



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:)
Daniel W. Munsey) **CONSENT AGREEMENT**
 of Gray, Maine) **FOR REINSTATEMENT OF**
 License #R038527) **LICENSE ON PROBATION**

INTRODUCTION

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

In July 1997, Mr. Munsey entered into a Consent Agreement for a voluntary surrender of license with conditions as a result of drug diversion and substance abuse. On December 18, 1997, Mr. Munsey appeared before the Board requesting reinstatement of license, having been substance free to approximately one year. As a result of the December 18, 1997 meeting, the parties agreed to enter into this Consent Agreement allowing for reinstatement on probation with conditions of Mr. Munsey's license.

**AGREEMENT FOR REINSTATEMENT
 OF LICENSE ON PROBATION WITH CONDITIONS**


Mr. Munsey's license to practice professional nursing in the State of Maine is reinstated on probationary status. The period of probation will be for a minimum of three years of nursing employment and will be subject to the following conditions:

1. **Substance Free:** Mr. Munsey will abstain completely from the use of alcohol or drugs with the exception of substances used in accordance with a valid prescription from a physician who is aware of Mr. Munsey's substance abuse history.
2. **Aftercare Program:** Mr. Munsey will continue in his aftercare program.
3. **Treatment Provider's Quarterly Reports:** Mr. Munsey will arrange for and ensure the submission of quarterly reports to the Board by his treatment provider for the period of treatment deemed necessary by his provider.
4. **Notice to Employer:** Mr. Munsey will notify any and all of his nursing employers of the terms of this Consent Agreement and shall provide them with a copy of it. For purposes of this Consent Agreement, nursing employment is any employment during which Mr. Munsey performs nursing services or holds himself out as a nurse such as through the designation "R.N."

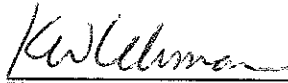
5. **Employer Quarterly Reports:** Mr. Munsey will arrange for and ensure the submission to the Board of quarterly reports addressing his job performance from his nursing employer(s).
6. **Notice of Employment Status:** Mr. Munsey will immediately notify the Board in writing of any employment in the field of nursing, including the place and position of employment and of any change in nursing employment.
7. **Confidentiality and Release of Records:** Upon request of any member of the Board, the Board's Executive Director, or the Department of Attorney General, for the purpose of evaluating Mr. Munsey's compliance with this Consent Agreement and his continued recovery, Mr. Munsey 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 Mr. Munsey's employment, or treatment and aftercare program(s).
8. **Automatic Suspension:** Mr. Munsey agrees and understands that if any member of the Board or the Board's Executive Director receives reasonably reliable information that Mr. Munsey has not remained substance free or is unable to competently perform the duties and responsibilities required of a professional nurse, Mr. Munsey's license will be immediately and automatically suspended pending further review by the Board. In the event such information is received by any member of the Board or its Executive Director, the information will be forwarded to Mr. Munsey for a response. Mr. Munsey agrees and understands that his license will remain suspended unless and until the Board is satisfied that Mr. Munsey's license may be reinstated consistent with the public health and welfare in the area of nursing services.
9. **Termination of Probation:** Mr. Munsey agrees and understands that his license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond a minimum three-year probationary period, until and unless the Board, at Mr. Munsey's request, votes to terminate Mr. Munsey's probation. When considering whether to terminate the probation, the Board will consider the degree to which Mr. Munsey has complied with the provisions of this Agreement.
10. **Miscellaneous Provisions:** Mr. Munsey understands that this document is a Consent Agreement which affects his license to practice nursing in the State of Maine. This Consent Agreement may be amended only in writing, signed by all the parties. Mr. Munsey understands that he does not have to execute this Consent Agreement and that he has the right to consult with an attorney before entering this Consent Agreement. Mr. Munsey affirms that he executes this Consent Agreement of his own free will.

11. **Effective Date:** This Consent Agreement becomes effective upon the last necessary signature below.

DATED: 12/29/97

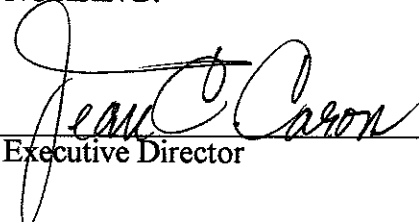

DANIEL W. MUNSEY

DATED: 12/24/97


KENNETH W. LEHMAN, ESQ.
Attorney for Daniel W. Munsey


FOR THE MAINE STATE BOARD OF NURSING:

DATED: 12/30/97


Executive Director

FOR THE DEPARTMENT OF ATTORNEY GENERAL:

DATED: 1/5/98


SUSAN A. SPARACO
Assistant Attorney General
Counsel to the Board



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 BOARD OF NURSING
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ANGUS S. KING, JR.
 GOVERNOR

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

BEFORE THE MAINE STATE BOARD OF NURSING

IN THE MATTER OF LICENSE NO.)
 R038527 ISSUED TO:)
 DANIEL W. MUNSEY)
 To practice professional nursing in the)
 State of Maine)
 -----)

**ORDER TERMINATING
 PROBATION**

WHEREAS, on **December 18, 1997**, License No. **R038527** issued to **Daniel W. Munsey** was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and

WHEREAS, on **December 7, 2000**, the Board of Nursing duly considered all evidence presented to it concerning **Daniel W. Munsey's** compliance with the conditions of said probation; and

WHEREAS, the Board found that **Daniel W. Munsey** has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation executed on **January 5, 1998** is hereby terminated.

DATED this **11th day of December 2000**.

MAINE STATE BOARD OF NURSING

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



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