



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



JOHN ELIAS BALDACCI  
 GOVERNOR

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

IN RE: **JOAN A. GILES** )  
 of Limington, Maine )  
 License #R017662 ) **CONSENT AGREEMENT**  
**FOR REINSTATEMENT**  
**AND PROBATION**

**INTRODUCTION**

This document is a Consent Agreement regarding Joan A. Giles' license to practice registered professional nursing in the State of Maine. The parties enter into this Consent Agreement pursuant to 32 M.R.S.A. § 2105-A(1-A)(B), 10 M.R.S.A. § 8003(5)(A-1)(4) and 10 M.R.S.A. § 8003(5)(B). The Board met with Ms. Giles on June 7, 2006 regarding her request for reinstatement of her nursing license. The parties to this Consent Agreement are Joan A. Giles ("Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine.

**FACTS**

1. Joan A. Giles surrendered her registered professional nurse license voluntarily on October 25, 2004 and entered into a consent agreement with the Board on that same date, which is attached and marked as Exhibit A.
2. Joan A. Giles had been diagnosed with a post-concussion syndrome resulting from a head injury she received in an automobile accident that occurred April 6, 2003. In addition Ms. Giles has been diagnosed with Adult Attention Deficit Disorder. She is currently being treated for both health issues by her physician who has also recommended that she is able to gradually return to work. Attached is a six page statement from Ms. Giles dated May 7, 2006, with supporting documentation regarding her health issues, on-going treatment, which is marked as Exhibit B.
3. The parties agree to enter into this Consent Agreement to reinstate Ms. Giles' registered professional nurse license for a term of probation with conditions.

**REINSTATEMENT WITH CONDITIONS OF PROBATION**

4. Joan A. Giles' license to practice as a registered professional nurse in the State of Maine is reinstated on a probationary status with conditions. The period of probation will commence on Ms. Giles' return to nursing practice, either through employment or pursuant to an educational program. The period of probation will be for a period of two years, to be effective only while she is employed in nursing practice or enrolled in a nursing education program. For purposes of this Agreement, nursing employment is any



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employment during which Ms. Giles performs nursing services. Ms. Giles' probationary license will be subject to the following conditions:

- a. Joan A. Giles will continue in her treatment program to such an extent and for as long as her treatment provider(s) recommend.
  - b. Joan A. Giles will arrange for and ensure the submission of quarterly reports to the Board by her mental health treatment provider(s).
  - c. Joan A. Giles will immediately notify the Board in writing should she return to employment or an educational program in the field of nursing. Notice under this section shall include the place and position of employment or the educational program and any subsequent change in employment or educational programs.
  - d. Joan A. Giles will notify any and all of her nursing employers and notify faculty involved in any clinical studies of the terms of this Consent Agreement and shall provide them with a copy of it.
  - e. Joan A. Giles' employment is restricted during the period of probation to structured settings with on-site supervision by another registered professional nurse. Structured settings shall not include assignments from temporary employment agencies, school nursing, working as a traveling nurse or working within the correctional system.
  - f. Joan A. Giles will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer or clinical faculty regarding her general nursing practice.
  - g. Joan A. Giles agrees and understands that the Board and the Department of Attorney General shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her treatment which the Board deems necessary to evaluate Ms. Giles' compliance with the Consent Agreement and her continued recovery. Ms. Giles 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 care, counseling and employment as may be requested by the Board for the purpose of evaluating Ms. Giles' compliance with the Consent Agreement and her continued recovery.
5. The State of Maine is Joan A. Giles' home state of licensure. Except as provided further in this paragraph, Ms. Giles agrees that during the pendency of this Consent Agreement her nursing practice is limited to the State of Maine. If Ms. Giles wishes to practice in any other party state within the compact she shall petition the Board for written authorization. In addition, Ms. Giles will arrange to have the party state she intends to practice in, to provide the Board with written authorization that she has been approved to practice in that state.
  6. Joan A. Giles agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the ~~three~~ <sup>two</sup> year

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probationary period, until and unless the Board, at Ms. Giles' written request, votes to terminate Ms. Giles' probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Giles has complied with the provisions of this Agreement.


7. Joan A. Giles understands that this document is a Consent Agreement that affects her rights to practice nursing in the State of Maine. Ms. Giles understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering into the Consent Agreement.
8. Joan A. Giles affirms that she executes this Consent Agreement of her own free will.
9. This Consent Agreement replaces and supersedes the October 25, 2004, Consent Agreement. Exhibit No. A. Modification of this Consent Agreement must be in writing and signed by all parties.
10. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
11. This Consent Agreement becomes effective upon the date of the last necessary signature below.

**I, JOAN A. GILES, 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: 07/09/06

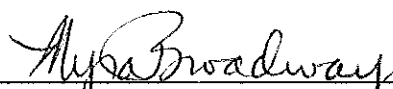
  
\_\_\_\_\_  
JOAN A. GILES

DATED: July 1, 2006

  
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JANET E. MICHAEL, R.N., M.S., J.D.  
Attorney for Joan A. Giles

**FOR THE MAINE STATE  
BOARD OF NURSING**

DATED: July 17, 2006

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

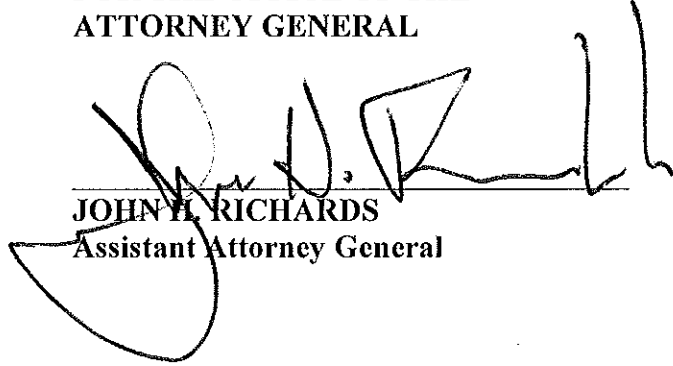
FOR THE OFFICE OF THE  
ATTORNEY GENERAL

DATED: \_\_\_\_\_

July 13, 2006

\_\_\_\_\_  
JOHN H. RICHARDS

Assistant Attorney General

A handwritten signature in black ink, appearing to read "John H. Richards", is written over a horizontal line. The signature is stylized with a large initial "J" and a prominent "H".