



MAINE STATE BOARD OF NURSING

35 ANTHONY AVENUE
STATE HOUSE STATION 158
AUGUSTA, MAINE 04333
(207) 289-5324

In re:)
Merrilyn A. Finn-Katz) CONSENT AGREEMENT
of Presque Isle, Maine) REGARDING LAPSED
STATUS OF LICENSE

INTRODUCTION

This document is a Consent Agreement regarding Merrilyn A. Finn-Katz' license to practice professional nursing in the State of Maine, entered into pursuant to 32 M.R.S.A. Section 2105-A(1-A)(C) (1988). The parties to this Consent Agreement are: Merrilyn A. Finn-Katz, the Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine.

By letter dated January 8, 1991, Ms. Finn-Katz was advised by the Board that it had received letters dated December 27 and 28, 1990, with attachments, from Mary Mullaney, Chair, Division of Nursing, University of Maine at Fort Kent, alleging that Ms. Finn-Katz may be in violation of 32 M.R.S.A. Section 2105-A(2)(B), (2)(C), (2)(E), (2)(F) and (2)(G). Ms. Finn-Katz responded to the Board in a letter dated February 6, 1991. Subsequently, the Board requested that Ms. Finn-Katz attend an informal conference pursuant to 32 M.R.S.A. Section 2105-A(1-A). The informal conference was held on May 1, 1991. Ms. Finn-Katz was present and was not represented by an attorney.

FINDINGS OF FACT

As a result of the informal conference, the Board made the following findings of fact:

1. Licensee has a documented professional dual diagnosis of Bipolar Disorder and alcohol dependence.
2. Licensee is in active psychiatric treatment for this condition.
3. Licensee is active in self-help program for alcohol dependency.
4. Licensee allowed her nursing license to lapse on October 5, 1990.

5. Licensee does not contest that she experienced a period of extreme behavior during the fall semester of 1990.
6. Licensee states that she does not wish to return to the practice of nursing at this time.
7. Licensee is on a compulsory leave of absence from her previous employment with the University of Maine at Fort Kent.

COVENANTS

Based on the above findings of fact, the Board voted to enter in an agreement with Ms. Finn-Katz whereby she will allow her license to remain in its present lapsed state pending compliance with the following conditions:

1. Licensee must continue with psychiatric treatment.
2. Licensee must remain completely substance-free.
3. Licensee must request reinstatement of her license prior to resuming the practice of nursing in this State.

Ms. Finn-Katz understands that this document is a Consent Agreement which affects her rights to practice nursing in Maine. Ms. Finn-Katz 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. Finn-Katz affirms that she executes this Consent Agreement of her own free will.

DATED: 5/30/91

BY: Merrilyn A. Finn-Katz
MERRILYN A. FINN-KATZ

FOR THE MAINE STATE BOARD OF NURSING:

DATED: 5/28/91

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

FOR THE DEPARTMENT OF ATTORNEY GENERAL

DATED: 5/28/91

BY: Timothy W. Collier
TIMOTHY W. COLLIER
Assistant Attorney General
Counsel to the Board