



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: WARD F. SNOW, II) **CONSENT AGREEMENT**
 of Falmouth, Maine) **FOR REINSTATEMENT**
 License #R023055) **AND PROBATION**
 License #P004560) **WITH CONDITIONS**

INTRODUCTION

This document is a Consent Agreement (Agreement”) regarding Ward F. Snow, II’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) and 10 M.R.S.A. § 8003(5) (B). The parties to this Agreement are Ward F. Snow, II (“Licensee,” “Ward Snow” or “Mr. Snow”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The Board met with Mr. Snow on March 18, 2009 regarding his February 26, 2009 petition for reinstatement of his registered professional nurse license.

FACTS

1. Ward F. Snow entered into a Consent Agreement with the Board on December 22, 2003, voluntarily surrendering his registered professional nurse license [Exhibit 1]. Mr. Snow also has a licensed practical nurse license which has been inactive since July 1980.
2. Ward F. Snow was hired as a registered professional nurse at Eastern Maine Medical Center (“EMMC”) on April 15, 1990. On September 2, 2003, Mr. Snow was suspended from EMMC pending an investigation regarding a suspicion of drug diversion of the controlled substance, morphine. On September 17, 2003, Mr. Snow’s employment at EMMC was terminated due to results of an investigation that substantiated the drug diversion. On September 29, 2003, Mr. Snow offered to surrender his nursing license to the Board.
3. Ward F. Snow immediately began treatment with [REDACTED] Ph.D. and for the past five years has made productive and responsible decisions toward his recovery, which is addressed in the enclosure marked as Exhibit 2.

AGREEMENT WITH CONDITIONS OF PROBATION

4. Ward F. Snow’s license as a registered professional nurse in the State of Maine is reinstated on probation status with conditions. The period of probation will commence upon Mr. Snow’s return to nursing practice, either through employment and/or pursuant to a clinical nursing educational program and will be for a period of five years, effective only while he is employed in nursing practice and/or enrolled in a clinical nursing education program. For purposes of this Agreement, nursing employment is any employment



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during which Mr. Snow performs nursing services. His probationary license will be subject to the following conditions:

- a. Ward F. Snow will abstain completely from the use of alcohol or drugs, with the exception of substances used in accordance with a valid prescription from a treatment provider who is aware of his substance abuse history.
- b. Ward F. Snow shall fully cooperate with the representatives of the Board in its monitoring and investigation of the Licensee's compliance with probation. Mr. Snow shall inform the Board in writing within 15 days of any address change.
- c. Ward F. Snow will continue in his treatment program to such an extent and for as long as his treatment provider(s) recommend and will arrange for and ensure the submission of quarterly reports to the Board by his treatment provider(s) until his probation is terminated. If Mr. Snow's treatment is terminated during his probation, he shall notify the Board and provide written documentation.
- d. Ward F. Snow will notify the Board in writing within five business days after he obtains any nursing employment and/or an educational program in the field of nursing. Notice under this section shall include the place and position of employment or the nursing educational program. If during the period of probation, Mr. Snow's employment as a nurse or his educational program in the field of nursing terminates, he shall notify the Board in writing within five business days after he is terminated or separated, regardless of cause, with a full explanation of the circumstances surrounding the termination or separation.
- e. Ward F. Snow will notify any and all of his nursing employers and faculty involved in any clinical studies of the terms of this Consent Agreement and provide them with a copy of it.
- f. Ward F. Snow will arrange for and ensure the submission to the Board of quarterly reports from his nursing employer and/or clinical faculty regarding his general nursing practice, which is to include clinical competency, ability to follow policies and procedures relative to standards of practice, and clinical documentation.
- g. Ward F. Snow understands and agrees that his license will remain on probationary status and subject to the terms of this Agreement beyond the five-year probationary period until and unless the Board, at Mr. Snow's written request, votes to terminate his probation. When considering whether to terminate the probation, the Board will consider the extent to which Mr. Snow has complied with the provisions of this Agreement.
- h. Ward F. Snow's employment is restricted during the period of probation to structured settings with on-site supervision by another registered professional nurse. Structured settings shall not include assignments from temporary employment agencies, home health, school nursing, work as a travel nurse or within the correctional system.

- i. Ward F. Snow agrees and understands that the Board and the Office of the Attorney General shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to his treatment for substance abuse which the Board deems necessary to evaluate his compliance with the Agreement and his continued recovery. Mr. Snow 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 his care, counseling and employment as may be requested by the Board.
5. If Mr. Snow violates the conditions of his probation, the Board will give written notice to the Licensee regarding his failure to comply. Notice will be sent by certified mail, return receipt requested, to the last known address of the Licensee that is on file with the Board. The Licensee has 30 days from receipt of this notification to respond to the Board, in writing, regarding the alleged violation. The Board will review the Licensee's timely response to determine what action, if any, the Board determines to take. If the Licensee fails to timely respond to the Board's notification regarding his failure to comply, his license will be immediately suspended pending a hearing at the next regularly scheduled Board meeting. If after notice and a hearing, the Board finds that the Licensee has failed to meet the conditions of probation, the Board may take any disciplinary action which it deems appropriate and impose any of the sanctions including, but not limited to, that found in Title 10 M.R.S.A. § 8003 and Title 32 M.R.S.A. § 2105-A.
6. Ward F. Snow understands and agrees that if any member of the Board or the Board's Executive Director receives reasonably reliable information suggesting that he has not remained substance free in accordance with the Consent Agreement, his license will be immediately and automatically suspended pending further review by the Board. In the event any member of the Board or its Executive Director receives such information, the information will be immediately forwarded to Mr. Snow for a response. Mr. Snow agrees and understands that in such event, his license shall remain suspended pending a hearing. The Board shall hold a hearing within 60 days of the automatic suspension unless both the Licensee and the Board agree to hold the hearing later, or the Executive Director and/or the Department of the Attorney General earlier determine that such information is without merit. If the information received is proven to be inaccurate or incorrect, either through hearing or determination by the Executive Director and/or the Department of the Attorney General, Mr. Snow's license will be immediately reinstated retroactive to the date of suspension.
7. 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 Mr. Snow's "home state" of licensure and primary state of residence, which means that he has declared the State of Maine as his fixed permanent and principle home for legal purposes; his 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. Mr. Snow understands that this document is an Agreement subject to the Compact. Mr. Snow agrees that during the pendency of this Agreement, his nursing practice may be limited to the State of Maine as it pertains to the

Compact. If he wishes to practice in any other party state within the Compact, he shall arrange to have the party state in which he intends to practice provide the Board with written authorization that he has been approved to practice in that state.

8. This Agreement is a public record within the meaning of 1 M.R.S.A. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S.A. § 408.
9. Ward F. Snow understands that he does not have to execute this Consent Agreement and has the right to consult with an attorney before entering into the Consent Agreement.
10. Ward F. Snow affirms that he executes this Consent Agreement of his 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.

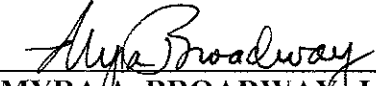
I, WARD F. SNOW, II, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY REGISTERED PROFESSIONAL NURSE LICENSE. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, KNOWINGLY, AND INTELLIGENTLY AND AGREE TO BE BOUND BY THIS AGREEMENT. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.

DATED: April 23, 09


WARD F. SNOW, II

FOR THE MAINE STATE
BOARD OF NURSING

DATED: April 27, 2009


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

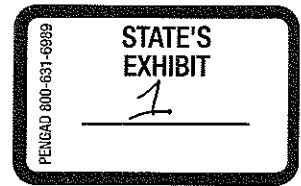
FOR THE DEPARTMENT OF
ATTORNEY GENERAL

DATED: 4/29/09


JOHN H. RICHARDS
Assistant Attorney General



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: **WARD F. SNOW, II**) **CONSENT AGREEMENT FOR**
 of Brewer, Maine) **VOLUNTARY SURRENDER**
 License #R023055) **OF LICENSE**

INTRODUCTION

This document is a Consent Agreement regarding Ward F. Snow, II's license to practice professional 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 Ward F. Snow, II ("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 Eastern Maine Medical Center and Ward F. Snow, II attached to this Consent Agreement and marked as Exhibit No. 1.

FACTS

1. Ward F. Snow, II has been licensed as a registered professional nurse in Maine since 1979.
2. Ward F. Snow, II admits that he diverted controlled substances for his own use from Eastern Maine Medical Center. Exhibit No. 1.
3. Ward F. Snow, II has offered to the Board a voluntary surrender of his registered professional nurse license.

AGREEMENT

4. The Maine State Board of Nursing will accept Ward F. Snow, II's voluntary surrender of his license.
5. Ward F. Snow, II understands that this document imposes discipline regarding his license to practice professional nursing in the State of Maine for violations under 32 M.R.S.A. § 2105-A(2)(B), A(2)(F) and A(2)(H) and Chapter 4.1.A.1., 4.1.A.6., 4.3.P. and 4.3.Q. of the Rules and Regulations of the Maine State Board of Nursing.



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Ward F. Snow, II, R.N.

Consent Agreement for Voluntary Surrender of License

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6. Ward F. Snow, II may petition the Board for reinstatement of his license. Mr. Snow agrees and understands that his license will not be reinstated until and unless the Board, upon Mr. Snow's written request, votes to reinstate Mr. Snow's license.
7. Ward F. Snow, II shall not work or volunteer, in any capacity, for a health care provider as defined by Title 24 M.R.S.A. § 2502 (2) or in any position holding himself out as a registered professional nurse or with the designation, R.N. while his nursing license is surrendered. In addition, Mr. Snow is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.
8. Ward F. Snow, II understands that he does not have to execute this Consent Agreement and that he has the right to consult with an attorney before entering into this Consent Agreement.
9. Ward F. Snow, II affirms that he executes this Consent Agreement of his own free will.
10. Modification of this Consent Agreement must be in writing and signed by all parties.
11. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
12. This Consent Agreement becomes effective upon the date of the last necessary signature below.

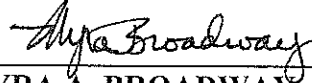
I, WARD F. SNOW, II, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.

DATED: Sept. 17, '03


WARD F. SNOW, II

FOR THE MAINE STATE
BOARD OF NURSING

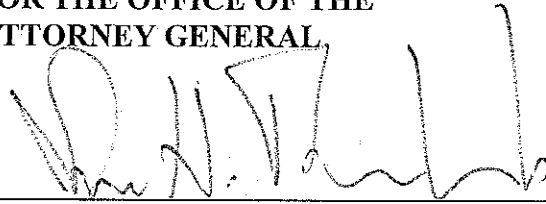
DATED: Dec 16, 2003



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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: Dec. 22, 2003



JOHN H. RICHARDS
Assistant Attorney General