



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:)
 Cynthia G. Davis, R.N.)
 of Sidney, ME)
 License # R031400)

**CONSENT AGREEMENT
 REGARDING VOLUNTARY
 SURRENDER OF LICENSE**

INTRODUCTION

This document is a Consent Agreement regarding Cynthia Davis' license to practice professional nursing in the State of Maine. This Consent Agreement is 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 Cynthia Davis, the Maine State Board of Nursing ("Board") and the Department of the Attorney General, State of Maine. This Consent Agreement is the result of the informal conference held on December 11, 1996 to discuss the issues raised by the June 3 and June 24, 1996 letters from Barbara Whitehead, R.N., Vice-President of Patient Services, Mid-Maine Medical Center. Ms. Davis was represented by Thomas Tilton, Esq., at the informal conference.

FACTS

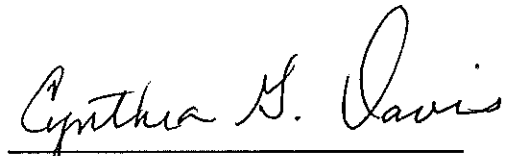
1. Ms. Davis admits to diverting the drugs described in the reports to the Board from Mid-Maine Medical Center.
2. Ms. Davis admits that she falsified the records.
3. Ms. Davis admits that her diversion of drugs deprived patients of medications.
4. Ms. Davis has been employed as a nurse for 26 years and has received satisfactory or above evaluations during that time.
5. Ms. Davis admits to using medications while on duty on at least one occasion.
6. At the time of her appearance before the Board on December 11, 1996, Ms. Davis had been substance free for 32 days.

AGREEMENT

1. Ms. Davis' conduct constitutes grounds for discipline under 32 M.R.S.A. § 2105-A(2)(A), (2)(B), (2)(E) and (2)(F).

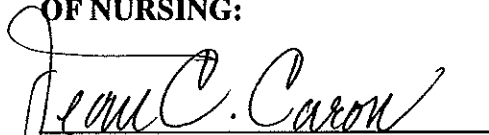
2. Ms. Davis agrees voluntarily to surrender her license to practice nursing for a minimum period of two (2) years and the Board agrees to accept the voluntary surrender of Ms. Davis' license under the following conditions:
 - a. **Substance free:** Ms. Davis will abstain completely from the use of alcohol or drugs, with the exception of substances used in accordance with a valid prescription from a physician who is aware of Ms. Davis' substance abuse history.
 - b. **Aftercare program:** Ms. Davis will continue in her prescribed aftercare treatment and self-help program for substance abuse.
 - c. **Quarterly reports:** Ms. Davis will arrange and ensure that quarterly reports, including results of drug screens, are submitted to the Board from her substance abuse treatment provider(s).
 - d. **Confidentiality and release of records:** Ms. Davis waives any claims of confidentiality and privilege which she may have with respect to the reports provided to the Board from her substance abuse provider. Ms. Davis further agrees that the Board shall have access to any and all otherwise confidential or medically-privileged information pertaining to her substance abuse and chemical dependency which the Board deems necessary to evaluate Ms. Davis' compliance with this Consent Agreement in her continued recovery. Ms. Davis shall provide such information, shall authorize the release of such records and information and shall authorize any such discussions and communications with any and all persons involved in her substance abuse treatment as may be requested by the Board for the purpose of evaluating Ms. Davis' compliance with this Consent Agreement in her continued recovery.
 - e. **Employment:** Ms. Davis will not work in any capacity in the health care field (including a veterinarian's office).
 - f. **Notice to treating physician:** Ms. Davis will inform any and all treating physicians of her chemical dependency diagnosis.
 - g. **Request for reinstatement:** After two years from the effective date of this agreement, Ms. Davis may petition the Board for reinstatement of her license on probationary status. Ms. Davis agrees and understands that her license will not be reinstated until and unless the Board, at Ms. Davis' written request, votes to reinstate Ms. Davis' license. When considering whether to reinstate Ms. Davis' license on probationary status, the Board will consider the degree to which Ms. Davis has complied with the provisions of this agreement.
3. **Further action:** The Board agrees to take no further disciplinary action upon these facts so long as Ms. Davis fully complies with these conditions.
4. **Miscellaneous provisions:** Ms. Davis understands that this document is a Consent Agreement which affects her legal right to practice nursing in Maine. Ms. Davis 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. Davis affirms that she executes this Consent Agreement of her own free will.

DATED: 12-30-96


CYNTHIA G. DAVIS


**FOR THE MAINE STATE BOARD
OF NURSING:**

DATED: 1/6/97


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

**FOR THE DEPARTMENT OF
ATTORNEY GENERAL:**

DATED: 1/7/97


SUSAN A. SPARACO
Assistant Attorney General
Counsel for the Board