



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

ANGUS S. KING, JR.
 GOVERNOR

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

IN RE: TRACEY L. FISH)
 of Farmingdale, Maine)
 License #R039154)
) CONSENT AGREEMENT
) FOR VOLUNTARY
) SURRENDER OF LICENSE

INTRODUCTION

This document is a Consent Agreement regarding Tracey L. Fish's license to practice registered professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A(1-A)(C) and 10 M.R.S.A. § 8003(S)(B), (S)(D). The parties to this Consent Agreement are Tracey L. Fish, Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine. An informal conference was held on October 3, 2002. The parties reached this Agreement based on information submitted by MaineGeneral Medical Center dated June 24, 2002 and the Licensee's responses dated August 8, 2002 and September 13, 2002.

FACTS

1. Tracey L. Fish has been licensed by the Board since 1995.
2. Tracey L. Fish is currently on probation with the Board via Consent Agreement executed October 1, 2001.
3. Tracey L. Fish admits that she diverted 8 Percocet for her own use. This action is in violation of 32 M.R.S.A. Section 2105-A and the Consent Agreement executed October 1, 2001. The diversion was discovered as a result of a random audit conducted by MaineGeneral Medical Center.
4. Tracey L. Fish is currently in treatment which consists of seeing a therapist and attending AA.

AGREEMENT

5. The Maine State Board of Nursing will accept Tracey L. Fish's voluntary surrender of her registered professional license, license # R039154, and Ms. Fish agrees and understands that the voluntary surrender of her license will be for a period of two years from the effective date of this agreement.



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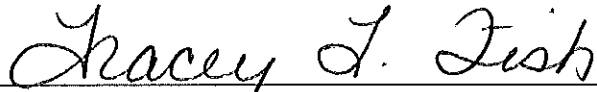
6. Tracey L. Fish understands that this document imposes discipline regarding her license to practice professional nursing in the State of Maine under 32 M.R.S.A. § 2105-A(2)(A), (2)(B), (2)(F), (2)(H) and Chapter 4, sections 1(A)(1), (A)(2), (A)(6) and Chapter 4, sections 3(P) and 3(Q) of the Rules and Regulations of the Maine State Board of Nursing. Ms. Fish 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.
7. Tracey L. Fish may petition the Board for reinstatement of her license, for a probationary period at the completion of the two year surrender period. Ms. Fish understands and agrees that her license will not be reinstated until and unless the Board, upon Ms. Fish's written request, votes to reinstate Ms. Fish's license.
8. Tracey L. Fish understands and agrees that as a condition of reinstatement of her registered professional nursing license she will continue treatment and counseling for drug abuse and addiction to such an extent and for as long as recommended by her treatment providers. Ms. Fish will arrange for and ensure the submission to the Board of quarterly reports from her treatment providers. In addition, Ms. Fish agrees and understands that the Board shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her treatment and therapy which the Board deems necessary to evaluate Ms. Fish's compliance with this Consent Agreement and her continued recovery.

Ms. Fish shall provide such information, shall authorize any release of such records and information, and shall authorize any such discussions and communications with any and all persons involved in her care as may be requested by the Board for the purpose of evaluating Ms. Fish's compliance with this Consent Agreement.

9. Tracey L. Fish 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. Fish is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.
10. This Consent Agreement supersedes the prior Consent Agreement with the Board with an effective date of October 1, 2001. Modification of this Consent Agreement must be in writing and signed by all parties.
11. Tracey L. Fish affirms that she executes this Consent Agreement of her own free will.

12. This Consent Agreement becomes effective upon the date of the last necessary signature below.

DATED: 10-27-02


TRACEY L. FISH

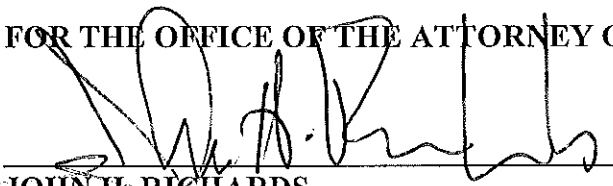
FOR THE MAINE STATE BOARD OF NURSING

DATED: Oct 30, 2002 ^(HR)


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

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: Nov. 6, 2002


JOHN H. RICHARDS
Assistant Attorney General