



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: **DEBORAH J. LELAND**)
 of Old Town, Maine)
 License #R045402) **CONSENT AGREEMENT**
FOR REINSTATEMENT
AND PROBATION

INTRODUCTION

This document is a Consent Agreement regarding Deborah J. Leland’s license to practice registered professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A(1-A)(B), 10 M.R.S.A. § 8003(5)(A-1)(4) and 10 M.R.S.A. § 8003(5)(B). The parties to this Consent Agreement are Deborah J. Leland (“Licensee”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The Board met with Ms. Leland on June 10, 2004, regarding her petition for reinstatement of her registered professional nursing license.

FACTS

1. Deborah J. Leland voluntarily surrendered her registered professional nursing license and entered a Consent Agreement with the Board on September 4, 2003, attached and marked as Exhibit A.
2. Deborah J. Leland states that she has been substance free since April 4, 2003.
3. Deborah J. Leland’s substance abuse aftercare treatment currently consists of NA meetings once a week, counseling every two weeks and seeing her treating provider monthly.
4. Deborah J. Leland is currently employed at Eastern Maine Medical Center (“EMMC”) in the area of information services where she teaches electronic documentation.

REINSTATEMENT WITH CONDITIONS OF PROBATION

5. Deborah J. Leland’s license to practice registered professional nursing in the State of Maine is reinstated on a probationary status with conditions. The period of probation will commence on Ms. Leland’s return to nursing practice, either through employment or pursuant to an educational program. The period of probation will be for a period of two years, to be effective only while she is employed in nursing practice or enrolled in a nursing education program. For purposes of this Agreement, nursing employment is her current employment duties at EMMC and any other employment during which Ms. Leland performs nursing services. Ms. Leland’s probationary license will be subject to the following conditions:



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

TDD: (207) 287-1151

PHONE: (207) 287-1133

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<http://www.maine.gov/boardofnursing/>

Consent Agreement for Reinstatement and Probation

- a. Deborah J. Leland will abstain completely from the use of alcohol and other illicit substances with the exception of prescribed medications by her physician who is aware of Ms. Leland's substance abuse history.
 - b. Deborah J. Leland will continue in N.A. and an aftercare treatment program to such an extent and for as long as her treatment provider(s) recommend.
 - c. Deborah J. Leland will arrange for and ensure the submission of quarterly reports to the Board by her treatment provider(s) during the probationary period.
 - d. Deborah J. Leland will immediately notify the Board in writing should she change her employment or enter an 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 change in employment or educational program.
 - e. Deborah J. Leland will notify any and all of her nursing employers and notify faculty involved in any clinical studies of the terms of this Consent Agreement and shall provide them with a copy of it.
 - f. Deborah J. Leland will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer regarding her nursing practice.
 - g. Deborah J. Leland's employment is restricted during the period of probation to structured settings, which shall not include assignments from temporary employment agencies, school nursing or within the correctional system.
6. Deborah J. Leland agrees and understands that the Board and the Department of Attorney General shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her treatment for substance abuse which the Board deems necessary to evaluate Ms. Leland's compliance with the Consent Agreement and her continued recovery. Ms. Leland shall provide such information, shall authorize the release of such records and information, and shall authorize any such discussions and communications with any and all persons involved in her care, counseling and employment as may be requested by the Board for the purpose of evaluating Ms. Leland's compliance with the Consent Agreement and her continued recovery.
 7. Deborah J. Leland agrees and understands that if any member of the Board or the Board's Executive Director receives reasonably reliable information suggesting that Ms. Leland has not remained substance free in accordance with the Consent Agreement, Ms. Leland's 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. Leland for a response. Ms. Leland agrees and understands that in such event, her license shall remain suspended pending a hearing. The Board shall hold a hearing within sixty (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. Leland's license will be immediately reinstated retroactive to the date of suspension.

8. Deborah J. Leland agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the two year probationary period, until and unless the Board, at Ms. Leland's written request, votes to terminate Ms. Leland's probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Leland has complied with the provisions of this Agreement.
9. Deborah J. Leland understands that this document is a Consent Agreement that affects her rights to practice nursing in Maine. Ms. Leland 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 the Consent Agreement.
10. If Ms. Leland fails to meet any of the obligations of this Consent Agreement, the Board may take any disciplinary action, which it deems appropriate and impose any of the sanctions, including but not limited to that found in Title 10 M.R.S.A. § 8003 and Title 32 M.R.S.A. § 2105-A.
11. Deborah J. Leland affirms that she executes this Consent Agreement of her own free will.
12. Modification of this Consent Agreement must be in writing and signed by all parties.
13. This Consent Agreement is not subject to review or appeal 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, DEBORAH J. LELAND, 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: 6/16/04


DEBORAH J. LELAND

FOR THE MAINE STATE
BOARD OF NURSING

DATED: June 22, 2004


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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: June 22, 2004


JOHN W. RICHARDS
Assistant Attorney General



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BOARD OF NURSING
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JOHN ELIAS BALDACCI
GOVERNOR

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

IN RE: **DEBORAH J. LELAND**)
of Old Town, Maine)
License #R045402) **CONSENT AGREEMENT**
FOR VOLUNTARY
SURRENDER OF LICENSE

INTRODUCTION

This document is a Consent Agreement regarding Deborah J. Leland's license to practice registered professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 10 M.R.S.A. § 8003(5)(B), (5)(D) and 32 M.R.S.A. § 2105-A(1-A)(C). The parties to this Consent Agreement are Deborah J. Leland, Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. An informal conference was held on July 30, 2003. The parties reached this Agreement based on information submitted by Eastern Maine Medical Center by letter dated April 8, 2003 and attachments dated April 6 and 9, 2003 marked as Exhibit A.

FACTS

1. Deborah J. Leland was licensed to practice as a registered professional nurse in 2000.
2. Deborah J. Leland admits that she diverted controlled substances (Percocet, Ativan, Xanax, Ambien and Oxycodone) from Eastern Maine Medical Center for her own use. The diversions occurred over the course of one year. See Exhibit A.
3. There is no documented patient harm.
4. Deborah J. Leland completed a six week outpatient substance abuse rehabilitation program at Acadia Hospital, attends N.A. once per week and receives counseling once per week.
5. Deborah J. Leland has been substance free since ~~March 30~~, 2003. *April 10, 2003*
6. Deborah J. Leland has offered to voluntarily surrender her license as a registered professional nurse.

AGREEMENT

7. The Maine State Board of Nursing will accept Deborah J. Leland's voluntary surrender of her license, #026843, and Ms. Leland agrees and understands that the voluntary surrender of her license will be for a period of one year. She will be credited for the time since she has been substance free beginning ~~March 30~~, 2003. *April 10, 2003*

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Consent Agreement for Voluntary Surrender of License

Deborah J. Leland

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8. Deborah J. Leland understands that this document imposes discipline regarding her license to practice registered professional nursing in the State of Maine under 32 M.R.S.A. § 2105-A(2)(A), (2)(B), (2)(F), (2)(H) and Chapter 4, sections 1(A)(1), 1(A)(2), (A)(6) and Chapter 4, sections 3(P) and 3(Q) of the Maine State Board of Nursing Rules and Regulations.
9. Deborah J. Leland agrees and understands that her license will remain on surrender status and subject to the terms of this Consent Agreement indefinitely beyond the one year surrender period, until and unless the Board, at Ms. Leland's written request, votes to reinstate Ms. Leland's license. When considering whether to reinstate Ms. Leland's license, the Board will consider the extent to which Ms. Leland has complied with the provisions of this Consent Agreement.
10. Deborah J. Leland understands that this document is a Consent Agreement that affects her rights to practice registered professional nursing in Maine. Ms. Leland understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering the Consent Agreement.
11. If Ms. Leland fails to meet any of the obligations of this Consent Agreement, the Board may take any disciplinary action, which it deems appropriate and impose any of the sanctions, including but not limited to that found in Title 10 M.R.S.A. § 8003 and Title 32 M.R.S.A. § 2105-A.
12. Deborah J. Leland agrees and understands that when she petitions the Board for reinstatement of her license, it will be for a probationary period.
13. Deborah J. Leland agrees that she will continue treatment and counseling for substance abuse to such an extent and for as long as recommended by her treatment providers. Ms. Leland will arrange for and ensure the submission to the Board of quarterly reports from her treatment providers. In addition, Ms. Leland agrees and understands that the Board shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her treatment and therapy which the Board deems necessary to evaluate Ms. Leland's compliance with this Consent Agreement and her continued recovery. Ms. Leland shall notify her health care providers of her substance abuse problem.

Deborah J. Leland shall provide such information, shall authorize any release of such records and information, and shall authorize any such discussions and communications with any and all persons involved in her care as may be requested by the Board for the purpose of evaluating Ms. Leland's compliance with this Consent Agreement.

Consent Agreement for Voluntary Surrender of License

Deborah J. Leland

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14. Deborah J. Leland shall not work or volunteer, in any capacity, for a health care provider as defined by Title 24 M.R.S.A. § 2502 (2) or in any position holding herself out as a registered professional nurse or with the designation, R.N. including a veterinarian's office, while her nursing license is surrendered. In addition, Ms. Leland is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.
15. Modification of this Consent Agreement must be in writing and signed by all parties.
16. Deborah J. Leland affirms that she executes this Consent Agreement of her own free will.
17. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, DEBORAH J. LELAND, 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: 8/21/03



DEBORAH J. LELAND

**FOR THE MAINE STATE
BOARD OF NURSING**

DATED: 9/2/03



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

**FOR THE OFFICE OF THE
ATTORNEY GENERAL**

DATED: 9/4/03



JOHN H. RICHARDS
Assistant Attorney General