



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: IDA M. MCGEE) **CONSENT AGREEMENT**
of Steuben, Maine) **FOR VOLUNTARY**
License # R053520) **SURRENDER OF LICENSE**

INTRODUCTION

This document is a Consent Agreement regarding Ida M. McGee’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) (C) and 10 M.R.S.A. § 8003(5) (B), (5) (D). The parties to this Consent Agreement are Ida M. McGee (“Licensee” or “Ms. McGee”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The parties reached this Agreement on the basis of information from Down East Community Hospital (“Down East”) dated February 5, 2008, and further information provided to the Board by Down East dated February 8, 2008, which is incorporated herein and attached hereto, and marked as Exhibit 1.

FACTS

1. Ida M. McGee was licensed as a registered professional nurse to practice in the State of Maine on April 18, 2007.
2. Ida M. McGee has been a registered professional nurse since 1994. Her original state of licensure was New Hampshire, where she was licensed from 1994 until 1997 (License No. 039576-21). Ms. McGee was also licensed in the State of Alaska (License No. 17306). Her Alaska license was first issued on May 23, 1996, and on November 9, 1999, she voluntarily surrendered her license because of an addiction to Opioids (Oxycodone and Morphine) and drug diversion. In 2003, she successfully completed a twenty-eight (28) day inpatient chemical dependency treatment program at the Sundown Ranch in Yakima, Washington, and she completed her continuing aftercare in Valdez, Alaska. Her registered professional nurse license was reinstated in Alaska, on probation status, on September 20, 2006. Ms. McGee’s Alaska license lapsed on November 30, 2006.
3. Ida M. McGee first met with the Board on December 12, 2006, regarding her application for licensure as a registered professional nurse in the State Of Maine. The Board tabled any action on Ms. McGee’s application pending receipt of a psychological evaluation for substance abuse. The Board again met with Ms. McGee on March 15, 2007, and after review of her psychological evaluation, the Board approved her application for licensure for a probationary period of five (5) years. Ms. McGee entered into a Consent Agreement with the Board for a probationary license with conditions on April 11, 2007. The Consent Agreement is attached as Exhibit 2.



PRINTED ON RECYCLED PAPER

OFFICES LOCATED AT: 161 CAPITOL ST., AUGUSTA, ME
<http://www.maine.gov/boardofnursing/>

PHONE: (207) 287-1133

FAX: (207) 287-1149

Consent Agreement for Voluntary Surrender of License

Ida M. McGee

Page 2

4. Ida M. McGee's April 11, 2007, Consent Agreement for a probationary license was subject to the condition following conditions:
 - a. Ida M. McGee was required to abstain completely from the use of alcohol or drugs, with the exception of substances used in accordance with a valid prescription from a treatment provider who is aware of Ms. McGee's substance abuse history. During her probationary term, Ms. McGee admits that she relapsed, and further admits that she failed to disclose this information to the Board.
 - b. Ida M. McGee was required to continue in her aftercare treatment program to such an extent and for as long as her treatment providers recommend. In addition, Ms. McGee was to arrange for and ensure the submission of quarterly reports to the Board by her treatment providers. The reports were to include the results of any random urinalysis conducted as part of her treatment. Ms. McGee failed to ensure that quarterly reports from her treatment providers were sent to the Board and she did not continue in after care treatment.
 - c. Ida M. McGee was required to arrange for and ensure the submission to the Board of quarterly reports from her nursing employer regarding her general nursing practice. If during the period of probation, Ms. McGee's employment as a nurse terminates, she shall notify the Board of this change to ensure that she remains in compliance with her employment quarterly reports. Ms. McGee failed to ensure that the Board received quarterly reports during her employment with Down East, and she failed to notify the Board that her employment at Down East was terminated.
5. Down East terminated Ms. McGee's employment on February 5, 2008, following her admission that she diverted narcotics (Dilaudid and Fentanyl) from Down East. Exhibit 1.
6. Ida M. McGee has offered to voluntarily surrender her registered professional nurse license, License No. R053520, in lieu of an adjudicatory hearing before the Board.

AGREEMENT

7. The Maine State Board of Nursing will accept Ida M. McGee's offer to voluntarily surrender her registered professional nurse license, License No. R053520. Ms. McGee also understands and agrees that should this matter go to hearing before the Board on the above-stated facts and the underlying information to support those facts, that it is more likely than not that the facts would support the Board's findings in this Consent Agreement.

Consent Agreement for Voluntary Surrender of License

Ida M. McGee

Page 3

8. Ida M. McGee understands that based upon the above-stated facts this document imposes discipline regarding her license to practice registered professional nursing in the State of Maine. The grounds for discipline for violations 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), 1(A)(6), 1(A)(8) and Chapter 4, sections 3(F), 3(K), 3(P) and 3(Q) of the Rules and Regulations of the Maine State Board of Nursing. Specifically, the violations are:
- a. "A. The practice of fraud or deceit in . . . connection with service rendered within the scope of the license issued." See also Chapter 4, Section 1.A.1.
 - b. "B. Habitual substance abuse that has resulted or is foreseeably likely to result in the licensee performing services in a manner that endangers the health and safety of patients." See also Chapter 4, Section 1.A.2.
 - c. "F. Unprofessional Conduct. A licensee is considered to have engaged in unprofessional conduct if the licensee violates a standard of professional behavior that has been established in the practice for which the licensee is licensed." See also Chapter 4, Section 1.A.6.
 - d. "H. A violation of this chapter or a rule adopted by the board." See also Chapter 4, Section 1.A.6.
 - e. Unprofessional Conduct as defined by the Rules and Regulations of the Maine State Board of Nursing in Chapter 4, Section 3, which describes "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. Failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard the patient."
 - "K. Inaccurate recording, falsifying or altering a patient or health care provider record."
 - "P. Diverting drugs, supplies or property of patients or health care provider."

Consent Agreement for Voluntary Surrender of License

Ida M. McGee

Page 4

“Q. Possessing, obtaining, furnishing or administering prescription drugs to any person, including self, except as directed by a person authorized by law to prescribe drugs.”

9. Ida M. McGee agrees and understands that her license will remain on surrender status and subject to the terms of this Consent Agreement indefinitely until and unless the Board, at Ms. McGee’s written request, votes to reinstate Ms. McGee’s license. Ms. McGee agrees and understands that if the Board reinstates her license, it will be for a probationary period.
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. McGee’s “Home state” of licensure and primary state of residence, which means that Ms. McGee has declared that the State of Maine is her fixed permanent and principle home for legal purposes; her domicile. Other party states that are in the Compact are referred to as a “Remote state,” which means a party state, other than the home state that has adopted the Compact. Ms. McGee understands that this document is a Consent Agreement that is subject to the Compact.
11. Ida M. McGee 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.
12. Ida M. McGee 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, in a veterinarian’s office, while her nursing license is surrendered. In addition, Ms. McGee is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.
13. This Consent Agreement is a public record within the meaning of 1 M.R.S.A. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S.A. § 408.
14. Modification of this Consent Agreement must be in writing and signed by all parties.
15. Ida M. McGee understands and agrees that this Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
16. Ida M. McGee affirms that she executes this Consent Agreement of her own free will.

Consent Agreement for Voluntary Surrender of License

Ida M. McGee

Page 5

- 17. This Consent Agreement becomes effective upon the date of the last necessary signature below.

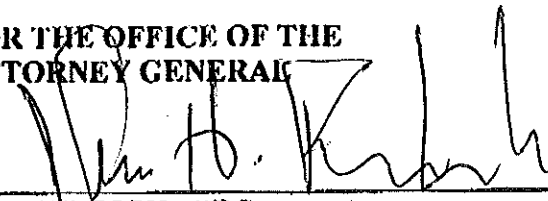
I, IDA M. MCGEE, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.

DATED: 3/13/08 
 IDA M. MCGEE

FOR THE MAINE STATE BOARD OF NURSING

DATED: 3/13/08 
 MYRA A. BROADWAY, J.D., M.S., R.N.
 Executive Director

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 3/13/08 
 JOHN H. RICHARDS
 Assistant Attorney General