



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

JOHN ELIAS BALDACCI
 GOVERNOR

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

IN RE: DENISE N. SENECAI, R.N.)	<u>AMENDED CONSENT</u>
of Biddeford, Maine)	<u>AGREEMENT FOR</u>
License #R035592)	<u>REINSTATEMENT AND</u>
)	<u>PROBATION</u>

INTRODUCTION

This document is a Consent Agreement regarding Denise N. Senecal’s license to practice registered professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A(1-A)(B), 10 M.R.S.A. § 8003(5)(A-1)(4) and 10 M.R.S.A. § 8003(5)(B) and. An informal conference was held on October 17, 2001. The parties to this Consent Agreement are Denise N. Senecal (“Licensee”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The parties reached this Agreement on the basis of information submitted by Goodall Hospital, Sanford, Maine by letter dated June 22, 2000. The parties met again on December 9, 2004, at the Licensee’s request to amend the original Consent Agreement dated November 29, 2001. The Board has agreed to amend the original Consent Agreement, by deleting the language: “During the first year of Ms. Senecal's nursing employment she will be prohibited from administering medications.” The original Consent Agreement dated November 29, 2001 is attached as a reference. Exhibit No. 1.

FACTS

1. On June 15, 2000, Denise N. Senecal voluntarily surrendered her registered professional nurse license as a result of her drug diversion reported by Goodall Hospital and her admission of drug addiction. Ms. Senecal admits that she falsified narcotics records and diverted the drugs in question. Ms. Senecal also admits that she used the diverted drugs while performing nursing duties, however there is no documentation of patient harm. In addition, Ms. Senecal admits to being an alcoholic.
2. Denise N. Senecal completed an intensive substance abuse outpatient program in July, 2000, at Mercy Hospital, Portland, Maine. She had a relapse in September, 2000, and since that time has been substance free. Ms. Senecal is currently involved in a recovery process. She sees an addiction counselor and is participating in 12 step programs through AA and NA.
3. On October 17, 2001, Ms. Senecal appeared before the Board to request that her nursing license be reinstated.



PRINTED ON RECYCLED PAPER

OFFICES LOCATED AT: 24 STONE ST., AUGUSTA, ME.

TDD: (207) 287-1151

PHONE: (207) 287-1133

FAX: (207) 287-1149

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

4. Goodall Hospital supports Ms. Senecal in her recovery process, represents that she is an excellent nurse and would rehire her.
5. The parties agree to enter into this Consent Agreement to reinstate Ms. Senecal's registered professional nurse license with the imposition of a term of probation with conditions.

REINSTATEMENT WITH CONDITIONS OF PROBATION

6. Denise N. Senecal understands and agrees that her conduct constitutes grounds for discipline under Title 32 M.R.S.A. § 2105-A (2)(A), (2)(F), (2)(H) and Chapter 4.1.A.1., 4.1.A.6., 4.3.K., 4.3.O, 4.3.P. and 4.3.Q. of the Rules and Regulations of the Maine State Board of Nursing.
7. Denise N. Senecal's license to practice registered professional nursing in the State of Maine is reinstated on a probationary status with conditions. The period of probation will commence on Ms. Senecal's return to nursing practice, either through employment or pursuant to an educational program. The period of probation will be for a period of three years, to be effective only while she is employed in nursing practice or enrolled in a nursing education program. For purposes of this Agreement, nursing employment is any employment during which Ms. Senecal performs nursing services. Ms. Senecal's probationary license will be subject to the following conditions:
 - a. Denise N. Senecal 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. Senecal's substance abuse history.
 - b. Denise N. Senecal will continue in her aftercare treatment program to such an extent and for as long as her treatment providers recommend.
 - c. Denise N. Senecal will arrange for and ensure the submission of quarterly reports to the Board by her treatment providers.
 - d. Denise N. Senecal will immediately notify the Board in writing should she return to employment or an educational program in the field of nursing. Notice under this section shall include the place and position of employment or the educational program and any subsequent change in employment or educational programs.
 - e. Denise N. Senecal will notify any and all of her nursing employers and notify faculty involved in any clinical studies of the terms of this Consent Agreement and shall provide them with a copy of it.
 - f. Denise N. Senecal's employment is restricted during the period of probation to structured settings with on-sight supervision by another registered professional nurse.

Structured settings shall not include assignments from temporary employment agencies, school nursing, working as a traveling nurse or working within the correctional system.

g. Denise N. Senecal will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer or clinical faculty regarding her performance and documentation. ~~In addition, Ms. Senecal will provide the Board with monthly reports regarding activities she is engaged in to maintain sobriety.~~ 6/17/05
JR/NB

h. Denise N. Senecal agrees and understands that the Board and the Department of Attorney General shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her treatment for substance abuse which the Board deems necessary to evaluate Ms. Senecal's compliance with the Consent Agreement and her continued recovery. Ms. Senecal 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, counseling and employment as may be requested by the Board for the purpose of evaluating Ms. Senecal's compliance with the Consent Agreement and her continued recovery.

8. The State of Maine is Denise N. Senecal's home state of licensure. Ms. Senecal agrees that during the pendency of this Consent Agreement her nursing practice is limited to the State of Maine. If Ms. Senecal wishes to practice in any other party state within the compact she shall petition the Board for written authorization. In addition, Ms. Senecal will arrange to have the party state in which she intends to practice provide the Board with written authorization that she has been approved to practice in that state.
9. Denise N. Senecal agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the two year probationary period, until and unless the Board, at Ms. Senecal's written request, votes to terminate Ms. Senecal's probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Senecal has complied with the provisions of this Agreement.
10. Denise N. Senecal understands that this document is a Consent Agreement that affects her rights to practice nursing in Maine. Ms. Senecal 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 the Consent Agreement.
11. Denise N. Senecal affirms that she executes this Consent Agreement of her own free will.
12. This Consent Agreement replaces and supersedes the November 29, 2001, Consent Agreement. Exhibit No. 1. 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.

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

I, DENISE N. SENEAL, R.N., 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: 1/30/05

Denise Senecal RN
DENISE N. SENEAL, R.N.

**FOR THE MAINE STATE
BOARD OF NURSING**

DATED: Feb 1, 2005

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

**FOR THE DEPARTMENT
OF ATTORNEY GENERAL**

DATED: Feb. 2, 2005

John H. Richards
JOHN H. RICHARDS
Assistant Attorney General



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: DENISE N. SENECA)
 of Biddeford, Maine)
 License #R035592)
) CONSENT AGREEMENT
) FOR REINSTATEMENT
) AND PROBATION

INTRODUCTION

This document is a Consent Agreement regarding Denise N. Senecal's license to practice registered professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 10 M.R.S.A. § 8003(5)(A-1)(4), 10 M.R.S.A. § 8003(5)(B) and 32 M.R.S.A. § 2105-A(1-A)(B). An informal conference was held on October 17, 2001. The parties to this Consent Agreement are Denise N. Senecal, 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 Goodall Hospital, Sanford, Maine by letter dated June 22, 2000.

FACTS

1. On June 15, 2000, Denise N. Senecal voluntarily surrendered her registered professional nursing license as a result of her drug diversion reported by Goodall Hospital and her admission of drug addiction. Ms. Senecal admits that she falsified narcotics records and diverted the drugs in question. Ms. Senecal also admits that she used the diverted drugs while performing nursing duties; however, there is no documentation of patient harm. In addition, Ms. Senecal admits to being an alcoholic.
2. Denise N. Senecal completed an intensive substance abuse outpatient program in July, 2000, at Mercy Hospital, Portland, Maine. She had a relapse in September, 2000, and since that time has been substance free. Ms. Senecal is currently involved in a recovery process. She sees an addiction counselor and is participating in 12 step programs through AA and NA.
3. On October 17, 2001, Ms. Senecal appeared before the Board to request that her nursing license be reinstated.
4. Goodall Hospital supports Ms. Senecal in her recovery process and represents that she is an excellent nurse and would rehire her.
5. The parties agree to enter into this Consent Agreement to reinstate Ms. Senecal's professional nursing license with the imposition of a term of probation with conditions.

RECEIVED

NOV 21 2001



PRINTED ON RECYCLED PAPER

OFFICES LOCATED AT: 24 STONE ST., AUGUSTA, ME

PHONE: (207) 287-1133

TDD: (207) 287-1151

MAINE STATE
 BOARD OF NURSING

FAX: (207) 287-1149

REINSTATEMENT WITH CONDITIONS OF PROBATION

6. Denise N. Senecal understands and agrees that her conduct constitutes grounds for discipline under Title 32 M.R.S.A. § 2105-A (2)(A), (2)(F), (2)(H) and Chapter 4.1.A.1., 4.1.A.6., 4.3.K., 4.3.O, 4.3.P. and 4.3.Q. of the Board's Rules and regulations.
7. Denise N. Senecal's license to practice registered professional nursing in the State of Maine is reinstated on a probationary status with conditions. The period of probation will commence on Ms. Senecal's return to nursing practice, either through employment or pursuant to an educational program. The period of probation will be for a period of three years, to be effective only while she is employed in nursing practice or enrolled in a nursing education program. For purposes of this Agreement, nursing employment is any employment during which Ms. Senecal performs nursing services. Ms. Senecal's probation will be subject to the following conditions:
 - a. Denise N. Senecal 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. Senecal's substance abuse history.
 - b. Denise N. Senecal will continue in her aftercare treatment program.
 - c. Denise N. Senecal will arrange for and ensure the submission of quarterly reports to the Board by her treatment providers.
 - d. Denise N. Senecal will immediately notify the Board in writing should she return to employment or an educational program in the field of nursing. Notice under this section shall include the place and position of employment or the educational program and any change in employment or educational programs.
 - e. Denise N. Senecal will notify any and all of her nursing employers and notify faculty involved in any clinical studies of the terms of this Consent Agreement and shall provide them with a copy of it.
 - f. During the first year of Ms. Senecal's nursing employment she will be prohibited from administering medications.
 - g. Denise N. Senecal will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer or clinical faculty. ~~In addition, Ms. Senecal will provide the Board with monthly reports regarding activities she is engaged in to maintain sobriety.~~
 - h. Denise N. Senecal agrees and understands that the Board and the Department of Attorney General shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her treatment for substance abuse which the Board deems necessary to evaluate Ms. Senecal's compliance with the Consent Agreement and her continued recovery. Ms. Senecal shall provide such

NB/BR
6/11/05
error
wrong C.A.

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, counseling and employment as may be requested by the Board for the purpose of evaluating Ms. Senecal's compliance with the Consent Agreement and her continued recovery.

8. Denise N. Senecal agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the ~~two~~ ^{three} year probationary period, until and unless the Board, at Ms. Senecal's written request, votes to terminate Ms. Senecal's probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Senecal has complied with the provisions of this Agreement.
9. Denise N. Senecal understands that this document is a Consent Agreement that affects her rights to practice nursing in Maine. Ms. Senecal 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 the Consent Agreement.
10. Denise N. Senecal affirms that she executes this Consent Agreement of her own free will.
11. Modification of this Consent Agreement must be in writing and signed by all parties.
12. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
13. This Consent Agreement becomes effective upon the date of the last necessary signature below.

Correction
12/9/04
MS
DNJ
JMR

I, DENISE N. SENECA, R.N., 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: Nov. 5, 01

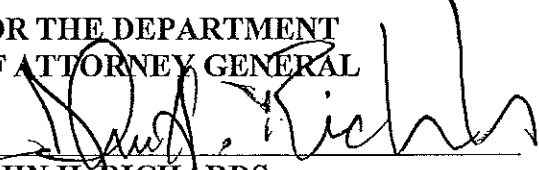
Denise N. Senecal R.N.
DENISE N. SENECA, R.N.

FOR THE MAINE STATE
BOARD OF NURSING

Dated: 11/28/01

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

Dated: 11/29/01

FOR THE DEPARTMENT
OF ATTORNEY GENERAL


JOHN H. RICHARDS
Assistant Attorney General

RECEIVED

RECEIVED

NOV 29 2001
STATE OF CALIFORNIA
DEPARTMENT OF ATTORNEY GENERAL

NOV 29 2001
STATE OF CALIFORNIA
DEPARTMENT OF ATTORNEY GENERAL