



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: **DIANA M. THIBODEAU**)
 of Sidney, Maine)
 License # R022050) **CONSENT AGREEMENT FOR**
VOLUNTARY SURRENDER
OF LICENSE

INTRODUCTION

This document is a Consent Agreement regarding Diana M. Thibodeau'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)(B) and 32 M.R.S.A. § 2105-A(1-A)(C). The parties to this Consent Agreement are Diana M. Thibodeau ("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 MaineGeneral Medical Center in a letter dated October 1, 2001 and attached to this Agreement as Exhibit 1.

FACTS

1. Diana M. Thibodeau has been a registered professional nurse licensed by the Board to practice in Maine since 1978.
2. Diana M. Thibodeau admits that she altered documentation for the purpose of illegally obtaining the prescription drug Fiorinal.
3. Diana M. Thibodeau was convicted of Unlawful Possession of a Schedule Z Drug, a Class D crime (misdemeanor).
4. On January 9, 2002, Ms. Thibodeau was sentenced in Waterville District Court, Kennebec County, Maine (Docket # CR-02-78) to six-months incarceration, all suspended and probationary period for one year.

AGREEMENT

5. Diana M. Thibodeau has offered to surrender her registered professional nursing license. The Maine State Board of Nursing will accept Diana M. Thibodeau's voluntary surrender of her registered professional nursing license, No R022050.
6. Diana M. Thibodeau understands that this document imposes discipline regarding her license to practice nursing in the State of Maine for violations under Title 32 M.R.S.A. § 2105-A(2)(A), A(2)(F), (A)(2)(H) and the Maine State Board of Nursing Rules, Chapter 4.1.A.1, 4.1.A.6., 4.3.P and 4.3.Q.



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OFFICES LOCATED AT: 24 STONE ST., AUGUSTA, ME
 PHONE: (207) 287-1133

TDD: (207) 287-1151

FAX: (207) 287-1149

7. Diana Thibodeau may petition the Board for reinstatement of her license to probationary status, however, Ms. Thibodeau agrees and understands that her license will not be reinstated to probationary status until and unless the Board, upon Ms. Thibodeau's written request, votes to reinstate Ms. Thibodeau's license.

When considering whether to reinstate Ms. Thibodeau's license to probationary status, the Board will consider the extent to which Ms. Thibodeau has complied with the terms and conditions on this Agreement.

8. The Board and Diana M. Thibodeau agree to the following conditions:
 - i. Diana M. Thibodeau 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. Thibodeau is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.
 - ii. Diana M. Thibodeau will abstain from the use of illicit substances.
 - iii. Diana M. Thibodeau will continue to receive substance abuse treatment and aftercare as recommended by her treatment providers.
 - iv. Diana M. Thibodeau will comply with the conditions of her criminal probation.
9. The Board agrees to take no further action upon these facts as long as Ms. Thibodeau fully complies with these conditions.
10. Diana M. Thibodeau 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. Diana M. Thibodeau 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.

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

I, DIANA M. THIBODEAU HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, WITHOUT ANY

DATED: 3/21/02

Diana M. Thibodeau
DIANA M. THIBODEAU

DATED: 21 March 2002

Gregg D. Bernstein
GREGG D. BERNSTEIN, ESQ.
Attorney for Diana M. Thibodeau

FOR THE MAINE STATE
BOARD OF NURSING

DATED: 3/25/02

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

FOR THE DEPARTMENT OF
ATTORNEY GENERAL

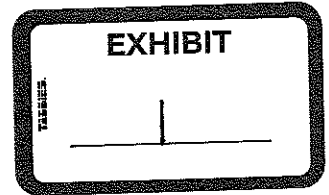
DATED: 3/27/02

John H. Richards
JOHN H. RICHARDS
Assistant Attorney General

[Faint, illegible text]



MaineGeneral Medical Center



October 1, 2001

Myra Broadway
Executive Director
Maine State Board of Nursing
24 Stone Street
158 State House Station
Augusta, Maine 04333

Dear Ms. Broadway:

In accordance with MaineGeneral Medical Center's obligations under the Maine Health Security Act, I am reporting that on September 15, 2001, Diana Thibodeau, RN, license # R022050 was suspended without pay pending resolution of charges related to her arrest for unauthorized attempts to obtain prescription drugs.

Information related to this suspension is as follows:

On Saturday, September 15, 2001, MaineGeneral Medical Center became aware that Ms. Thibodeau was being detained at the Waterville Police Department for attempting to fill a prescription for Fiorinal, which allegedly had been prescribed by Charles Jacobs, MD. Ms. Thibodeau is an RN in our Dialysis unit. Dr. Jacobs is the nephrologist who is the medical director of that unit.

As per our policy, Ms. Thibodeau was suspended without pay until such time as this matter is settled.

If you have any questions related to this matter, please feel free to contact me.

Sincerely,

Barbara Whitehead RN, BS

Barbara Whitehead, RN, BS
SVP-Nursing

RECEIVED

MAR 25 2002

MAINE STATE
BOARD OF NURSING

MaineGeneral Medical Center
149 North Street
Waterville, ME 04901
207 872 1000

RECEIVED

OCT 05 2001

MAINE STATE
BOARD OF NURSING