing before the Board, it is more likely than not the above-stated facts and underlying investigative information would support the licensing violations in this Agreement.
 9. Nathan Sung Tao understands and agrees that his license will remain on surrender status and subject to the terms of this Agreement indefinitely until and unless the Board, at his written request, votes to reinstate his license. Mr. Tao agrees and understands that if the Board reinstates his license, it will be for a probationary period.
 10. Prior to the Board's consideration of license reinstatement, Mr. Tao must submit to a psychiatric and/or psychological evaluation of the Board's choosing. The evaluation and treatment (if any), must address the Board's concerns of Mr. Tao's criminal conduct and behavior and the Board's commensurate concern regarding whether his conduct may adversely affect the health and welfare of the public.
 11. 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. Tao's "Home state" of licensure and primary state of residence, which means that Mr. Tao 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. Tao understands this Agreement is subject to the Compact.
 12. Mr. Tao understands that he does not have to execute this Agreement and has the right to consult with an attorney before entering into the Agreement.
 13. Nathan Sung Tao 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 himself out as a registered professional nurse or with the designation "R.N." while his nursing license is surrendered.
 14. 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.
 15. Modification of this Agreement must be in writing and signed by all parties.
 16. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.

17. Nathan Sung Tao affirms that he executes this Agreement of his own free will.
18. This Agreement becomes effective upon the date of the last necessary signature below.

I, NATHAN SUNG TAO, 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 AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.

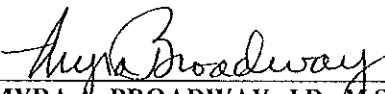
DATED: 7/28/11



NATHAN SUNG TAO, R.N.

FOR THE MAINE STATE
BOARD OF NURSING

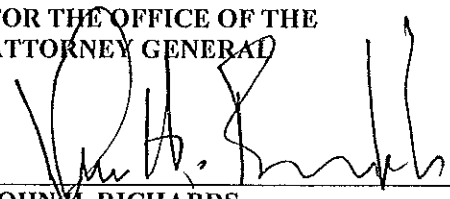
DATED: 8/8/11



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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: 8/9/11



JOHN V. RICHARDS
Assistant Attorney General