

MSBON



MAINE STATE BOARD OF NURSING
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In re:)
Susan Arbuckle-Keith)
of West Bath, Maine)
License #R035969)
License #P006211)

CONSENT AGREEMENT
REGARDING VOLUNTARY
SURRENDER OF LICENSE

INTRODUCTION

This document is a Consent Agreement regarding Susan Arbuckle-Keith's licenses to practice practical and professional nursing in the State of Maine, entered into pursuant to 32 M.R.S.A. Section 2105-A(1-A)(B) and 10 M.R.S.A. Section 8003(5)(B). The parties to this Consent Agreement are: Susan Arbuckle-Keith, the Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine.

By letter dated August 31, 1994, Ms. Arbuckle-Keith was advised by the Board that it had received a letter dated August 22, 1994 from Michael Fogarty, Director of Human Resources for Mid Coast Hospital in Brunswick, Maine, stating that Ms. Arbuckle-Keith had been placed on a medical leave of absence from employment at Mid Coast Hospital after a series of instances of medications missing from the hospital pharmacy. On September 9, 1994 Ms. Arbuckle-Keith replied by letter to the Board. An informal conference was held on February 8, 1995. Ms. Arbuckle-Keith was present and was represented by Donald T. Massey, Esq.

FINDINGS OF FACT

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

1. Ms. Arbuckle-Keith admits to the diversion of medications from Mid Coast Hospital while employed there.
2. Ms. Arbuckle-Keith denies using any medications while on duty at the hospital.
3. Ms. Arbuckle-Keith states that no patient was ever deprived of needed medication as a result of her actions.
4. Ms. Arbuckle-Keith has a diagnosis of arthritis and is being treated for that.
5. Ms. Arbuckle-Keith has completed both in-patient and out-patient substance abuse treatment and treatment of pain management, and she is actively involved in aftercare including a self-help recovery program.

6. Ms. Arbuckle-Keith stated that she had been substance-free for almost six months at the time of the informal conference.
7. Ms. Arbuckle-Keith has a long history of substance abuse with two prior unsuccessful attempts at treatment.
8. Ms. Arbuckle-Keith was at the time of the informal conference in this matter on medical leave from employment at the Mid Coast Hospital.
9. There was no documented patient harm as a result of Ms. Arbuckle-Keith's activities.
10. Ms. Arbuckle-Keith's employer, Mid Coast Hospital, is generally supportive of her.
11. Ms. Arbuckle-Keith states that her family is supportive of her recovery from substance abuse.

COVENANTS

The Board voted to enter into an agreement with Ms. Arbuckle-Keith under which she will voluntarily surrender her licenses to practice practical and professional nursing in Maine for a period of one year retroactive to August 19, 1994 with the following conditions:

1. Ms. Arbuckle-Keith will remain substance-free.
2. Ms. Arbuckle-Keith will continue her aftercare and self-help recovery program.
3. Ms. Arbuckle-Keith will arrange to have at least two quarterly reports submitted to the Board from her substance abuse counselor. Ms. Arbuckle-Keith waives any claims of confidentiality and privilege which she may have with respect to these reports.
4. Ms. Arbuckle-Keith will not seek or accept employment as a direct caregiver to patients, including employment as a certified nurse assistant or personal care attendant, and will not accept any position in the field of health care without the approval of the Board.
5. The Board agrees to take no further action upon these facts so long as Ms. Arbuckle-Keith fully complies with this Consent Agreement.
6. Ms. Arbuckle-Keith understands that this document is a Consent Agreement which restricts her legal right to practice nursing in Maine. Ms. Arbuckle-Keith understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering this Consent Agreement. Ms. Arbuckle-Keith affirms that she executes this Consent Agreement of her own free will.

DATED: 7-18-95

Susan Arbutckle-Keith
SUSAN ARBUCKLE-KEITH

DATED: 7/21/95

FOR THE MAINE STATE BOARD OF
NURSING:

Jean C. Caron
JEAN C. CARON, R.N., M.S.
Executive Director

DATED: 8/2/95

FOR THE DEPARTMENT OF
ATTORNEY GENERAL:

Timothy W. Collier
TIMOTHY W. COLLIER
Assistant Attorney General
Counsel to the Board