



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: ANGEL M. WHYNOTT, R.N.) CONSENT AGREEMENT
of Hermon, Maine) FOR
License #R046144) REPRIMAND

INTRODUCTION

This document is a Consent Agreement (“Agreement”) regarding Angel M. Whynott’s license to practice registered professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A (1-A) (A), 10 M.R.S.A. § 8003(5) (B). The parties to this Agreement are Angel M. Whynott (“Licensee” or “Ms. Whynott”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The Board reviewed 1) a Board Notice of Complaint/Provider Report dated April 7, 2009, which includes information from Adult Mental Health Services (“AMHS”), an Office with the Department of Health and Human Services, dated March 20, 2009; and 2) Ms. Whynott’s response dated April 10, 2009.

FACTS

1. Angel M. Whynott has been a registered professional nurse licensed to practice in Maine since June 2001.
2. Angel M. Whynott is employed at AMHS. On February 25, 2009, she was performing her job as the Utilization and Review Nurse for AMHS, reviewing all involuntary hospitalizations at Acadia Hospital (“Acadia”) as part of quality assurance to see that the rights of recipients are followed. While on assignment at Acadia, Ms. Whynott admits that she utilized Acadia’s electronic records system, Power Chart, to access electronic medical records of two individuals with the same last name as hers. The records she accessed were from Eastern Maine Medical Center from the year 2001 and were those of relatives of her husband, with whom she is negotiating a divorce.

AGREEMENT

3. Angel M. Whynott understands and agrees that her conduct in the above-stated facts constitutes grounds for discipline under Title 32 M.R.S.A. § 2105-A (2) (F), (2) (H) and Chapter 4.1.A.6, 4.1.A.8. and Chapter 4.3.F. of the Rules and Regulations of the Maine State Board of Nursing. Angel M. Whynott is hereby **REPRIMANDED** for these violations. Specifically, the violations are:

Title 32 M.R.S.A. §§:

- a. 2105-A (2) (F). Unprofessional Conduct. Ms. Whynott engaged in unprofessional conduct by violating standards of professional behavior that have



PRINTED ON RECYCLED PAPER

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

PHONE: (207) 287-1133

FAX: (207) 287-1149

been established in the practice for which the licensee is licensed. (See also Chapter 4, Section 1.A.6.)

- b. 2105-A (2) (H). A violation of this chapter or a rule adopted by the Board. (See also Chapter 4, Section 1.A.6.)

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, describes *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:*

- c. Section 3(F). Ms. Whynott failed to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard a patient.
4. 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 Ms. Whynott’s “home state” of licensure and primary state of residence, which means 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. Whynott understands this document is an Agreement subject to the Compact.
 5. Angel M. Whynott understands that she does not have to execute this Consent Agreement and has the right to consult with an attorney before entering into the Agreement.
 6. Modification of this Agreement must be in writing and signed by all parties.
 7. This Agreement is not subject to review or appeal by Ms. Whynott.
 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. This Agreement becomes effective upon the date of the last necessary signature below.

I, ANGEL M. WHYNOTT, R.N., 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: 7/23/09

Angel M. Whynott, RN
ANGEL M. WHYNOTT, R.N.

FOR THE MAINE STATE
BOARD OF NURSING

DATED: 7/27/09

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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: 7/28/09

John H. Richards
JOHN H. RICHARDS
Assistant Attorney General