



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: SANDRA J. MERRILL)
 of Westbrook, Maine)
 License #P003248) **CONSENT AGREEMENT
 FOR VOLUNTARY
 SURRENDER OF LICENSE**

INTRODUCTION

This document is a Consent Agreement regarding Sandra J. Merrill's license to practice practical 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 Sandra J. Merrill, Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine. An informal conference was held on February 27, 2004. The parties reached this Agreement on the basis of information submitted by City of Portland, The Matthew I. & Evelyn A. Barron Center, Portland, Maine, by letter dated April 4, 2003

FACTS

1. Sandra J. Merrill has been licensed to practice in Maine since 1971.
2. Sandra J. Merrill resigned from the Barron Center in lieu of termination because of an incident involving a significant medication error. Ms. Merrill attempted to give medications scheduled for 6pm and HS to a resident with dementia at 3:30pm because a CNA asked her if the resident could have anything "to help calm her down." The resident did not actually receive the medication because she spit the medication out.
3. Sandra J. Merrill admits that she used poor judgment and failed to follow the facilities policy concerning medication administration.
4. Sandra J. Merrill stated there were medical factors that contributed to her poor nursing judgment and is seeking medical treatment to resolve this issue.
5. Sandra J. Merrill has offered to surrender her license as a licensed practical nurse.



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AGREEMENT

6. The Maine State Board of Nursing will accept Sandra J. Merrill's voluntary surrender of her license, license #P003248, and Ms. Merrill agrees and understands that a reinstatement of her license is conditioned on her resolving her medical issues and any reinstatement will be for a probationary period.
7. Sandra J. Merrill agrees and understands that this document imposes discipline regarding her license to practice practical nursing and the above-described conduct constitutes grounds for discipline under 32 M.R.S.A. § 2105-A(2)(F) and (2)(H) and Chapter, 4(1)(A)(6), (4)(3)(F) and (4)(H) of the Rules and Regulations of the Maine State Board of Nursing.
8. Sandra J. Merrill understands that this document affects her ability to practice practical nursing in the State of Maine. Ms. Merrill also 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.
9. Sandra J. Merrill may petition the Board for reinstatement of her license, for a probationary period when she and her physician determine that her medical condition has been resolved to allow her to return to practical nursing. Ms. Merrill understands and agrees that her license will not be reinstated until and unless the Board, upon Ms. Merrill's written request, votes to reinstate Ms. Merrill's license.
10. Sandra J. Merrill 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. Merrill's compliance with this Consent Agreement.
11. Sandra J. Merrill shall not work or volunteer in any position holding herself out as a licensed practical nurse or with the designation, L.P.N. while her nursing license is surrendered.
12. Modification of this Consent Agreement must be in writing and signed by all parties.
13. Sandra J. Merrill affirms that she executes this Consent Agreement of her own free will.

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

DATED: 4/5/2004

Sandra J. Merrill
SANDRA J. MERRILL

FOR THE MAINE STATE BOARD
OF NURSING

DATED: 4/7/04

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

FOR THE DEPARTMENT OF
ATTORNEY GENERAL

DATED: 4/12/04

John H. Richards
JOHN H. RICHARDS
Assistant Attorney General