



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: **JENNIFER W. PELKEY**)
 of Caribou, Maine)
 License #P004363) **CONSENT AGREEMENT FOR**
VOLUNTARY SURRENDER
OF LICENSE

INTRODUCTION

This document is a Consent Agreement regarding Jennifer W. Pelkey's license to practice practical nursing in the State of Maine. The parties enter into this Agreement pursuant to 10 M.R.S.A. § 8003(5)(B) and 32 M.R.S.A. § 2105-A(1-A)(C). The parties to this Consent Agreement are Jennifer W. Pelkey ("Licensee"), Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine. The parties reached this Agreement on the basis of information submitted by the Maine Veterans' Home ("MVH"), Bangor dated December 16, 1999, information submitted by the Maine Department of Human Services, Bureau of Medical Services, Division of Licensing and Certification ("DHS/DLC"), Complaint Investigation #00-BNF-082, information submitted by The Aroostook Medical Center ("TAMC") dated January 24, 2001, attached as Exhibit A and by information from the Licensee in a letter dated August 13, 2000.

FACTS

1. Jennifer W. Pelkey has been a practical nurse licensed by the Board to practice in Maine since 1974.
2. Jennifer W. Pelkey resigned from MVH on November 18, 1999 pending an investigation alleging that she failed to follow policies and procedures pertaining to scheduled drugs and as a result certain drugs were missing. At the conclusion of DHS/DLC's investigation it was determined that Ms Pelkey's medication administration practice failed to meet professional standards. A document revealed that of the 60 narcotic pre-packs received by Ms. Pelkey for a two month period, 53 were not entered in the facility's record book. The allegation of drug diversion by the Licensee was not substantiated.
3. On January 16, 2000, Ms. Pelkey was terminated from TAMC because of multiple violations of the facility's policy for medication administration and the use of a drug dispensing system called "pyxis." See Exhibit A.



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TDD: (207) 287-1151

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FAX: (207) 287-1149

4. Jennifer W. Pelkey explains that documentation and charting caused the medication administration errors. See Exhibit B.
5. Jennifer W. Pelkey offered to surrender her practical nursing license in a letter received by the Board April 19, 2001.

AGREEMENT

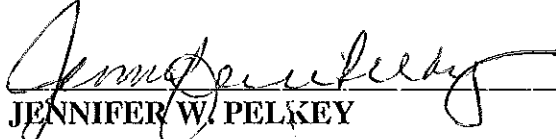
6. The Maine State Board of Nursing will accept Jennifer W. Pelkey's voluntary surrender of her license.
7. Jennifer W. Pelkey shall not work, in any capacity, in the health care field, including in a veterinarian's office, while her nursing license is surrendered. In addition, Ms. Pelkey is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.
8. Jennifer W. Pelkey may petition the Board for reinstatement of her license. Ms. Pelkey agrees and understands that her license will not be reinstated until and unless the Board, upon Ms. Pelkey's written request, votes to reinstate Ms. Pelkey's license.
9. Jennifer W. Pelkey understands that this document imposes discipline regarding her license to practice practical nursing in the State of Maine for violations under 32 M.R.S.A. § 2105-A(2)(E) and A(2)(F).
10. Jennifer W. Pelkey 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.
11. Jennifer W. Pelkey affirms that she executes this Consent Agreement of her own free will.
12. Modification of this Consent Agreement must be in writing and signed by all parties.
13. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.

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14. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, JENNIFER W. PELKEY 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.

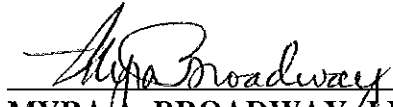
DATED: 09-19-01



JENNIFER W. PELKEY

FOR THE MAINE STATE
BOARD OF NURSING

DATED: Sept 21, 2001



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

FOR THE DEPARTMENT OF
ATTORNEY GENERAL

DATED: 10/1/01



JOHN H. RICHARDS
Assistant Attorney General