



STATE OF MAINE
 BOARD OF NURSING
 158 STATE HOUSE STATION
 AUGUSTA, MAINE
 04333-0158

ANGUS S. KING, JR.
 GOVERNOR

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

IN RE: **LYNN (STEVENS) PACKUS) CONSENT AGREEMENT FOR**
 of Waterville, Maine) **PROBATION WITH CONDITIONS**
 License #R037533)

INTRODUCTION

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

This Consent Agreement arose out of an informal conference held on July 9, 1998 regarding information submitted by Redington Fairview General Hospital by letter dated January 12, 1998.

FACTS

1. Lynn M. Packus admits to diverting schedule III narcotics from the hospital pharmacy at Redington Fairview General Hospital.
2. As a result of this conduct, Ms. Packus was terminated from Redington Fairview General Hospital.
3. Ms. Packus suffers chronic pain from previous accidents.
4. Ms. Packus' employment at Redington Fairview General Hospital was her first position as a nurse and was too stressful for her.
5. Ms. Packus has a family history of substance abuse.
6. Ms. Packus denies that she diverted any drugs from patients.
7. There is no evidence of patient harm
8. As of the date of the informal conference, Ms. Packus was employed as an agency nurse in long term care.
9. As of the date of the informal conference, Ms. Packus had not told her employer that there were issues pending before the Board regarding her license.



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10. As of the date of the informal conference, Ms. Packus was not involved in treatment for substance abuse.
11. Ms. Packus readily acknowledged the diversion when confronted by Redington Fairview General Hospital. Furthermore, Ms. Packus was candid and remorseful when discussing her conduct with the Board.

AGREEMENT

1. **Probation:** Ms. Packus' license to practice professional nursing in the State of Maine shall be placed on probationary status for a minimum period of two years (24 months) of nursing employment and shall be subject to the following conditions:
 - a. **Substance Free:** Ms. Packus shall remain substance free with the exceptions of substances used in accordance with a valid prescription from a health care provider who is aware of Ms. Packus' history.
 - b. **Substance Abuse Counseling:** Within 30 days from the effective date of this Consent Agreement, Ms. Packus shall enroll and begin participating in substance abuse counseling.
 - c. **Counselor's Quarterly Reports:** Ms. Packus will notify the Board when she enrolls in counseling, and further, Ms. Packus will arrange for and ensure the submission of quarterly reports to the Board from her counselor.
 - d. **No Agency Work:** Ms. Packus shall not work as an agency nurse while her license is subject to probationary status.
 - e. **Notice of Employment Status:** Ms. Packus will immediately notify the Board in writing of any employment in the field of nursing, including the place and position of employment, and any change in nursing employment thereafter.
 - f. **Notice to Employer:** Ms. Packus will notify any and all of her 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 an employment during which Ms. Packus performs nursing services or holds herself out as a nurse, such as through the designation "R.N."
 - g. **Employer Quarterly Reports:** Ms. Packus will arrange for and ensure the submission to the Board of quarterly reports addressing her job performance from any and all of her nursing employers.
 - h. **Confidentiality and Release of Records:** Ms. Packus agrees and understands that the Board and the Department of Attorney General shall have access to any and all medical and counseling records and all otherwise confidential or medically

privileged information pertaining to her treatment for substance abuse which the Board deems necessary to evaluate Ms. Packus' compliance with this Consent Agreement. Ms. Packus 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 care, counseling and employment as may be requested by the Board for the purpose of evaluating Ms. Packus' compliance with this Consent Agreement and the laws and rules governing nursing practice in the State of Maine.

2. **Term of Probationary Status:** Ms. Packus agrees and understands that her license shall remain on probationary status and subject to the terms of this Consent Agreement indefinitely beyond the minimum 24-month probationary period of nursing practice, until and unless the Board, at Ms. Packus' written request, votes to terminate her probation. When considering whether to terminate the probation, the Board shall consider the degree to which Ms. Packus has complied with the provisions of this Consent Agreement.
3. **Miscellaneous Provisions:** Ms. Packus 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. Packus 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. Packus affirms that she executes this consent Agreement of her own free will.
4. **Effective date:** This Consent Agreement becomes effective upon the last necessary signature below.

DATED: August 11, 1998

Ms. Lynn M. (PACKUS) Packus
LYNN M. PACKUS

FOR THE MAINE STATE BOARD
OF NURSING:

DATED: August 18, 1998

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

FOR THE DEPARTMENT OF
ATTORNEY GENERAL:

DATED: Aug. 18, 1998

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