



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: **DELLA A. ORSMOND** )  
 of Portland, Maine )  
 License #R049121 ) **CONSENT AGREEMENT FOR**  
**LICENSE REINSTATEMENT &**  
**PROBATION WITH CONDITIONS**

**INTRODUCTION**

This document is a Consent Agreement (“Agreement”) regarding Della A. Orsmond’s license to practice registered professional nursing in the State of Maine. The parties to this Agreement are Della A. Orsmond (“Licensee” or “Ms. Orsmond”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The Board met with Ms. Orsmond on March 4, 2010 regarding her request for reinstatement of her nursing license. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A (1-A) (B) and 10 M.R.S.A. § 8003(5) (B).

**FACTS**

1. License History: Ms. Orsmond was originally licensed to practice registered professional nursing in Maine in August 2003. On February 21, 2007, she entered into a Consent Agreement with the Board surrendering her nursing license as a result of unprofessional conduct and substance abuse [Exhibit A].
2. Della A. Orsmond states that she has been clean and sober since February 2008. Correspondence from Crossroads for Women documents that she successfully completed residential treatment from March 6 to March 27, 2008; was then transferred to the Crossroads Intensive Outpatient Program from April 1 through June 4, 2008; and has participated in a Relapse Prevention Group. She consistently attends 12-Step meetings, has an AA home group and AA sponsor, and currently lives in housing for women in sobriety. In addition, she is compliant with appointments, meets with her primary care provider, and recently enrolled in classes at the University of Southern Maine.
3. The Board has determined that Ms. Orsmond has made significant progress in her recovery to warrant reinstatement of her registered professional nurse license.

**AGREEMENT WITH CONDITIONS OF PROBATION**

4. Della A. Orsmond’s license as a registered professional nurse in the State of Maine is reinstated on probationary status with conditions. The period of probation will commence upon her return to nursing practice and will be for a period of five years, effective only while she is employed in nursing practice or enrolled in a nursing education program. For purposes of this Agreement, nursing employment is any employment during which Ms. Orsmond performs nursing services. Her probationary license will be subject to the following conditions:
  - a. Della A. Orsmond will abstain completely from the use of alcohol or drugs, with the exception of substances used in accordance with a valid prescription from her health care provider(s) who are aware of her substance abuse history.



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- b. Della A. Orsmond will continue in her treatment program to such an extent and for as long as her treatment provider(s) recommend and will arrange for and ensure the submission of quarterly reports to the Board by her treatment provider(s) until her probation is terminated. If her treatment is terminated during her probation, she shall notify the Board and provide written documentation.
- c. Della A. Orsmond shall fully cooperate with the representatives of the Board in its monitoring and investigation of her compliance with probation. She shall inform the Board in writing within 15 days of any address change.
- d. Della A. Orsmond will notify the Board in writing within five business days after she obtains any nursing employment and/or enters an educational program in the field of nursing. Notice under this section shall include the place and position of employment or the nursing educational program. If during the period of probation, Ms. Orsmond's employment as a nurse or her educational program in the field of nursing terminates, she shall notify the Board in writing within five business days after she is terminated or separated, regardless of cause, with a full explanation of the circumstances.
- e. Della A. Orsmond will notify any and all of her nursing employers and faculty involved in any clinical studies of the terms of this Consent Agreement and provide them with a copy of it.
- f. Della A. Orsmond will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer and/or clinical faculty regarding her general nursing practice, which is to include clinical competency, ability to follow policies and procedures relative to standards of practice, and clinical documentation.
- g. Della A. Orsmond understands and agrees that her license will remain on probationary status and subject to the terms of this Agreement beyond the five-year probationary period until and unless the Board, at her written request, votes to terminate her probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Orsmond has complied with the provisions of this Agreement.
- h. Della A. Orsmond's employment is restricted during the period of probation to structured settings with on-site supervision by a registered professional nurse. Structured settings shall not include assignments from temporary employment agencies, home health, school nursing, work as a travel nurse or within the correctional system.
- i. Della A. Orsmond understands and agrees that the Board and the Office of the Attorney General shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her treatment for substance abuse which the Board deems necessary to evaluate her compliance with the Agreement and her continued recovery. She shall provide such information, authorize the release of such records and information, and authorize any such discussions and communications with any and all persons involved in her care, counseling and employment as may be requested by the Board.
5. If Ms. Orsmond violates the conditions of her probation, the Board will give written notice to the Licensee regarding her failure to comply. Notice will be sent by certified mail, return receipt requested, to the last known address of the Licensee that is on file with the Board. The Licensee has 30 days from receipt of this notification to respond to the Board, in writing, regarding the alleged violation. The Board will review the Licensee's timely response to determine what action, if any, it determines to take. If the Licensee fails to timely respond to the Board's notification

regarding her failure to comply, her license will be immediately suspended pending a hearing at the next regularly scheduled Board meeting. If after notice and a hearing, the Board finds that the Licensee has failed to meet the conditions of probation, 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.

6. Della A. Orsmond understands and agrees that if any member of the Board or the Board's Executive Director receives reasonably reliable information suggesting that she has not remained substance-free in accordance with this Agreement, her license will be immediately and automatically suspended pending further review by the Board. In the event any member of the Board or its Executive Director receives such information, it will be immediately forwarded to Ms. Orsmond for response. Ms. Orsmond understands and agrees that in such an event, her license shall remain suspended pending a hearing at the next regularly scheduled Board meeting unless both the Licensee and the Board agree to hold the hearing later, or the Executive Director and/or the Office of the Attorney General earlier determine that such information is without merit. If the information received is proven to be inaccurate or incorrect, either through hearing or determination by the Executive Director and/or the Office of the Attorney General, Ms. Orsmond's license will be immediately reinstated retroactive to the date of suspension.
7. The State of Maine is a "party state" that has adopted the Nurse Licensure Compact ("Compact"), which is set out in Chapter 11 of the Rules and Regulations of the Maine State Board of Nursing. The State of Maine is Ms. Orsmond's "home state" of licensure and primary state of residence, which means she has declared the State of Maine as her fixed permanent and principle home for legal purposes; her domicile. Other party states in the Compact are referred to as "remote states," which means party states other than the home state that have adopted the Compact. Ms. Orsmond understands this Agreement is subject to the Compact and agrees that during its pendency, her nursing practice will be limited to the State of Maine as it pertains to the Compact. If Ms. Orsmond wishes to practice in any other party state within the Compact, she shall arrange to have the party state in which she intends to practice provide the Board with written authorization that she has been approved to practice in that state.
8. This Agreement is a public record within the meaning of 1 M.R.S.A. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S.A. § 408.
9. Della A. Orsmond understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Agreement.
10. Della A. Orsmond affirms that she executes this Agreement of her own free will.
11. Modification of this Agreement must be in writing and signed by all parties.
12. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
13. This Agreement becomes effective upon the date of the last necessary signature below.

**I, DELLA A. ORSMOND, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY REGISTERED PROFESSIONAL NURSE LICENSE. I UNDERSTAND THAT BY SIGNING IT, I WAIVE**


**CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, KNOWINGLY, AND INTELLIGENTLY AND AGREE TO BE BOUND BY THIS AGREEMENT. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.**

DATED: 4/9/2010

  
DELLA A. ORSMOND

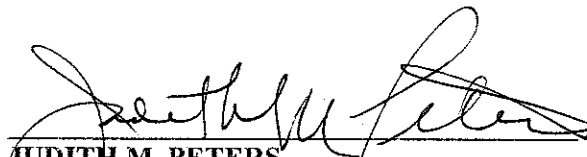
**FOR THE MAINE STATE  
BOARD OF NURSING**

DATED: 4/12/10

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

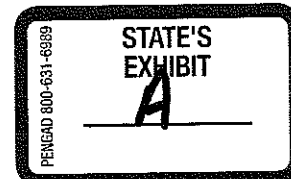
**FOR THE OFFICE OF THE  
ATTORNEY GENERAL**

DATED: 4/26/10

  
JUDITH M. PETERS  
Assistant Attorney General



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: DELLA A. ORSMOND** ) **CONSENT AGREEMENT**  
**of Camden, Maine** ) **FOR VOLUNTARY**  
**License # R 049121** ) **SURRENDER OF LICENSE**

**INTRODUCTION**

This document is a Consent Agreement regarding Della A. Orsmond'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)(C) and 10 M.R.S.A. § 8003(5)(B), (5)(D). The parties to this Consent Agreement are Della A. Orsmond ("Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. The parties reached this Agreement on the basis of information provided to the Board by Penobscot Bay Medical Center in a Complaint dated September 25, 2006.

**FACTS**

1. Della A. Orsmond has been licensed as a registered professional nurse to practice in Maine since 2003.
2. On September 12, 2006, a narcotic count on the Obstetrical Unit at Penobscot Bay identified missing narcotics (Fentanyl). Ms. Orsmond's co-workers had noted that she was present, though off duty in the Obstetrical Unit, on the shift prior to the inaccurate narcotic count, which revealed the missing narcotics. On September 14, 2006, while the investigation was still underway, Ms. Orsmond made a phone call to the Director of Nursing and admitted that she had taken the narcotics that were missing.
3. Della A. Orsmond admits that she injected the Fentanyl (600-700 mcg) with the intention of committing suicide. Surviving this attempt to take her life, Ms. Orsmond admitted herself to Acadia Hospital where she is receiving treatment for depression. Exhibit 1.
4. Della A. Orsmond has offered to voluntarily surrender her registered professional nurse license in lieu of a hearing before the Board.

**AGREEMENT**

5. The Maine State Board of Nursing will accept Della A. Orsmond's offer to voluntarily surrender her registered professional nurse license and agrees and understands that should this matter go to hearing before the Board on the above-stated facts, that it is more likely than not that the facts would support the Board's findings in this agreement.



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## Consent Agreement for Voluntary Surrender of License

Della A. Orsmond

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6. Della A. Orsmond understands that based upon the above-stated facts this document imposes discipline regarding her license to practice registered professional nursing in the State of Maine. The grounds for discipline for violations under 32 M.R.S.A. § 2105-A(2)(B), (2)(F), (2)(H) and Chapter 4, sections 1(A)(1), 1(A)(2), 1(A)(6), 1(A)(8) and Chapter 4, sections 3(F), 3(P) and 3(Q) of the Rules and Regulations of the Maine State Board of Nursing.
7. Della A. Orsmond agrees and understands that her license will remain on surrender status and subject to the terms of this Consent Agreement indefinitely until and unless the Board, at Ms. Orsmond's written request, votes to reinstate Ms. Orsmond's license. Ms. Orsmond agrees and understands that if the Board reinstates her license, it will be for a probationary period.
8. Della A. Orsmond understands that this document is a Consent Agreement that affects her rights to practice registered professional nursing in Maine. Ms. Orsmond 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. Della A. Orsmond shall not work or volunteer, in any capacity, for a health care provider as defined by Title 24 M.R.S.A. § 2502 (2) or in any position holding herself out as a registered professional nurse or with the designation, R.N., including a veterinarian's office while her nursing license is surrendered. In addition, Ms. Orsmond is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.
10. Modification of this Consent Agreement must be in writing and signed by all parties.
11. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
12. Della A. Orsmond affirms that she executes this Consent Agreement of her own free will.

**Consent Agreement for Voluntary Surrender of License  
Della A. Orsmond  
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13. This Consent Agreement becomes effective upon the date of the last necessary signature below.

**I, DELLA A. ORSMOND, 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: 1/19/2007

*Della Ann Orsmond*  
DELLA A. ORSMOND

**FOR THE MAINE STATE  
BOARD OF NURSING**

DATED: 1/25/07

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

**FOR THE OFFICE OF THE  
ATTORNEY GENERAL**

DATED: 2/21/07

*John H. Richards*  
JOHN H. RICHARDS  
Assistant Attorney General