

OCT 27 1989

MAINE STATE
BOARD OF NURSING

Maine State Board of Nursing

295 WATER STREET
AUGUSTA, MAINE 04330
TEL. 289-5324

In re:)
Annette S. Towle, L.P.N.) CONSENT AGREEMENT
of Hartland, Maine) REGARDING VOLUNTARY
SURRENDER OF LICENSE

INTRODUCTION

This document is a Consent Agreement regarding Annette S. Towle's license to practice practical nursing in the State of Maine, entered into pursuant to 32 M.R.S.A. Section 2105-A(1-A)(C) (1988). The parties to this Consent Agreement are: Annette S. Towle, L.P.N., the Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine.

By letter dated June 1, 1989, Annette S. Towle was advised by the Board that it had received a letter from Ann Morrison, Administrator, Sebasticook Valley Hospital, Alleging diversion of drugs from the Sebasticook Valley Hospital in Pittsfield, Maine. Ms. Towle responded to the Board's letter on June 27, 1989. Subsequently, the Board requested that Ms. Towle attend an informal conference pursuant to 32 M.R.S.A. Section 2105-A(1-A). At the informal conference held on September 14, 1989, Ms. Towle was present and not represented by an attorney.

FINDINGS OF FACT

As a result of the informal conference, the Board made the following findings of fact:

1. Ms. Towle admitted to diverting morphine sulphate from her job for her own use.
2. Ms. Towle stated she did not divert drugs from Patients.
3. Ms. Towle admitted to having a substance abuse problem for approximately one year.
4. Ms. Towle has been substance free since May 9, 1989.
5. Ms. Towle has not participated in any formal treatment program.
6. Ms. Towle was often under the influence of morphine sulphate while on duty, between April and May of 1989.

- 7. Ms. Towle has no good support system.
- 8. There is no evidence that Ms. Towle's nursing performance suffered due to her substance abuse.
- 9. There was no documentation of harm to Ms. Towle's patients due to her drug diversion.

COVENANTS

Based on the above findings of fact, the Board voted to accept Ms. Towle's voluntary surrender of her license effective September 14, 1989 and agreed to the following terms and conditions for reinstatement pending final Board action to be taken on Ms. Towle's license on November 2, 1989:

- 1. Ms. Towle shall participate in a formal evaluation by a substance abuse program.
- 2. The written report of the formal evaluation by the substance abuse program shall be submitted to the Board by November 2, 1989.
- 3. The Board shall make Final Findings of Fact and Covenants regarding Ms. Towle at the November 2, 1989 meeting of the Board.
- 4. Ms. Towle hereby waives all claims of confidentiality and privilege she may have regarding reports to be submitted to the Board in accordance with this Consent Agreement.

DATED: Oct 25, 1989

BY: Annette S. Towle
ANNETTE S. TOWLE

FOR THE MAINE STATE BOARD OF NURSING:

DATED: 10/27/89

BY: Jean C. Caron
JEAN C. CARON, R.N.
Executive Director

FOR THE DEPARTMENT OF ATTORNEY GENERAL

DATED: 10-30-89

BY: James D. Bivins
JAMES D. BIVINS
Assistant Attorney General
Counsel to the Board