



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

PAUL B. LEPAGE
 GOVERNOR

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

IN RE: PAMELA E. EHLER, R.N.)
 of South China, Maine)
 License # RN55144)

**CONSENT AGREEMENT
 FOR
 WARNING**

INTRODUCTION

This document is a Consent Agreement (“Agreement”) regarding Pamela E. Ehler’s license to practice registered professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S. § 2105-A (1-A) (A), 10 M.R.S. § 8003(5) (A-1) (1) and § 8003(5) (B). The Parties met in an informal conference on December 14, 2011. The parties to this Agreement are Pamela E. Ehler (“Licensee” or “Ms. Ehler”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The parties reached this Agreement on the basis of a Board Complaint that was based upon information submitted by Lakewood Continuing Care Center (“Lakewood”) in Waterville, Maine regarding an incident that occurred on August 31, 2011 and events leading up to it.

FACTS

1. Pamela E. Ehler has been a registered professional nurse licensed by the Board to practice in Maine since June 16, 2008.
2. On December 2, 2010, the Board issued Ms. Ehler a letter of concern following receipt of a report from MaineGeneral Health regarding Ms. Ehler. The letter of concern communicated to Ms. Ehler the Board’s “concern regarding the importance of professional conduct in the workplace.” The Board placed this letter of concern in Ms. Ehler’s file for five (5) years and indicated that the Board could consider it should any disciplinary action be initiated against her nursing license during that time.
3. On September 9, 2011, the Board received a written notification from Lakewood indicating that Ms. Ehler had walked off the unit the previous evening following a conversation with the Unit Director. According to the notification, Ms. Ehler was upset regarding scheduling and unit assignments and this was the second time in two weeks that she simply walked off the unit. In addition, the notification indicated that Ms. Ehler had been repeatedly coached about standards of conduct, policy and procedure, and her tendency to create a negative working environment. On September 13, 2011, the Board sent Ms. Ehler a copy of the notification from Lakewood, which included written incident reports, and requested that Ms. Ehler provide a written response to the allegations.
4. On September 19 and 20, 2011, the Board received written responses from Ms. Ehler. In her responses, Ms. Ehler described her recollection of events, including a discussion with the Unit Director at Lakewood. According to Ms. Ehler’s statement, she attempted to tell the Unit Director that she had been asked to pass medications without prescriptions by a co-worker when the Unit Director “became very angry and screamed at [her], pointing her finger very close to [Ms. Ehler’s] face and accused [Ms. Ehler] of disrespecting her.” Ms. Ehler asserted that she did not “voluntarily” leave Lakewood on August 31, 2011, but was told by the Unit Director to “leave, you are all done” following a heated discussion about a co-worker. According to Ms. Ehler, she left Lakewood because she did not want to make a scene and understood that she had been terminated, and that there were three nurses on the floor at the time (so there was no impact upon Lakewood or the patients).
5. On or about October 4, 2011, the Board received additional information from Lakewood in reply to Ms. Ehler’s responses. According to Lakewood, Ms. Ehler “voluntarily” left Lakewood, leaving one of the nurses who had already finished her shift to work overtime to complete Ms. Ehler’s shift. In addition,



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<http://www.maine.gov/boardofnursing/>

according to Lakewood, the Unit Manager asked Ms. Ehler to leave her office because Ms. Ehler was being “very disrespectful.” The Board sent Ms. Ehler this additional information on October 25, 2011.

6. On December 14, 2011, a subcommittee of the Board held an informal conference with Ms. Ehler regarding this matter. In addition, Lakewood staff attended the informal conference. Following the informal conference, the subcommittee voted to offer Ms. Ehler this Consent Agreement to resolve this matter.
7. Absent acceptance of this Consent Agreement by Ms. Ehler by signing and dating it and returning it to Jayne Winters, Maine State Board of Nursing, 158 State House Station, Augusta, Maine 04333-0158 on or before January 21, 2012, this matter shall be scheduled for an adjudicatory hearing.

AGREEMENT

8. Pamela E. Ehler admits, understands and agrees that should the matter proceed to an adjudicatory hearing, the Board would have sufficient evidence to conclude by the preponderance of the evidence that she engaged in the conduct alleged by Lakewood. In addition, Ms. Ehler agrees and understands that such conduct constitutes grounds for discipline under Title 32 M.R.S. § 2105-A (2) (F), (2) (H) and Chapter 4.1.A.6., and Chapter 4.3.F. and 4.3.H. of the Rules and Regulations of the Maine State Board of Nursing. Specifically, the violations are:


Title 32 M.R.S. §§:

- a. 2105-A (2) (F). Unprofessional Conduct. Ms. Ehler engaged in unprofessional conduct by violating standards of professional behavior regarding professional communication that have been established in the practice for which the licensee is licensed.
 - b. 2105-A (2) (H). A violation of this chapter or a rule adopted by the Board. (See also Chapter 4, Section 3.)
 - c. Chapter 4, Section 3. Unprofessional Conduct as defined by the Rules and Regulations of the Maine State Board of Nursing in Chapter 4, Section 3, states: *Nursing behavior which fails to conform to legal standards of the nursing profession, and which could reflect adversely on the health and welfare of the public shall constitute unprofessional conduct.*
9. As discipline for the foregoing violations, Ms. Ehler agrees to accept a **WARNING**. Ms. Ehler shall ensure that henceforth all of her interactions and communications conform to legal standards of the nursing profession and do not reflect adversely upon the profession of nursing. The Board reminds Ms. Ehler that professionalism is a key element to nursing and can have a direct impact upon the quality of patient care. As a result, the Board recommends that Ms. Ehler complete a “conflict resolution” course in order to develop sound communication skills.
 10. 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 Rules and Regulations of the Maine State Board of Nursing. The State of Maine is Ms. Ehler’s “Home state” of licensure and primary state of residence, which means that Ms. Ehler has declared the State of Maine as her fixed permanent and principle home for legal purposes; her domicile. Other Party states that are in the Compact are referred to as “Remote states,” which means Party states other than the Home state that have adopted the Compact. Ms. Ehler understands this Agreement is subject to the Compact.
 11. Pamela E. Ehler understands that she does not have to execute this Agreement and that she has the right to consult with an attorney before entering into the Agreement.

12. Pamela E. Ehler affirms that she executes this Agreement of her own free will.
13. Modification of this Agreement must be in writing and signed by all the parties.
14. 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.
15. This Agreement is not subject to review or appeal by Ms. Ehler.
16. This Agreement becomes effective upon the date of the last necessary signature below.

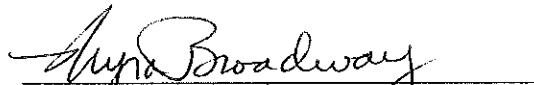
I, PAMELA E. EHLER, R.N., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY REGISTERED PROFESSIONAL NURSE LICENSE. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, KNOWINGLY, AND INTELLIGENTLY AND AGREE TO BE BOUND BY THIS AGREEMENT. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.

DATED: 12-24-11


PAMELA E. EHLER, R.N.

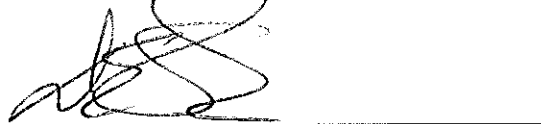
FOR THE MAINE STATE
BOARD OF NURSING

DATED: 12/28/11


MYRA A. BROADWAY, J.D., M.S., R.N.
Executive Director

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: 1/3/12


DENNIS E. SMITH
Assistant Attorney General