



Paul R. LePage
GOVERNOR

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

September 12, 2013

Kate Perkins
111 Sanford Crossing Road
West Bath, ME 04530

Dear Ms. Perkins:

Pursuant to your meeting with the Board on September 4, 2013, this will confirm that the Board voted to reinstate your registered professional nursing license.

Enclosed please find your license renewal application; please complete and return it along with the appropriate license fee for processing at your earliest convenience.

Best wishes for a healthy and happy nursing career~

Sincerely,

A handwritten signature in cursive script that reads "Myra Broadway".

Myra A. Broadway, MD, MS, RN
Executive Director

MAB/jcw

Enclosures

pc: Ron Guay, Asst. Attorney General



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<http://www.maine.gov/boardofnursing/>

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JOHN ELIAS BALDACCI
 GOVERNOR

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

IN RE: KATE N. PERKINS, RN) **CONSENT AGREEMENT**
 of Yarmouth, ME) **FOR VOLUNTARY**
 Licenses #R052926) **SURRENDER OF LICENSE**

INTRODUCTION

This document is a Consent Agreement (“Agreement”) regarding Kate N. Perkins’s license as a registered professional nurse in the State of Maine. The parties to this Agreement are Kate N. Perkins (“Licensee” or “Ms. Perkins”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S. § 2105-A (1-A) (C), 10 M.R.S. §§ 8003 (A-1) (4), 8003 (5) (B) and 8003 (5) (D). The parties reached this Agreement on the basis of a Provider Report from Maine Medical Center (“MMC”) dated October 29, 2010, with supplemental information dated December 3, 2010, and a self-report from the Licensee dated November 21, 2010.

FACTS

1. Kate N. Perkins has been licensed as a registered professional nurse to practice in Maine since August 2006.
2. Kate N. Perkins was employed as a registered professional nurse at MMC from November 2, 2009 until her termination on October 27, 2010 due to diversion of controlled substances. As a result of MMC’s internal third quarter analysis and report regarding the utilization of Fentanyl, Ms. Perkins was found to have a Fentanyl utilization higher than that of her peer group for that quarter. After an audit of Ms. Perkin’s medication administration practices, she was confronted by MMC personnel questioning whether she had diverted the Fentanyl. Ms. Perkins admitted she diverted the Fentanyl, as well as one instance of Oxycodone. The facility reports no documented patient harm.
3. Kate N. Perkins was suspended from employment at MMC on October 15, 2010, pending its investigation of diversion. Subsequent to her admission to MMC personnel, she self-reported the above-described diversion to the Board on October 18, 2010. She also stated she had a 2007 history of alcohol/substance abuse, but had maintained her sobriety until June 2009, when she suffered an injury. Ms. Perkins submitted a written statement to the Board on November 21, 2010 [Exhibit 1].
4. Kate N. Perkins fully acknowledges her responsibility for the drug diversion and agrees with the reports submitted by MMC.
5. Kate N. Perkins states she is currently active at Crossroads for Women, individual and group therapy, monthly medication management, and a community recovery group with a sponsor for the 12-Step Program.
6. Kate N. Perkins has offered to surrender her registered professional nursing license based upon the above-stated facts and thereby waives her right to an adjudicatory hearing.

AGREEMENT

7. The Maine State Board of Nursing will accept Kate N. Perkin’s offer to voluntarily surrender her registered professional nursing license. Ms. Perkins understands and agrees that should this matter go to hearing before the Board on the above-stated facts and the underlying information to support those facts, it is more likely than not they would support the Board’s findings in this Agreement. Further, she understands and



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agrees that this document imposes discipline regarding her nursing practice in the State of Maine. The grounds for discipline are found under Title 32 M.R.S. § 2105-A(2)(A), (2)(B), (2)(F) and (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(K), 3(P) and 3(Q) of the Rules and Regulations of the Maine State Board of Nursing. Specifically, the violations are:

Title 32 M.R.S. §§:

- a. 2105-A (2) (A). Ms. Perkins engaged in the practice of fraud or deceit in connection with a service rendered within the scope of her license. (See also Chapter 4, Section 1.A.1.)
 - b. 2105-A (2) (B). Habitual substance abuse that has resulted or is foreseeably likely to result in the licensee performing services in a manner that endangers the health or safety of patients. (See also Rule Chapter 4, Section 1.A.2.)
 - c. 2105-A (2) (F). Unprofessional Conduct. Ms. Perkins has engaged in unprofessional conduct by violating standards of professional behavior that have been established in the practice for which she is licensed. (See also Rule Chapter 4, Section 1.A.6.)
 - d. 2105-A (2) (H). A violation of this chapter or a rule adopted by the Board. (See also Rule Chapter 4, Section 1.A.8.)
 - e. Chapter 4, Section 3. *Unprofessional Conduct* as defined by the Rules and Regulations of the Maine State Board of Nursing states that *Nursing behavior which fails to conform to legal standards of the nursing profession, and which could reflect adversely on the health and welfare of the public shall constitute unprofessional conduct and shall include, but shall not be limited to, the following:*
 - F. Failure to take appropriate action or follow policies and procedures in the practice situation designed to safeguard the patient.
 - K. Inaccurate recording, falsifying or altering a patient or health care provider record.
 - P. Diverting drugs, supplies or property of patients of health care provider.
 - Q. Possessing, obtaining, furnishing or administering prescription drugs to any person, including self, except as directed by a person authorized by law to prescribe drugs.
8. Kate N. Perkins understands and agrees that her nursing license will remain on surrender status and subject to the terms of this Agreement indefinitely until and unless the Board, at her written request, votes to reinstate her license. Ms. Perkins understands and agrees that if the Board reinstates her license, it may be for a probationary period.
 9. 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. Perkin’s “home state” of licensure and primary state of residence, which means that 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. Perkins understands this Agreement is subject to the Compact.
 10. Kate N. Perkins understands that she does not have to execute this Consent Agreement and has the right to consult with an attorney before entering into the Agreement.
 11. Kate N. Perkins shall not work or volunteer in any capacity for a health care provider as defined by Title 24 M.R.S. § 2502 (2) or in any position holding herself out as a registered professional nurse or with the designation “RN” while her nursing license is surrendered.

12. This Agreement is a public record within the meaning of 1 M.R.S. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S. § 408.
13. Modification of this Agreement must be in writing and signed by all parties.
14. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
15. Kate N. Perkins affirms that she executes this Agreement of her own free will.
16. This Agreement becomes effective upon the date of the last necessary signature below.

I, KATE N. PERKINS, RN, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. 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: 12/15/10



KATE N. PERKINS, RN

FOR THE MAINE STATE
BOARD OF NURSING

DATED: 12/20/10



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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: 12/21/10



JOHN H. RICHARDS
Assistant Attorney General