



Maine State Board of Nursing

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

In re:) CONSENT AGREEMENT
Annette S. Towle, L.P.N.) REGARDING VOLUNTARY
of Hartland, Maine) 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. ("Ms. Towle"), 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. A temporary Consent Agreement was entered into on that date.

On January 18, 1990, Ms. Towle met with the Board at an informal conference to update her progress and enter into this Final Consent Agreement.

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 October, 1989.

5. Ms. Towle was often under the influence of morphine sulphate while on duty, between April and May of 1989.
6. There is no evidence that Ms. Towle's nursing performance suffered due to her substance abuse.
7. There was no documentation of harm to Ms. Towle's patients due to her drug diversion.
8. Ms. Towle has completed a treatment program.
9. Ms. Towle is actively involved in her aftercare.
10. Ms. Towle has a good support system through her family and self-help groups.

COVENANTS

Based on the above findings of fact, the Board voted to continue Ms. Towle's period of voluntary surrender until October 1, 1990. At that time, Ms. Towle may reapply to the Board for licensure. Ms. Towle agreed to the following terms and conditions for reinstatement:

1. Ms. Towle shall remain substance free.
2. Quarterly reports from Ms. Towle's aftercare coordinator shall be submitted to the Board.
3. Ms. Towle shall continue her support system.
4. Ms. Towle shall not be employed in nursing, in any capacity.
5. 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: 3-29-90

BY: Annette S. Towle
ANNETTE S. TOWLE

FOR THE MAINE STATE BOARD OF
NURSING:

DATED: 4/9/90

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

FOR THE DEPARTMENT OF
ATTORNEY GENERAL

DATED: 4-10-90

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