



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

BEFORE THE MAINE STATE BOARD OF NURSING

IN THE MATTER OF LICENSE NO.)
P004412 ISSUED TO:)

DENISE A. HOLBROOK)

To practice practical nursing in the)
 State of Maine)

**ORDER TERMINATING
 PROBATION**

WHEREAS, on **December 6, 2001**, License No. **P004412** issued to **Denise A. Holbrook** was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and

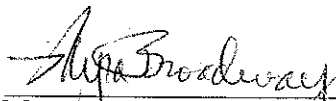
WHEREAS, on **December 3, 2008**, the Board of Nursing duly considered all evidence presented to it concerning **Denise A. Holbrook's** compliance with the conditions of said probation; and

WHEREAS, the Board found that **Denise A. Holbrook** has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation executed on **January 30, 2002** is hereby terminated.

DATED this **9th** day of **December 2008**.

MAINE STATE BOARD OF NURSING

BY: 
 Myra A. Broadway, J.D., M.S., R.N.
 Executive Director



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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



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ANGUS S. KING, JR.
 GOVERNOR

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

IN RE: DENISE A. HOLBROOK, L.P.N.) **CONSENT AGREEMENT**
 of Otisfield, Maine) **FOR LICENSE PROBATION**
 License # P004412) **WITH CONDITIONS**

INTRODUCTION

This document is a Consent Agreement regarding Denise A. Holbrook's license to practice practical nursing in the State of Maine. The parties enter into this Agreement pursuant to 10 M.R.S.A. § 8003(5)(A-1)(4), 10 M.R.S.A. § 8003(5)(B), and 32 M.R.S.A. § 2105-A(1-A)(B). The parties to this Consent Agreement are Denise A. Holbrook ("Licensee"), Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine. An informal conference was held on December 6, 2001. The parties reached this Agreement on the basis of information submitted by Spring Harbor Hospital of Maine Medical Center ("Spring Harbor") by letter dated May 17, 2001.

FACTS

1. Denise A. Holbrook has been a licensed practical nurse licensed by the Board to practice in Maine since 1974.
2. Spring Harbor adopted a policy related to patient safety called "Levels of Observation." At a minimum, the policy provides for all patients to be observed on 15-minute checks throughout their hospital stay.
3. On May 4, 2001, Ms Holbrook was assigned to do 15-minutes checks from 1730 to 1830 hours on all patients assigned to her unit. A certain patient was out on a trial therapeutic visit (TTV) or pass at this time; however, Ms. Holbrook performed five 15-minute checks on this individual indicating that the patient was in his room reading or in the dayroom. Ms. Holbrook learned later in the shift that the patient was TTV and changed the 15-minute check documentation retroactively to indicate that she observed information that she could not have observed.
4. On May 4, 2001, Ms. Holbrook was observed by staff members standing at the desk documenting 15-minute checks on her unit's patients when she had not actually gone room to room with a checkboard, in hand, visualizing each and every patient.
5. Prior to these incidences the staff had a lengthy discussion with Ms. Holbrook at Spring Harbor regarding the importance of the 15-minute checks and the importance of performing them in accordance with policy.



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OFFICES LOCATED AT: 24 STONE ST., AUGUSTA, ME

PHONE: (207) 287-1133

TDD: (207) 287-1151

FAX: (207) 287-1149

6. This Board previously disciplined Ms. Holbrook in 1995 for failing to take vital signs of five patients but recording them as having been taken.

AGREEMENT

7. Denise A. Holbrook agrees and understands that the conduct alleged constitutes grounds for discipline under 32 M.R.S.A. § 2105-A(2)(F) and (2)(H) and Chapter 4.1.A.6., 4.3.F. and 4.3.K. of the Maine State Board of Nursing Rules and Regulations.
8. Denise A. Holbrook's license to practice practical nursing is placed on a probationary status with conditions for a period of five years of nursing employment. The conditions of probation are as follows:
 - a. Ms. Holbrook will notify any and all of her nursing employers of the terms of this Consent Agreement and shall provide them with a copy of it. For purposes of this Consent Agreement, nursing employment is any employment during which Ms. Holbrook performs nursing services or holds herself out as a nurse such as through the designation "L.P.N."
 - b. Ms. Holbrook will immediately notify the Board in writing of any employment in the field of nursing, including the place and position of employment and of any change in nursing employment.
 - c. Ms. Holbrook will arrange for and ensure the submission to the Board of quarterly reports addressing her job performance from her nursing employer(s).
 - d. Ms. Holbrook will take an educational course in the legal implications of nursing practice and provide proof to the Board of satisfactory completion of the course.
9. Denise A. Holbrook understands and agrees that her license will remain on probationary status and subject to the terms of this Agreement until and unless the Board, at Ms. Holbrook's written request, votes to terminate Ms. Holbrook's probation.

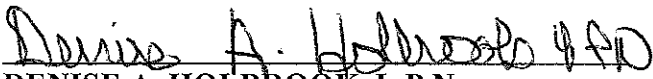
If, at the conclusion of the five year period of probation, Ms. Holbrook demonstrates that she has complied with the terms and conditions of this Consent Agreement, the Board will vote to terminate the period of probation. If the Board concludes that the terms and conditions of this Consent Agreement have not been fulfilled, The Board may continue the probationary period or take disciplinary action as authorized by law.

Denise A. Holbrook
Consent Agreement for Probation with Conditions
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10. Ms. Holbrook understands and agrees that this document imposes discipline regarding her license to practice practical nursing in the State of Maine. Ms. Holbrook 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 this Consent Agreement.
11. Ms. Holbrook affirms that she executes this Consent Agreement of her own free will.
12. Modification of this Consent Agreement must in writing and signed by all the parties.
13. This Consent Agreement is not subject to appeal or review by the Licensee but may be enforced by an action in the Superior Court.
14. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, DENISE A. HOLBROOK, L.P.N., 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: 1/8/02

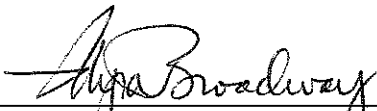

DENISE A. HOLBROOK, L.P.N.

DATED: 1/14/02


DONALD L. CARTER, ESQ.
Attorney for Denise Holbrook, LPN

**FOR THE MAINE STATE
BOARD OF NURSING**

DATED: Jan 28, 2002


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

FOR THE DEPARTMENT OF
ATTORNEY GENERAL

DATED: 1/30/02



JOHN H. RICHARDS
Assistant Attorney General

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