



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: EVELYN E. LAMPREY, R.N. ) CONSENT AGREEMENT**  
 of Belfast, Maine ) **FOR WARNING AND**  
 License #R046615 ) **LICENSE PROBATION**

**INTRODUCTION**

This document is a Consent Agreement (“Agreement”) regarding Evelyn E. Lamprey’s license as a registered professional nurse in the State of Maine. The parties to this Agreement are Evelyn E. Lamprey (“Licensee” or “Ms. Lamprey”), Maine State Board of Nursing (“Board”) and the Department of the Attorney General, State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S. § 2105-A (1-A) (B) and § 8003(5) (B). The Board met with the Licensee in an informal conference on July 21, 2009. The parties reached this Agreement on the basis of a Board Notice of Complaint or Provider Report dated April 14, 2008, with information submitted by Waldo County General Hospital (“Waldo General”) dated April 10, 2008; and Ms. Lamprey’s response of April 30, 2008.

**FACTS**

1. Evelyn E. Lamprey has been a registered professional nurse licensed to practice in Maine since September 2001.
2. Evelyn E. Lamprey’s employment as a registered professional nurse was terminated from Waldo General on April 4, 2008 as a result of unsafe medication administration practices and her failure to follow Waldo General’s policy and procedure for documentation of medication administration.
3. On March 4, 2008, Waldo General personnel conducted an audit of 27 of Ms. Lamprey’s patient records from January 1, 2008 through February 21, 2008. Of 93 doses of prn medications documented by Ms. Lamprey as being removed from MedDispense (automated medication dispensing system), 23 doses were not documented as being administered to patients on their respective Medication Administration Records (“MAR”), for a total of 25% incomplete documentations. Following the audit, Ms. Lamprey attended an educational session on medication administration and documentation with Waldo General’s nurse educator. A subsequent audit of eight patient records disclosed that Ms. Lamprey failed to document on a patient’s MAR a medication that was documented as removed by her from the MedDispense system.
4. Evelyn E. Lamprey disclosed that she has a November 20, 2007 criminal conviction for operating under the influence in September 2007.
5. Evelyn E. Lamprey wishes to resolve this matter by accepting this Agreement and thereby waives her rights to an adjudicatory hearing.



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### AGREEMENT

6. Evelyn E. Lamprey understands that her conduct in the above-stated facts constitutes grounds for discipline under Title 32 M.R.S. § 2105-A (2) (E) (2), (2) (F), (2) (H) and Chapter 4.1.A.5.b., 4.1.A.6., 4.1.A.8. and 4.3.F. of the Rules and Regulations of the Maine State Board of Nursing. Evelyn E. Lamprey is hereby **WARNED** for unprofessional conduct because she failed to follow policies and procedures in a practice situation designed to safeguard the patient. Specifically, the violations are:
  - a. M.R.S. § 2105-A(2)(E)(2) Ms. Lamprey engaged in conduct that evidences a lack of knowledge or inability to apply principles or skills to carry out the practice for which she is licensed. (See also Rule Chapter 4, Section 1.A.5.b.)
  - b. M.R.S. § 2105-A (2) (F). Unprofessional Conduct. Ms. Lamprey engaged in unprofessional conduct because she violated a standard of professional behavior that has been established in the practice for which she is licensed. (See also Rule Chapter 4, Section 1.A.6.)
  - c. M.R.S. § 2105-A (2) (H). A violation of this chapter or a rule adopted by the Board. (See also Rule Chapter 4, Section 1.A.6.)
  - d. Rule Chapter 4, Section 3. *Unprofessional conduct* is defined as *nursing behavior which fails to conform to legal standards of the nursing profession, and which could reflect adversely on the health and welfare of the public shall constitute unprofessional conduct and shall include, but shall not be limited to, the following:*
    - F. Ms. Lamprey failed to take appropriate action or follow policies and procedures in the practice situation designed to safeguard the patient.
7. Evelyn E. Lamprey's license as a registered professional nurse in the State of Maine is placed on a probationary status with conditions. The period of probation will be for a period of five years, effective only while she is employed in nursing practice and/or enrolled in a nursing education program. For purposes of this Agreement, nursing employment is any employment during which Ms. Lamprey performs nursing services. Her probationary license will be subject to the following conditions:
  - a. Evelyn E. Lamprey shall fully cooperate with the representatives of the Board in its monitoring and investigation of her compliance with probation. She shall inform the Board in writing within 15 days of any address change.
  - b. Evelyn E. Lamprey will notify the Board in writing within five business days of any change in her employment and/or 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 changes.

- c. Evelyn E. Lamprey will notify any and all of her nursing employers and faculty involved in any clinical studies of the terms of this Consent Agreement and provide them with a copy of it.
  - d. Evelyn E. Lamprey's 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, work as a travel nurse, or within the correctional system.
  - e. Evelyn E. Lamprey will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer and/or clinical faculty regarding her general nursing practice, which is to include clinical competency, ability to follow policies and procedures relative to standards of practice, and clinical documentation. If during the period of probation, her employment as a nurse or her educational program in the field of nursing terminates, she shall notify the Board in writing within five business days after she is terminated or separated, regardless of cause, with a full explanation of the circumstances surrounding the termination or separation.
  - f. Evelyn E. Lamprey must successfully complete a hands-on nursing education program regarding medication administration and documentation, to be pre-approved by the Executive Director of the Board. Ms. Lamprey shall complete the program within one year of the effective date of this Agreement, providing documentary proof to the Executive Director of its successful completion.
  - g. Evelyn E. Lamprey understands and agrees that she will undergo a substance abuse evaluation at her expense by a licensed addictionologist within 90 days of the effective date of this Consent Agreement [date of last signatory], the results of which must be submitted to the Board by the treatment provider.
8. Evelyn E. Lamprey agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement beyond the five-year probationary period until and unless the Board, at Ms. Lamprey's written request, votes to terminate her probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Lamprey has complied with the provisions of this Agreement and her professional conduct when providing services to residents/patients.
  9. Evelyn E. Lamprey understands and agrees that if any member of the Board or the Board's Executive Director receives reasonably reliable information suggesting that she has not remained compliant with the conditions of the Consent Agreement, her license will be immediately and automatically suspended pending further review by the Board. In the event any member of the Board or its Executive Director receives such information, the information will be immediately forwarded to Ms. Lamprey for a response. Ms. Lamprey understands and agrees that in such an event, her license shall remain suspended pending a hearing. The Board shall hold a hearing within 60 days of the automatic suspension unless both the Licensee and the Board agree to hold the hearing later, or the Executive Director and/or the Department of the Attorney General earlier determine that

such information is without merit. If the information received is proven to be inaccurate or incorrect, either through hearing or determination by the Executive Director and/or the Department of the Attorney General, Ms. Lamprey's license will be immediately reinstated retroactive to the date of suspension.

10. 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. Lamprey's "home state" of licensure and primary state of residence, which means 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. Lamprey understands this Consent Agreement is subject to the Compact. She agrees that during the pendency of this Consent Agreement, her nursing practice may be limited to the State of Maine as it pertains to the Compact. If Ms. Lamprey wishes to practice in any other party state within the Compact, she shall arrange to have the party state in which she intends to practice provide the Board with written authorization that she has been approved to practice in that state.
11. 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.
12. Evelyn E. Lamprey understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Consent Agreement.
13. Evelyn E. Lamprey affirms that she executes this Agreement of her own free will.
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.
16. This Agreement becomes effective upon the date of the last necessary signature below.


**I, EVELYN E. LAMPREY, R.N., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY REGISTERED PROFESSIONAL NURSE 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: 10-23-09

Evelyn E. Lamprey R.N.  
EVELYN E. LAMPREY, R.N.

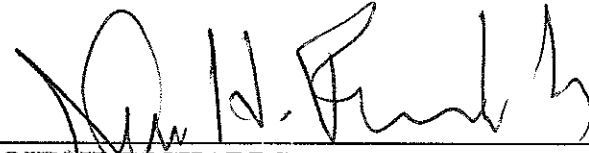
**FOR THE MAINE STATE  
BOARD OF NURSING**

DATED: 10/30/09

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

**FOR THE DEPARTMENT OF THE  
ATTORNEY GENERAL**

DATED: 11/4/09

  
\_\_\_\_\_  
JOHN H. RICHARDS  
Assistant Attorney General

