

IN RE: MARY E. COOPER, R.N.)	CONSENT AGREEMENT
of Gorham, Maine)	FOR VOLUNTARY
License #R036512)	REVOCAION OF
)	LICENSE

INTRODUCTION

This document is a Consent Agreement regarding Mary E. Cooper's license to practice registered professional nursing in the State of Maine. The parties enter into this Consent Agreement pursuant to 10 M.R.S.A. § 8003(5)(B) and 32 M.R.S.A. § 2105-A(1-A) and (2). The parties to this Consent Agreement are Mary E. Cooper, Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. The parties reached this Agreement in lieu of an adjudicatory hearing based on the following agreed facts:

FACTS

1. Mary E. Cooper has been licensed by the Board to practice professional nursing in Maine since 1993.
2. Mary E. Cooper's professional registered nurse license was summarily suspended on February 12, 2003 pursuant to 5 M.R.S.A. § 10004(1) and (3).
3. On November 12, 2002, in State of Maine v. Mary Cooper, Maine Superior Court, Cumberland County, Docket No. 02-1978, Mary E. Cooper was found guilty on two counts (1 & 2) of Endangering the Welfare of a Child, Class D crimes, 17-A M.R.S.A. § 554 (1) (B) and three counts (3, 4 & 5) of Unlawfully Furnishing Scheduled Drugs, Class D crimes, 17-A M.R.S.A. § 1106. On Counts 1 and 2, Ms. Cooper was sentenced to two 60-day consecutive sentences. On Counts 3, 4 and 5, Ms. Cooper was sentenced to three one-year consecutive sentences. It was further ordered that as to Counts 3, 4 and 5, all but 30 days was suspended; that the 30 days was to be served consecutively with Counts 1 and 2 and that Ms. Cooper would be placed on probation for a period of three years. Exhibit 1 and 2.
4. During the course of the criminal activity described in Paragraph #3, Mary E. Cooper was employed as a school nurse at Narragansett School, Gorham, Maine, where she was expected to render professional nursing services to children. Although Ms. Cooper's criminal activity did not occur at her work place, her actions in providing illicit drugs to minors is determined by the Board to be a basis for unprofessional conduct by a licensed professional nurse. In addition, Ms. Cooper was engaged in a sexual relationship with her 14-year-old daughter's

Consent Agreement for Voluntary Revocation of License

Mary E. Cooper

Page 2

18-year-old boyfriend. The Board determined that Ms. Cooper's conduct evidences inappropriate boundary issues and serious errors in judgment that have compromised her competence as a professional registered nurse.

5. Mary E. Cooper is currently in treatment with a clinical psychologist.
6. Mary E. Cooper has agreed to a voluntary revocation of her license as a registered professional nurse.

AGREEMENT

7. Mary E. Cooper agrees and understands, that based upon the above stated facts the voluntary revocation of her professional registered nurse license, license No. R036512 will be for a minimum period of two years, ending on November 12, 2005. Ms. Cooper also agrees to pay the expenses incurred by the Board in this matter in the amount of \$1,550.00. Payment in full shall be made prior to November 12, 2005.
8. Mary E. Cooper understands that this document imposes discipline regarding her license to practice professional nursing in the State of Maine under 32 M.R.S.A. § 2105-A(E)(1), (2)(F), (2)(G), (2)(H) and Chapter 4, sections 1(A)(5)(A), 1(A)(6) and 1(A)(7) of the Rules and Regulations of the Maine State Board of Nursing.
9. Mary E. Cooper understands that this document is a Consent Agreement that affects her rights to practice professional nursing in Maine. Ms. Cooper understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering the Consent Agreement.
10. Mary E. Cooper agrees and understands that her license will remain revoked and subject to the terms of this Consent Agreement indefinitely beyond the two year revocation period, until and unless the Board, at Ms. Cooper's written request, votes to reinstate Ms. Cooper's license. When considering whether to reinstate Ms. Cooper's license, the Board will consider the extent to which Ms. Cooper has complied with the provisions of this Consent Agreement.
11. If Ms. Cooper fails to meet any of the obligations of this Consent Agreement, 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.A. § 8003 and Title 32 M.R.S.A. § 2105-A.
12. Ms. Cooper agrees and understands that when she petitions the Board for reinstatement of her license, it will be for a probationary period.

Consent Agreement for Voluntary Revocation of License

Mary E. Cooper

Page 3

Probation may run for such time period as the Board determines appropriate. Probation may include conditions such as: continuing education; medical, psychiatric or mental health consultations or evaluations; mandatory professional or occupational supervision; and other conditions as the Board determines appropriate. Costs incurred in the performance of the terms of probation are borne by Ms Cooper.

13. Ms. Cooper understands and agrees that as a condition of reinstatement of her registered professional nursing license she will continue treatment and counseling to such an extent and for as long as recommended by her treatment providers.
14. Mary E. Cooper shall not work or volunteer, in any capacity, for a health care provider as defined by Title 24 M.R.S.A. § 2502 (2) or in any position holding herself out as a registered professional nurse or with the designation, R.N. including, in a veterinarian's office, while her nursing license is surrendered. In addition, Ms. Cooper is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.
15. Modification of this Consent Agreement must be in writing and signed by all parties.
16. Mary E. Cooper affirms that she executes this Consent Agreement of her own free will.
17. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
18. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, MARY E. COOPER, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.

DATED: 12/10/03



MARY E. COOPER, R.N.

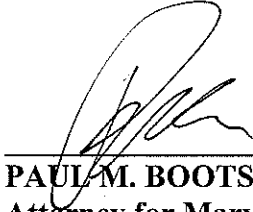
Consent Agreement for Voluntary Revocation of License

Mary E. Cooper

Page 4

DATED:

12/1/03

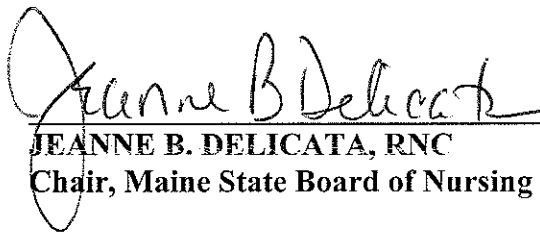


PAUL M. BOOTS, ESQ.
Attorney for Mary E. Cooper

FOR THE MAINE STATE BOARD OF NURSING

DATED:

1/18/04

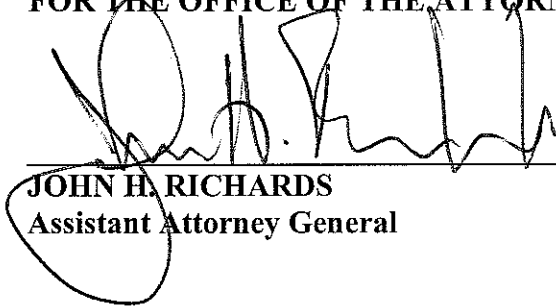


JEANNE B. DELICATA, RNC
Chair, Maine State Board of Nursing

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED:

1/6/03
(sic)



JOHN H. RICHARDS
Assistant Attorney General