



STATE OF MAINE
 BOARD OF NURSING
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 04333-0158

PAUL R. LEPAGE
 GOVERNOR

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

IN RE: CHARLENE J. KEMP, RN)
 of Waterville, ME)
 License No. RN49761)

**CONSENT AGREEMENT
 FOR
 WARNING**

INTRODUCTION

This document is a Consent Agreement ("Agreement") regarding Charlene J. Kemp's license as a Registered Professional Nurse ("RN") in the State of Maine. The Parties to this Agreement are Charlene J. Kemp ("Licensee" or "Ms. Kemp"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. The Parties met in an informal conference on August 15, 2012 and reached this Agreement on the basis of a Board Complaint dated April 5, 2011, with an attached Provider Report from Central Maine Medical Center ("CMMC") dated February 24, 2011. The Parties enter into this Agreement pursuant to 32 M.R.S. § 2105-A-(1-A) (A) and 10 M.R.S. § 8003(5) (C).

FACTS

1. Charlene J. Kemp has been an RN licensed to practice in Maine since May 25, 2004.
2. Charlene J. Kemp was terminated from employment at CMMC as an RN on February 3, 2011 for administering IV Saline as a substitute for Dilaudid without a physician's order because she thought the patient was drug seeking. Ms. Kemp failed to document this incident in the patient's record, which was later disclosed by another RN who learned of Ms. Kemp's actions during the report to the on-coming shift nurse.
3. Charlene J. Kemp admits that the incident reported by CMMC was unprofessional and that her actions by diagnosing the patient as a drug seeker and administering IV Saline as a substitute for Dilaudid were poor judgment and outside the scope of her practice as an RN.
4. Charlene J. Kemp has agreed to resolve this matter by entering into this Agreement and waives her rights to a hearing.

AGREEMENT

5. Charlene J. Kemp acknowledges that the Board has evidence from which it could conclude there is a violation of Title 32 M.R.S. §2105-A (2) (F), (2) (H) and Chapter 4.1.A.6., 4.1.A.8., 4.3.A, 4.3.F and 4.3.K. of the Rules and Regulations of the Maine State Board of Nursing ("Board Rules"). Charlene J. Kemp acknowledges that her conduct in the above-stated facts constitutes grounds for discipline. Ms. Kemp is hereby formally **WARNED** for these violations. Specifically, the violations are:

a. 32 M.R.S. §2105-A (2) (F). Ms. Kemp engaged in unprofessional conduct by violating a standard of professional behavior that has been established in the practice of nursing. See also: Rule Chapter 4, Section 1.A.6.



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b. 32 M.R.S. §2105-A (2) (H). Ms. Kemp violated a Maine Revised Statute in Title 32, Chapter 31 and rules adopted by the Board. See also: Board Rule Chapter 4, Section 1.A.8.

c. Board Rule: Chapter 4, Section 3. Defines "Unprofessional Conduct" as *nursing behavior which fails to conform to legal standards and accepted standards of the nursing profession, and which could reflect adversely on the health and welfare of the public ... and shall include, but not be limited to:*

Chapter 4, Section 3(A). Ms. Kemp performed acts beyond the authorized scope of the level of nursing for which she is licensed.

Chapter 4, Section 3(F). Ms. Kemp failed to follow policies and procedures designed to safeguard a patient at CMMC in that she failed to follow appropriate standards of nursing practice for patient care and safety.

Chapter 4, Section 3(K). Ms. Kemp inaccurately recorded by her omission of documentation in the patient's record that she administered IV Saline as a substitute for Dilaudid.

6. The State of Maine is a "Party state" that has adopted the Nurse Licensure Compact ("Compact"), which is set out in Chapter 11 of the Rules and Regulations of the Maine State Board of Nursing. The State of Maine is Ms. Kemp's "Home state" of licensure and primary state of residence, which means that she has declared the State of Maine as her fixed permanent and principle 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. Kemp understands this Agreement is subject to the Compact.
7. Charlene J. Kemp understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Agreement.
8. Modification of this Agreement must be in writing and signed by all Parties.
9. This Agreement is not subject to review or appeal by Ms. Kemp.
10. 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.
11. This Agreement is subject to the federal reporting requirements pursuant to Section 1128E of the Social Security Act and 45 C.F.R. Part 61 and any other interstate/national reporting requirements.
12. This Agreement becomes effective upon the date of the last necessary signature below.

I, CHARLENE J. KEMP, RN, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY NURSING LICENSE. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. 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: 1-14-13



CHARLENE J. KEMP, RN

FOR THE MAINE STATE
BOARD OF NURSING

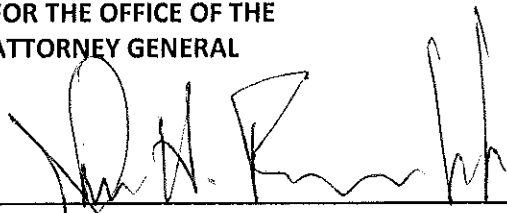
DATED: Jan 22, 2013



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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: 1/23/13



JOHN H. RICHARDS
Assistant Attorney General