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GOVERNOR

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

MYRA A. BROADWAY, J.D., M.S., R.N.
EXECUTIVE DIRECTOR

IN RE: KRISTEN L. BICKFORD, RN)
of Brewer, ME)
License No. RN47692)

CONSENT AGREEMENT
FOR
PROBATION

Complaint No. 2012-206

INTRODUCTION

This document is a Consent Agreement ("Agreement") regarding Kristen L. Bickford's license as a registered professional nurse ("RN") in the State of Maine. The parties to this Agreement are Kristen L. Bickford ("Licensee" or "Ms. Bickford"), the Maine State Board of Nursing ("the Board"), and the Office of the Attorney General, State of Maine. The Board met with Ms. Bickford in an informal conference on March 6, 2013. The parties enter into this Agreement pursuant to 32 M.R.S. §2105-A (1-A) (B), 10 M.R.S. §§8003 (5) (A-1) (4) and 10 M.R.S. §8003 (5) (B) in order to resolve Complaint 2012-206.

FACTS

1. Kristen L. Bickford was first licensed to practice as an RN in Maine on August 2, 2002.
2. At all times relevant to this matter, Ms. Bickford was employed as an RN at Eastern Maine Medical Center ("EMMC") in Bangor, Maine.
3. On August 23, 2012, Ms. Bickford contacted the Board to advise that she had been suspended by EMMC on August 16, 2012 pending investigation for diversion and communicated that she expected to be terminated from her nursing position at EMMC. Ms. Bickford admitted to Board staff that she diverted Vicodin and Percocet for her own personal use. Board staff explained the complaint process to Ms. Bickford and provided her with contact information for the Medical Professionals Health Program ("MPHP").
4. On October 1, 2012, the Board received a Provider Report from EMMC notifying the Board that EMMC had taken disciplinary action against Ms. Bickford that led to her termination. The report stated that Ms. Bickford was terminated on September 5, 2012 for forging or falsifying records, reporting to work under the influence of narcotics, theft and willful disregard for the safety and well-being of patients. The report also stated that during its investigation, Ms. Bickford admitted to narcotic diversion on multiple occasions over a period of approximately six months. Diverted medications during the three-day period of August 10-13, 2012 alone included 21 Percocet 5/325, 14 Hydrocodone 5/325, one Hydromorphone 1mg/1ml Injectable, and eight Oxycodone 5mg. The report from EMMC is incorporated herein by reference. The Board docketed the complaint as Complaint 2012-206 and sent it to Ms. Bickford for response.
5. On October 23, 2012, Ms. Bickford admitted in a telephone interview with the Board's Investigator that she began using drugs outside of work when a friend gave her Vicodin to relieve stress. She stated she was addicted to opiates within a month and could easily obtain



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them outside of work. She stated she began diverting from EMMC when she needed the drugs while working and had diverted for six months before she got caught. She stated that she would take approximately ten pills per shift to get by and admitted to ingesting them while working.

6. On November 16, 2012, the Board received a written response from Ms. Bickford in which she admitted that she began diverting narcotics from EMMC in January 2012 to control symptoms of withdrawal while at work. She also stated that she has not used narcotics since August 17, 2012; sees her counselor regularly; attends at least three 12-Step Programs per week; and has enrolled in MPHP. Board staff confirmed that Ms. Bickford signed a five-year contract with MPHP on October 22, 2012.
7. Kristen L. Bickford wishes to resolve this matter by accepting this Agreement, thereby waiving her rights to an adjudicatory hearing.

AGREEMENT

8. Kristen L. Bickford admits to the Facts as stated above and admits that such conduct constitutes grounds for the Board to impose discipline against her as follows:
 - a. Pursuant to 32 M.R.S. §2105-A (2)(A) for engaging in the practice of fraud or deceit in connection with service rendered within the scope of the license issued.
 - b. Pursuant to 32 M.R.S. §2105-A (2)(B) for habitual substance abuse that has resulted or is foreseeably likely to result in Ms. Bickford performing services in a manner that endangers the health or safety of patients.
 - c. Pursuant to 32 M.R.S. §2105-A (2)(F) for engaging in unprofessional conduct that violates a standard of professional behavior that has been established in the practice for which Ms. Bickford is licensed.
 - d. Pursuant to 32 M.R.S. §2105-A (2)(H) for engaging in unprofessional conduct as specified in Board Rules Ch. 4, §3(K) by inaccurately recording, falsifying, or altering a patient or health care provider record.
 - e. Pursuant to 32 M.R.S. §2105-A (2)(H) for engaging in unprofessional conduct as specified in Board Rules Ch. 4, §3(O) by practicing nursing when physical or mental ability to practice is impaired by alcohol or drugs.
 - f. Pursuant to 32 M.R.S. §2105-A (2) (H) for engaging in unprofessional conduct as specified in Board Rules Ch. 4, §3(P) by diverting drugs, supplies, or property of a patient or health care provider.
9. Kristen L. Bickford's license as an RN will be placed on probationary status for a minimum period of two years, in effect only while she is employed in nursing and/or enrolled in a clinical nursing program. She understands and agrees that she will not seek probation termination until she has successfully met the conditions of probation for at least two years. Her probationary license will be subject to the following conditions:

- a. Ms. Bickford shall fully comply with the conditions of the probation in this Agreement and inform the Board in writing within 15 days of any address change.
 - b. Ms. Bickford will notify any and all of her nursing employers and/or clinical faculty of the terms of this Agreement and provide them with a copy of it.
 - c. Ms. Bickford will notify the Board in writing within five (5) business days of any change in her nursing employment and/or enrollment in a nursing education program. Notice under this section shall include the place and position of employment and/or the nursing educational program.
 - d. Ms. Bickford will completely abstain from the use of alcohol or drugs with the exception of substances used in accordance with a valid prescription from her health care treatment providers who are aware of her history.
 - e. Ms. Bickford will continue in her MPHP contract and treatment program to such an extent and as long as her treatment providers recommend. She will arrange for and ensure the submission of quarterly reports to the Board by her treatment providers and NA/AA sponsors and such reports shall continue until her probation is terminated. If Ms. Bickford's treatment is terminated during her probation, she shall notify the Board and provide written documentation.
 - f. Ms. Bickford's nursing employment is restricted during the period of probation to structured settings with on-site supervision by another RN. Structured settings shall not include assignments from temporary employment agencies, home health care, school nursing, work as a travel nurse, or within the correctional system. In addition, Ms. Bickford is restricted from administering scheduled drugs for a period of six (6) months.
 - g. Ms. Bickford will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer(s) regarding her general nursing practice, particularly documentation. If during the period of probation, Ms. Bickford's employment as a nurse or her educational program terminates, she shall notify the Board in writing within five (5) business days after she is terminated or separated, regardless of cause, with a full explanation of the circumstances.
10. Kristen L. Bickford agrees and understands that the Board and the Office of the Attorney General shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her evaluation and recommended treatment for substance abuse which the Board deems necessary to evaluate her compliance with this Agreement. Ms. Bickford shall provide such information, authorize the release of such records and information, and authorize any such discussions and communications with any and all persons involved in her evaluation, counseling and employment as may be requested by the Board.
 11. Kristen L. Bickford understands and agrees that if any member of the Board, the Board's Executive Director or the Attorney General's Office receives reasonably reliable information suggesting that she has not remained substance-free in accordance with this Agreement, her license will be immediately and automatically suspended pending further review by the Board.

In the event any member of the Board, the Board's Executive Director or the Attorney General's Office receives such information, it will be immediately forwarded to Ms. Bickford for response. She understands and agrees that in such an event, her license shall remain suspended pending a hearing, which will be held within 60 days of the automatic suspension unless both the Licensee and the Board agree to hold the hearing at a later date, or the Executive Director and/or Attorney General's Office earlier determine that such information is without merit. If the information received is proven to be inaccurate or incorrect, either through hearing or determination by the Executive Director and/or Attorney General's Office, Ms. Bickford's license will be immediately reinstated retroactive to the date of the suspension.

12. If Ms. Bickford violates any conditions of her probation, the Board will give written notice to her regarding her failure to comply, sent to the last known address that is on file with the Board. The licensee has 30 days from receipt of this notification to submit written response to the Board regarding the alleged violation. The Board will review the licensee's timely response to determine what action, if any, it will take. If the licensee fails to timely respond to the Board's notification regarding noncompliance, her license may be immediately suspended pending a hearing at the next regularly scheduled Board meeting. If after notice and hearing, the Board finds that the licensee has failed to meet probationary conditions, the Board may take any disciplinary action which it deems appropriate and impose any of the sanctions including, but not limited to, that found in Title 10 M.R.S. §8003 and Title 32 M.R.S. §2015-A.
13. Kristen L. Bickford agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement until and unless the Board, at her written request, votes to terminate her probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Bickford has complied with the provisions of this Agreement.
14. 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 Board Rules. The State of Maine is Ms. Bickford's "home state" of licensure and primary state of residence, which means that she has declared the State of Maine as her fixed permanent and principal 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. Bickford understands and agrees that this Agreement is applicable to her multi-state licensure privilege, if any, to practice nursing in Compact states.

IT IS FURTHER AGREED that while Ms. Bickford's license is subject to this Agreement, she may not work outside the State of Maine pursuant to a multi-state privilege without the written permission of the Maine State Board of Nursing and the Board of Nursing in the party state in which she wishes to work.

15. This Agreement is a public record within the meaning of 1 M.R.S. §402 and will be available for inspection and copying by the public pursuant to 1 M.R.S. §408.
16. This Agreement constitutes a final adverse licensing action that is reportable to the National Practitioner Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB) pursuant to Section 1128E of the Social Security Act and 45 C.F.R. Part 61.

17. Kristen L. Bickford understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Agreement.
18. Kristen L. Bickford affirms that she executes this Agreement of her own free will.
19. Modification of this Agreement must be in writing and signed by all parties.
20. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
21. This Agreement becomes effective upon the date of the last necessary signature below.

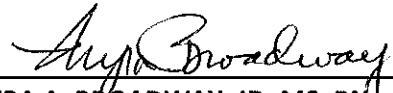
DATED: 7/1/13



KRISTEN L. BICKFORD, RN

FOR THE MAINE STATE BOARD OF NURSING

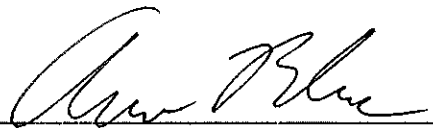
DATED: 7/18/13



MYRA A. BROADWAY, JD, MS, RN
Executive Director

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 7/10/2013



ANDREW BLACK for John H. Richards
Assistant Attorney Generals