



JOHN ELIAS BALDACCI
GOVERNOR

STATE OF MAINE
BOARD OF NURSING
158 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0158

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

BEFORE THE MAINE STATE BOARD OF NURSING

IN THE MATTER OF LICENSE)
R039889 ISSUED TO:)
CHARITY A. MESERVE)
To practice Registered Professional)
Nursing in the State of Maine)
-----)

**ORDER TERMINATING
PROBATION**

WHEREAS, on **May 10, 2006**, License #R039889 issued to **Charity A. Meserve** was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and

WHEREAS, on **December 3, 2009**, the Board of Nursing duly considered all evidence presented to it concerning **Charity A. Meserve's** compliance with the conditions of said probation; and

WHEREAS, the Board found that **Charity A. Meserve** has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation executed on **May 10, 2006** is hereby terminated.

DATED this **15th** day of **December, 2009**.

MAINE STATE BOARD OF NURSING

BY: *Myra Broadway*
Myra A. Broadway, J.D., M.S., R.N.
Executive Director



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 EXECUTIVE DIRECTOR

IN RE: **CHARITY A. MESERVE, R.N.**) **CONSENT AGREEMENT**
 of Saco, Maine) **FOR PROBATION**
 License #R039889) **WITH CONDITIONS**

INTRODUCTION

This document is a Consent Agreement regarding Charity A. Meserve's license to practice registered professional nursing in the State of Maine. The parties enter into this Consent Agreement pursuant to 32 M.R.S.A. § 2105-A(1-A)(B), 10 M.R.S.A. § 8003(5)(A-1)(2), (A-1)(4) and 10 M.R.S.A. § 8003(5)(B). The parties to this Consent Agreement are Charity A. Meserve ("Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. The Board met with the Licensee in an informal conference on April 7, 2006. The parties reached this Consent Agreement based on complaint and provider report by Goodall Hospital dated March 7, 2005 and February 20, 2006.

FACTS

1. Charity A. Meserve has been registered professional nurse licensed to practice in Maine since 1996.
2. Charity A. Meserve received a Letter of Concern from the Board on October 12, 2004, because of several previous incidents that occurred at Goodall Hospital regarding her pattern of poor performance and the impact it had on patients and patients' families. It was determined that Ms. Meserve needed to improve her management of stress and communication skills. Ms. Meserve did complete a workshop in September 2004 to address both of these issues. The Letter of Concern is marked as Exhibit A and is attached to this Consent Agreement for reference.
3. On February 9, 2005, Ms. Meserve ^{Resigned} ~~was terminated~~ from Goodall Hospital because of continued performance issue regarding her poor communication skills when addressing patients' needs.
4. Charity A. Meserve admits that she has a continuing problem with managing stress that affects her nursing practice. She also states that she is actively working to address this problem and that her current work place environment has been a positive change.



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AGREEMENT WITH CONDITIONS OF PROBATION

5. Charity A. Meserve agrees and understands that this document imposes discipline regarding her license to practice registered professional nursing in the State of Maine and the above-described conduct constitutes grounds for discipline under 32 M.R.S.A. § 2105-A(2)(F), (2)(H) and Chapter, 4(1)(A)(6) of the Rules and Regulations of the Maine State Board of Nursing.

6. Charity A. Meserve's license to practice registered professional nursing in the State of Maine will be placed on a probationary status with conditions. 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 Consent Agreement, nursing employment is any employment during which Charity A. Meserve performs nursing services. Ms. Charity A. Meserve's probationary license will be subject to the following conditions:
 - a. Charity A. Meserve 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.

 - b. Charity A. Meserve will continue to address any problems she has with managing stress and to improve her communication skills with patients and patients' families.

 - c. Charity A. Meserve will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer or clinical faculty regarding her nursing practice.

 - e. Charity A. Meserve will immediately notify the Board in writing regarding any material change in her nursing employment or entry into an educational program in the field of nursing. Notification under this section shall include the place and position of employment or the educational program and the same notification shall apply to any subsequent change in employment or change in educational program.

7. Charity A. Meserve agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the probationary period, until and unless the Board, at Ms. Meserve's written request, votes to terminate Ms. Meserve's probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Meserve has complied with the provisions of this Consent Agreement.

8. Charity A. Meserve understands that this document is a Consent Agreement that affects her rights to practice nursing in Maine. Ms. Meserve 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.

9. If Charity A. Meserve 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.
10. The State of Maine is Charity Meserve's home state of licensure. Ms. Meserve agrees that during the pendency of this Consent Agreement her nursing practice is limited to the State of Maine unless otherwise authorized by the Board. If (Ms. Meserve wishes to practice in any other party state within the compact she shall petition the Board for written authorization. In addition, Ms. Meserve will arrange to have the party state she intends to practice in, to provide the Board with written authorization that she has been approve to practice in that state.
11. Charity A. Meserve affirms that she executes this Consent Agreement of her own free will.
12. Modification of this Consent Agreement must in writing and signed by all the parties.
13. This Consent Agreement is not subject to appeal or review 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, CHARITY A. MESERVE, R.N., 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: 5/1/06

Charity A. Meserve, RN
 CHARITY A. MESERVE, R.N.

**FOR THE MAINE STATE
 BOARD OF NURSING**

DATED: May 10, 2006

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

**FOR THE OFFICE OF THE
 ATTORNEY GENERAL**

DATED: 5/10/06

John H. Richards
 JOHN H. RICHARDS
 Assistant Attorney General