



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: DIANE M. OBER, R.N.)
 of Harpswell, Maine) **CONSENT AGREEMENT**
 License #R043749) **FOR WARNING**

INTRODUCTION

This document is a Consent Agreement regarding Diane M. Ober'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)(A), 10 M.R.S.A. § 8003(5)(A-1)(1) and § 8003(5)(B). The parties to this Consent Agreement are Diane M. Ober ("Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. An informal conference was held on August 22, 2006. The parties reached this agreement based upon a Complaint submitted by Maine Bureau of Health, Maine Department of Health and Human Services through a letter dated August 9, 2005.

FACTS

1. Diane M. Ober has been a registered professional nurse licensed to practice in Maine since 1999.
2. Diane M. Ober admitted that she drafted two letters of reference for herself dated May 23, 2005 and May 30, 2005. The letters were scripted as being sent by a State Epidemiologist and the Director of the Tuberculosis Control Program, which are both state employees. Ms. Ober scripted the letters on State of Maine letterhead, wrote the signature of the aforementioned state employees and sent the letters of reference to a prospective employer.

AGREEMENT

3. Diane M. Ober understands that her conduct in the above stated facts constitutes grounds for discipline under Title 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. Diane M. Ober is hereby **WARNED** for deceitful conduct which is considered unprofessional conduct in violation of a standard of professional behavior that has been established in the practice for which she is licensed.
4. Diane M. Ober understands that this Consent Agreement imposes discipline in the form of a warning regarding her license to practice registered professional nursing in the State of Maine. Ms. Ober 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 this Consent Agreement.



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5. Diane M. Ober affirms that she executes this Consent Agreement of her own free will.
6. Modification of this Consent Agreement must be in writing and signed by all the parties.
7. This Consent Agreement is not subject to review or appeal by the Licensee.
8. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, DIANE M. OBER, 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: Oct 16 2006

Diane M Ober R.N
DIANE M. OBER, R.N.

DATED: October 18, 2006

D. Michael Frink
D. MICHAEL FRINK, ESQ.
Attorney for Diane M. Ober

FOR THE MAINE STATE
BOARD OF NURSING

DATED: Oct 19, 2006

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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: Oct. 20, 2006

John H. Richards
JOHN H. RICHARDS
Assistant Attorney General