

# 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

N 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. Osmond 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. Osmond 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 Page 2

- 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 reinstatements 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. Osmond 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. Osmond 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.

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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 A. ORSMOND

FOR THE MAINE STATE BOARD OF NURSING

DATED: 1/25/07

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

**Executive Director** 

FOR THE OFFICE OF THE

ATTORNEY GENERAL

DATED:  $\frac{2/21/0}{2}$ 

JOHN'H-RICHARDS

Assistant Attorney General