

# Maine State Board of Nursing

# 295 WATER STREET AUGUSTA, MAINE 04330 TEL. 289-5324

Ιn	Re:				)	CONSENT
	Richard	Α.	Roy,	L.P.N.	)	AGREEMENT

This Consent Agreement is entered into by and among Richard A. Roy, L.P.N., the Maine State Board of Nursing (the "Board") and the Maine Department of the Attorney General, and concerns Mr. Roy's L.P.N. license. This Agreement is made pursuant to  $32 \text{ M.R.S.A.} \S 2105-A(1-A)$  (B).

#### A. Recitals

On April 29, 1981, Richard A. Roy, L.P.N., entered into a Consent Agreement with the Board involving the voluntary surrender of his license because of a drug related problem. Mr. Roy applied for reinstatement of his license and on June 27, 1986 the Board voted to reinstate Mr. Roy's license under a probationary status for one year. The conditions of the reinstatement and probationary status were included in a second Consent Agreement dated July 25, 1986. conditions included reports to the Board of unscheduled urine and blood alcohol tests, continuation in an out-patient program for substance abuse with quarterly reports to the Board from the counselor, and quarterly reports from Mr. Roy's nurse employer. Pursuant to the Consent Agreement dated July 25, 1986, Mr. Roy requested termination of his probationary status in June of 1987. As a result of that request, the Board invited Mr. Roy to an informal conference on June 26, 1987. The informal conference was held on that date with Mr. Roy in attendance. Mr. Roy was not represented by an attorney although he was told of his right to have an attorney present.

## B. <u>Findings of Fact</u>

Following the informal conference, at its meeting of June 26, 1987, the Board made the following findings:

1. Mr. Roy has met the explicit terms of the June 25, 1986,

Consent Agreement.

- 2. Mr. Roy has had lapses and has abused alcohol. Mr. Roy acknowledges his lapses.
- 3. Mr. Roy's substance abuse counselor, Lyn Jalbert, S.A.C., has recommended a continuation of the probationary status of Mr. Roy's license.

### C. <u>Convenants</u>

The Board, at its meeting of June 26, 1987, voted to extend the probationary status of Mr. Roy's license for one year commencing on April 1, 1987. The conditions of the extended probationary status are:

- 1. Mr. Roy must be chemical and drug free.
- 2. Mr. Roy must continue in a substance abuse treatment program, as recommended by his counselor.
- 3. Mr. Roy must provide the Board with detailed quarterly reports from the counselor.
- 4. Mr. Roy must notify all employers of his probationary status and notify the Board of any change of employment.
- 5. Mr. Roy must provide the Board with detailed quarterly reports from his nurse employer.
- 6. Mr. Roy waives any privilege he may claim regarding reports made to the Board. He also agrees that the Board may contact any reporting person for further relevant information. Mr. Roy may petition the Board for termination of his probationary status after April 1, 1988, and he understnads and agrees that the Board may impose further conditions upon him at that time.

Dated: <u>7/20/87</u>

Dated: 7/27/87

Dated: 1/28/87

RICHARD A. ROY, L.P.N.

MAINE STATE BOARD OF NURSING

BY: JEAN C. CARON, R.N.

Executive Director

MARTHA F. WILLARD

Assistant Attorney General Counsel for the Board of

Nursing