



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

ANGUS S. KING, JR.
 GOVERNOR

JEAN C. CARON, M.S., R.N.
 EXECUTIVE DIRECTOR

IN RE:)
 DIANE G. MORIN,)
 of New Gloucester, Maine)
 License #R031930)

**CONSENT AGREEMENT FOR DISCIPLINE
 AND FOR REINSTATEMENT OF LICENSE
 ON PROBATION**

INTRODUCTION

This document is a Consent Agreement regarding Diane G. Morin's license to practice professional nursing in the State of Maine, entered into pursuant to 32 M.R.S.A. § 2105-A(1-A) and 10 M.R.S.A. § 8003(5)(B). The parties to this Consent Agreement are Diane G. Morin, the Maine State Board of Nursing ("the Board") and the Department of Attorney General, State of Maine.

This Consent Agreement arose out of an informal conference held on November 12, 1997 to consider Diane Morin's request for reinstatement of license. Ms. Morin's license to practice professional nursing in Maine had lapsed prior to the Board's final resolution of a provider report from Viking Nursing Home alleging violations of 32 M.R.S.A. § 2105-A(2)(F) and (G). The parties enter into this Consent Agreement to resolve the outstanding disciplinary issues regarding Ms. Morin's practice and Ms. Morin's request for reinstatement of her license.

FACTS

1. Ms. Morin stole a ring from a resident at the Viking Nursing Care Facility on August 9, 1995, where she was employed and attempted to pawn it.
2. By letter dated September 6, 1995 Kathleen Schofield, R.N., Director of Nursing Services, Viking Nursing Care, informed the Board that Ms. Morin had been terminated from employment for stealing the resident's ring.
3. The Board scheduled an informal conference on December 12, 1995 to discuss Ms. Morin's conduct.
4. Ms. Morin failed to appear at the informal conference on December 12, 1995, but by letter dated December 29, 1995 to the Board, Ms. Morin offered to surrender her license and enclosed her license with her letter.
5. The Board rescheduled the informal conference for February 7, 1996 and Ms. Morin attended the conference without legal counsel.

6. As a result of the informal conference held on February 7, 1996, the Board offered Ms. Morin a Consent Agreement for voluntary surrender of license.
7. The consent agreement was never executed.
8. On April 9, 1996 Ms. Morin pled guilty to theft of the resident's ring at Viking Nursing Care.
9. Ms. Morin was sentenced to a term of imprisonment of 360 days, all suspended, and three years probation with the condition she pay \$4,100 restitution at \$120 per month to Maine Gold and Silver Company.
10. On August 21, 1997, the Board received a request by Ms. Morin for reinstatement of her nursing license, and on November 12, 1997, Ms. Morin attended an informal conference before the Board to discuss this request.
11. Ms. Morin's theft of the ring on August 9, 1995 occurred during a period of financial and familial stress.
12. A letter dated October 30, 1997 from Ms. Morin's probation and parole officer, Lisa K. Nash, indicates that during the last 18 months, Ms. Morin has made a number of positive changes in her life. Ms. Nash also reported that Ms. Morin is complying with the conditions of probation including the payment of restitution.

AGREEMENT

1. Ms. Morin's theft and conviction constitutes grounds for discipline under 32 M.R.S.A. § 1025-A(2)(F) and (G).
2. **Stayed Term of Suspension:** Ms. Morin's license to practice professional nursing is reinstated under a term of suspension that shall be stayed and shall continue until Ms. Morin's court-imposed period of probation terminates on or about April 9, 1999.
3. **Probation of License:** Ms. Morin's license to practice professional nursing in Maine shall be on probation during the period of the stayed term of suspension. The probationary period is conditioned upon Ms. Morin refraining from any misconduct which would constitute grounds for discipline under 32 M.R.S.A. § 2105-A and upon her strict compliance with the conditions of her court-ordered conditions of probation.
4. **Term of Probationary Status:** Ms. Morin agrees and understands that her license will remain on probationary status and subject to the terms of this agreement indefinitely beyond April, 1999 until and unless the Board, at Ms. Morin's request, votes to terminate Ms. Morin's probation. When considering whether to terminate the probation, the Board

will consider the degree to which Ms. Morin has complied with the provisions of this agreement.

5. **Miscellaneous Provisions:** Ms. Morin understands that this document is a Consent Agreement which affects her license to practice nursing in the State of Maine. This Consent Agreement may be amended only in writing, signed by all the parties. Ms. Morin understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering this Consent Agreement. Ms. Morin affirms that she executes this Consent Agreement of her own free will.
6. **Effective Date:** This Consent Agreement becomes effective upon the last necessary signature below.

DATED: Nov. 26, 1997

Diane G. Morin
DIANE G. MORIN

**FOR THE MAINE STATE BOARD OF
NURSING:**

DATED: 12/3/97

Jean C. Caron
JEAN C. CARON, M.S., R.N.
Executive Director

**FOR THE DEPARTMENT OF
ATTORNEY GENERAL:**

DATED: 12/4/97

Susan A. Sparaco
SUSAN A. SPARACO
Assistant Attorney General
Counsel to the Board

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NURSING
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