

MSBON



MAINE STATE BOARD OF NURSING
35 ANTHONY AVENUE
STATE HOUSE STATION 158
AUGUSTA, MAINE 04333-0158
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BEFORE THE MAINE STATE BOARD OF NURSING

IN THE MATTER OF LICENSE NO.)
P010136 ISSUED TO:)
Carla-Jo Kaler)
To practice practical nursing in)
the State of Maine)
-----)

**ORDER TERMINATING
PROBATION**

WHEREAS, on **December 17, 1992**, License No. P010136 issued to Carla-Jo Kaler was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and

WHEREAS, on **June 7, 1995**, the Board of Nursing duly considered all evidence presented to it concerning Carla-Jo Kaler's compliance with the conditions of said probation; and

WHEREAS, the Board found that Carla-Jo Kaler has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation executed on **February 19, 1993** is hereby terminated.

DATED this 9th day of June 1995.

MAINE STATE BOARD OF NURSING

BY: _____

Jean C. Caron

Jean C. Caron, R.N., M.S.
Executive Director



MAINE STATE BOARD OF NURSING

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In re:) **CONSENT AGREEMENT**
Carla-Jo Kaler, L.P.N.) **REGARDING PROBATIONARY**
of Glen Cove, Maine) **STATUS OF LICENSE**
License #P010136)

INTRODUCTION

This document is a Consent Agreement regarding Carla-Jo Kaler's license to practice practical nursing in the State of Maine, entered into pursuant to 32 M.R.S.A. Section 2105-A(1-A)(B) and 10 M.R.S.A. Section 8003(5)(B). The parties to this Consent Agreement are: Carla-Jo Kaler, the Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine.

By letter dated June 8, 1992, Ms. Kaler mailed in her license to practice practical nursing. By letter dated June 12, 1992 the Board acknowledged receipt of her letter and advised her that it had received a letter dated June 4, 1992 from Thomas Bosica, Jr., Vice President, Human Resources for the Penobscot Bay Medical Center, containing information of a possible violation by Ms. Kaler of 32 M.R.S.A. Section 2105-A(2)(B), (2)(E) and (2)(F).

Subsequently, the Board requested that Ms. Kaler attend an informal conference pursuant to 32 M.R.S.A. Section 2105-A(1-A). The informal conference was held on December 17, 1992. Ms. Kaler was present and was not represented by counsel.

FINDINGS OF FACT

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

1. Ms. Kaler admits to the diversion of hospital medications for her own use, including demerol, morphine, percocet, codeine, vicodin and tylenol #3, among others.
2. Ms. Kaler admits that she has been impaired while on duty at times.
3. Ms. Kaler has a long history of substance abuse.

4. Ms. Kaler has been through extended substance abuse treatment since she was confronted about the diversion by hospital personnel on May 28, 1992, and has recently completed two formal recovery programs: one at the Talbott-Marsh Recovery System in Atlanta, Georgia, and another at the Seton Recovery Unit in Waterville, Maine.
5. Ms. Kaler remains actively involved in aftercare, and has a strong support system both at work and at home.
6. Ms. Kaler is active in a twelve-step recovery program and has been substance-free for seven months.
7. The hospital is willing to re-employ Ms. Kaler under appropriate safeguards.
8. Ms. Kaler says that she believes she is ready to return to employment at the hospital.
9. There was no documented patient harm as a result of Ms. Kaler's actions.
10. Dr. Thomas McDermott of the Seton Recovery Unit recommends that Ms. Kaler return to employment at the hospital.

COVENANTS

Based on the above findings of fact, the Board voted to enter into an agreement with Ms. Kaler under which her license is placed on probation for a period of two years from December 17, 1992, with the following conditions:

1. Ms. Kaler will remain substance-free.
2. Ms. Kaler will remain active in her prescribed aftercare and self-help programs.
3. Ms. Kaler will arrange for quarterly reports to the Board from her counselor and also from her nurse-employer. Ms. Kaler waives any claims of confidentiality and privilege which she may have with respect to these reports.
4. Ms. Kaler will not be employed in a nursing agency.
5. Ms. Kaler will immediately notify the Board of any change in her employment.
6. The Board agrees to take no further disciplinary action upon these facts so long as Ms. Kaler fully complies with these conditions.

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

DATED: 2/13/93

BY: Carla Jo Kaler LPN
CARLA-JO KALER, L.P.N.

FOR THE MAINE STATE BOARD OF NURSING

DATED: 2/18/93

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

FOR THE DEPARTMENT OF ATTORNEY GENERAL

DATED: 2/19/93

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