



Paul R. LePage  
GOVERNOR

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

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

IN RE: DIANNE L. HOFFMAN  
of Whitefield, ME  
License No. RN37988

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)  
)

CONSENT AGREEMENT  
FOR  
VOLUNTARY SURRENDER

Complaint No. 2012-242

**INTRODUCTION**

This document is a Consent Agreement ("Agreement") regarding Dianne L. Hoffman's license as a registered professional nurse ("RN") in the State of Maine. The parties to this Agreement are Dianne L. Hoffman ("Licensee" or "Ms. Hoffman"), the Maine State Board of Nursing ("the Board"), and the Office of the Attorney General, State of Maine. The Board met with the Licensee in an informal conference on April 3, 2013. The parties enter into this Agreement pursuant to 32 M.R.S. §2105-A (1-A)(C) and 10 M.R.S. §8003 (5)(B) in order to resolve Complaint 2012-242.

**FACTS**

1. Dianne L. Hoffman was first licensed to practice as an RN in Maine on August 31, 1994.
2. On December 7, 2012, Board Complaint 2012-242 was initiated based upon a news article dated November 19, 2012 in the *Bangor Daily News* regarding Ms. Hoffman's summons by the Belfast Police Department for stealing drugs from an individual who had left his prescription at the Belfast Hannaford check-out. Ms. Hoffman was identified on video surveillance at the store.
3. On November 11, 2012, Ms. Hoffman admitted to an investigator at the Belfast Police Department that on November 10, 2012, she intentionally took prescription medication which did not belong to her from the Hannaford Pharmacy in Belfast, Maine. Ms. Hoffman stated that she intended to return it to the person named on the prescription. She later realized she had no way of locating the individual, so decided to place the prescription bottle of medication (Xanax) in the mail box located at the Liberty Post Office, assuming it would be forwarded to the owner. The investigating officer from the Belfast Police Department stated in his Incident Report (B12-5582) that his further investigation to determine whether the bottle of prescription medication was retrieved from the mail box by any of the mail carriers turned up negative.
4. On February 26, 2013, Ms. Hoffman pled guilty to Stealing Drugs [17-A M.R.S. 1109(2)(B)], a Class D misdemeanor, in Belfast District Court, Docket No. BELDC-CR-2013-00049. The disposition of her criminal case is deferred until February 25, 2014. Her bail conditions include completion of psychological counseling and 50 hours of community service. The attached Docket Record and Order Deferring Disposition is incorporated herein and marked as Exhibit A.



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OFFICES LOCATED AT: 161 CAPITOL ST., AUGUSTA, ME  
<http://www.maine.gov/boardofnursing/>

PHONE: (207) 287-1133

FAX: (207) 287-1149

5. Ms. Hoffman is currently in counseling and providing voluntary care for an elderly woman through the District Attorney's Office.
6. Dianne L. Hoffman wishes to resolve this matter by accepting this Agreement, thereby waiving her rights to an adjudicatory hearing.

#### AGREEMENT

7. Dianne L. Hoffman admits to the Facts as stated above and admits that such conduct constitutes grounds for the Board to impose discipline against her as follows:
  - a. Pursuant to 32 M.R.S. §2105-A (2)(A) for engaging in the practice of fraud or deceit in connection with service rendered within the scope of the license issued. See also: Board Rule Chapter 4.1.A.1.
  - b. Pursuant to 32 M.R.S. §2105-A (2)(F) for engaging in unprofessional conduct that violates a standard of professional behavior that has been established in the practice for which the licensee is licensed. See also: Board Rule Chapter 4.1.A.6.
  - c. Pursuant to 32 M.R.S. §2105-A (2)(H) for engaging in unprofessional conduct as specified in Board Rules Ch. 4, §3(P) by diverting drugs, supplies, or property of a patient or health care provider.
  - d. Pursuant to 32 M.R.S. §2105-A (2)(H) for engaging in unprofessional conduct as specified in Board Rule Ch. 4, §3(Q) by possessing, obtaining, furnishing or administering prescription drugs to any person, including self, except as directed by a person authorized by law to prescribe drugs.
8. As discipline for the conduct admitted in Paragraph No. 7 above, Ms. Hoffman agrees to **SURRENDER** her Maine RN license, effective on the date of the final execution of this Agreement. Ms. Hoffman understands and agrees that as a result of surrendering her license, she no longer has a nursing license and is subject to the terms of this Agreement until and unless the Board, at her written request, votes to reinstate her license. Ms. Hoffman understands and agrees that upon receiving said request with court documentation that she has successfully met the conditions of her deferred disposition, the Board shall have the sole discretion to grant or deny such a request or to grant her a license with probation and conditions as it determines appropriate to protect the public.
9. The State of Maine is a "Party state" that has adopted the Nurse Licensure Compact ("the Compact"), which is set out in Chapter 11 of the Rules of the Maine State Board of Nursing. The State of Maine is Ms. Hoffman's "Home state" of licensure and primary state of residence, which means she has declared Maine as her fixed permanent and principal home for legal purposes; her domicile. Other Party states in the Compact are referred to as "Remote states," which means Party states other than the Home state that have adopted the Compact. Ms. Hoffman understands this Agreement is subject to the Compact.
10. Dianne L. Hoffman understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Agreement.

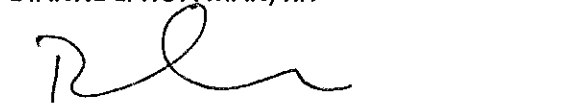
11. Dianne L. Hoffman shall not work or volunteer in any capacity for a health care provider as defined by Title 24 M.R.S. §2502(2) or in any position holding herself out as a registered professional nurse or with the designation "RN" while she does not hold a nursing license.
12. This Agreement is a 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.
13. This Agreement constitutes a final adverse licensing action that is reportable to the National Practitioner Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB) pursuant to Section 1128E of the Social Security Act and 45 C.F.R. Part 61.
14. Modification of this Agreement must be in writing and signed by all parties.
15. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
16. Dianne L. Hoffman affirms that she executes this Agreement of her own free will.
17. This Agreement becomes effective upon the date of the last necessary signature below.

I, DIANNE L. HOFFMAN, RN, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY NURSING LICENSE. 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: 5-28-2013

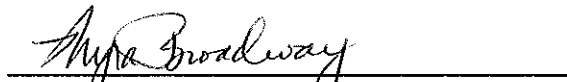
  
DIANNE L. HOFFMAN, RN

Dated: 5/28/2013

  
ROBERT MARDEN, ESQ.  
ATTORNEY for Dianne L. Hoffman, RN


FOR THE MAINE STATE BOARD OF NURSING

Dated: 6/3/13

  
MYRA A. BROADWAY, JD, MS, RN  
Executive Director

FOR THE OFFICE OF THE ATTORNEY GENERAL

Dated: 6/5/2013

  
JOHN H. RICHARDS Andrew L. Black  
Assistant Attorney General



STATE OF MAINE  
vs  
DIANNE L HOFFMAN  
509 HEATH ROAD  
WHITEFIELD ME 04353

DISTRICT COURT  
BELFAST  
Docket No BELDC-CR-2013-00049

DOCKET RECORD

DOB: 04/22/1971  
Attorney: ROBERT MARDEN  
MARDEN DUBORD ET AL  
44 ELM STREET  
PO BOX 708  
WATERVILLE ME 04901-0708  
RETAINED 01/29/2013

State's Attorney: ERIC WALKER

Filing Document: CRIMINAL COMPLAINT  
Filing Date: 01/16/2013

Major Case Type: MISDEMEANOR (CLASS D,E)

Charge(s)

1 STEALING DRUGS 11/10/2012 BELFAST  
Seq 10071 17-A 1109(2)(B) Class D  
WARD / BEL

Docket Events:

01/16/2013 FILING DOCUMENT - CRIMINAL COMPLAINT FILED ON 01/16/2013

01/16/2013 Charge(s): 1  
HEARING - ARRAIGNMENT SCHEDULED FOR 01/31/2013 at 08:30 a.m.

NOTICE TO PARTIES/COUNSEL

01/30/2013 Party(s): DIANNE L HOFFMAN  
ATTORNEY - RETAINED ENTERED ON 01/29/2013

Attorney: ROBERT MARDEN

01/30/2013 Charge(s): 1  
HEARING - ARRAIGNMENT WAIVED ON 01/30/2013

01/30/2013 Charge(s): 1  
PLEA - NOT GUILTY ENTERED BY COUNSEL ON 01/30/2013

Attorney: ROBERT MARDEN

01/30/2013 TRIAL - BENCH SCHEDULED FOR 02/26/2013 at 08:30 a.m.

NOTICE TO PARTIES/COUNSEL

01/30/2013 TRIAL - BENCH JTR SENT ON 01/30/2013

02/26/2013 TRIAL - BENCH NOT HELD ON 02/26/2013

02/26/2013 Charge(s): 1  
PLEA - GUILTY ENTERED BY DEFENDANT ON 02/26/2013

02/26/2013 Charge(s): 1  
ORDER - DEFERRED DISPOSITION ENTERED ON 02/26/2013  
PATRICIA WORTH , JUDGE

CR\_200

**Conditions of Deferred Disposition:**

Appear in the court on the date and time notified to appear.

Refrain from all criminal conduct and violation of federal, state, and local laws.

Identify self as being on deferred disposition if arrested or questioned by law enforcement and notify the District Attorney's Office in writing of any contact with law enforcement within 96 hours of that contact.

Advise the court of any change in address or telephone number within 24 hours of the change.

Comply with all conditions of the Bail Order.

Pay an administrative supervision fee of \$15.00 per month.

Other: COMPLETE PSYCHOLOGICAL COUNSELING AND 50 HOURS COMMUNITY SERVICE. PROVIDE WRITTEN PROOF OF COMPLETION TO THE DISTRICT ATTORNEYS OFFICE. MAKE A \$10 DONATION TO THE VICTIMS COMPENSATION FUND, PAY \$10 RESTITUTION.

02/26/2013 Charge(s): 1

HEARING - DISPOSITIONAL HEARING SCHEDULED FOR 02/25/2014 at 08:30 a.m.

NOTICE TO PARTIES/COUNSEL

A TRUE COPY

ATTEST: \_\_\_\_\_

Clerk