



STATE OF MAINE
 BOARD OF NURSING
 158 STATE HOUSE STATION
 AUGUSTA, MAINE
 04333-0158

ANGUS S. KING, JR.
 GOVERNOR

JEAN C. CARON, M.S., R.N.
 EXECUTIVE DIRECTOR

In re: **Barbara C. Batson, R.N.**)
 of North Berwick, Maine) **TEMPORARY CONSENT AGREEMENT**
 License #R037946)

INTRODUCTION

This document is a Consent Agreement regarding Barbara C. Batson's license to practice 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 temporary consent agreement are: Barbara C. Batson, R.N., the Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine.

By letter dated February 27, 1996, Ms. Batson was advised by the Board that it had received a letter dated February 21, 1996, with attachments, from Deborah McGinley, R.N., Director of Professional Services, Olsten Kimberly Quality Care, containing information of possible violations of 32 M.R.S.A. Section 2105-A(2)(B), (2)(E) and (2)(F). Jean L. Walsh, Esq., responded to the Board's letter on behalf of Ms. Batson by letter dated March 22, 1996. Subsequently, the Board requested that Ms. Batson attend an informal conference pursuant to 32 M.R.S.A. Section 2105-A(1-A). The informal conference was held on October 23, 1996. Ms. Batson was present and was represented by her attorney, Jean L. Walsh.

FINDINGS OF FACT

1. Barbara Batson admits to diverting for her own use three tablets of Tylenol #3. Specifically, she admits that she took one tablet of Tylenol #3 from the same client in the Spring of 1995 and two tablets of Tylenol #3 from a client in November of 1995. Thirty-seven tablets of Tylenol #3 remain unaccounted for pertaining to this client's prescription. Barbara Batson denies responsibility for the 37 missing tablets.
2. The parties agreed to enter into a temporary consent agreement while continuing the informal conference pending the receipt by the Board of additional information.

AGREEMENTS

1. Ms. Batson will be evaluated for substance abuse by a professional chosen and paid for by the Board.
2. Ms. Batson waives any claims of confidentiality and privilege which she may have with respect to this evaluation.
3. Ms. Batson will execute any and all necessary medical releases requested by the Board or substance abuse evaluator.
4. Ms. Batson will arrange for and ensure that her employer, Interim, submits to the Board a written performance report.
5. Ms. Batson shall authorize the release of a copy of her personnel records.
6. This agreement is not intended to prohibit the Board from obtaining and reviewing additional information pursuant to request or subpoena regarding this matter.

7. The informal conference is continued pending receipt of the substance abuse evaluator's report.
8. The Board reserves the right to take disciplinary action with respect to this matter.
9. Ms. Batson understands that she does not have to execute this temporary consent agreement and that she has a right to consult with an attorney before entering this consent agreement. Ms. Batson confirms that she executes this temporary consent agreement of her own free will.

DATED: 12-19-96

Barbara C. Batson, R.N.
BARBARA C. BATSON, R.N.

FOR THE MAINE STATE BOARD OF NURSING:

DATED: 12/23/96

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

FOR THE DEPARTMENT OF ATTORNEY GENERAL:

DATED: 1/2/97

Susan A. Sparaco
SUSAN A. SPARACO, Asst. Attorney General
Counsel to the Board

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DEC 23 1996
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