



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:) **CONSENT AGREEMENT**
 Rebecca M. Patel) **REGARDING VOLUNTARY**
 of Bangor, Maine) **SURRENDER OF LICENSE**
 License #R037228)

INTRODUCTION

This document is a Consent Agreement regarding Rebecca Patel'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 Agreement are: Rebecca M. Patel, the Maine State Board of Nursing ("Board") and the Department of Attorney General. The parties reached this Agreement following an informal conference held on September 10, 1997 regarding the letter received by the Board on February 4, 1997 from Margaret Brown, Administrator, Oceanview Nursing Home.

FACTS

1. Ms. Patel has a long history of chemical dependency.
2. Ms. Patel admits to diverting for her own use Ativan, Tylenol #3 and other medications.
3. Ms. Patel admits to ingesting drugs while on duty.
4. Ms. Patel admits to falsifying records regarding the administration of PRN medications.
5. There is no documented patient harm arising from Ms. Patel's conduct.
6. Ms. Patel admits to stealing money from staff as part of her compulsive behavior arising from her addiction. She denies stealing any money from patients.
7. Ms. Patel does not believe that she could work as a nurse, at least for an extended period, in a setting where drugs were present.
8. Ms. Patel has a history of Crohn's disease, a disease which has allowed her access to prescription drugs.
9. Ms. Patel has completed an inpatient treatment program at Seton.
10. Ms. Patel has been involved in an aftercare and self-help recovery process.
11. Ms. Patel has been clean and sober for seven months.
12. Ms. Patel has a good support system.
13. Ms. Patel is not presently employed in nursing.

AGREEMENT

1. Ms. Patel's conduct constitutes grounds for discipline under 32 M.R.S.A. Section 2105-A(2)(B), (2)(E), (2)(F).
2. Ms. Patel agrees voluntarily to surrender her license to practice nursing for a minimum period of two (2) years and the Board agrees to accept Ms. Patel's voluntary surrender subject to the following conditions:
 - a. **Substance free:** Ms. Patel 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 Ms. Patel's substance abuse history.
 - b. **Aftercare:** Ms. Patel will continue in her aftercare self-help programs.
 - c. **Quarterly reports:** Ms. Patel will arrange for and ensure that quarterly reports are submitted to the Board from her counselor(s).
 - d. **Confidentiality and release of records:** Ms. Patel waives any claims of confidentiality and privilege which she may have with respect to the reports provided to the Board from her counselor(s). Ms. Patel further agrees that the Board shall have access to any and all medical and treatment records and all otherwise confidential or medically privileged information pertaining to her substance abuse and chemical dependency which the Board deems necessary to evaluate Ms. Patel's compliance with this Consent Agreement and her continued recovery. Ms. Patel 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 her care and counseling as may be requested by the Board for the purpose of evaluating Ms. Patel's compliance with this Consent Agreement and her continued recovery.
 - e. **Employment:** Ms. Patel will not work in any capacity in the health care field (including a veterinarian's office).
 - f. **Request for reinstatement:** After two years from the effective date of this Agreement, Ms. Patel may petition the Board for reinstatement of her license on probationary status. Ms. Patel agrees and understands that her license will not be reinstated until and unless the Board, upon Ms. Patel's written request, votes to reinstate Ms. Patel's license. When considering whether to reinstate Ms. Patel's license on probationary status, the Board will consider the degree to which Ms. Patel has complied with these conditions.
3. **Further action:** The Board agrees to take no further disciplinary action upon these facts as long as Ms. Patel fully complies with these conditions.
4. **Miscellaneous provisions:** Ms. Patel understands that this document is a Consent Agreement which affects her rights to practice nursing in Maine. This Consent Agreement may be amended only in writing, signed by all the parties. Ms. Patel 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. Patel affirms that she executes this Consent Agreement of her own free will.

5. **Effective date:** This Consent Agreement becomes effective upon the last necessary signature below.

DATED: September 00, 1997

Rebecca Patel
REBECCA M. PATEL

FOR THE MAINE STATE BOARD OF NURSING:

DATED: 10/7/97

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

FOR THE DEPARTMENT OF ATTORNEY GENERAL:

DATED: 10/7/97

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

RECEIVED

SEP 25 1997

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