



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

ANGUS S. KING, JR.
 GOVERNOR

JEAN C. CARON, M.S., R.N.
 EXECUTIVE DIRECTOR

In re:)
 James H. Tukey) **CONSENT AGREEMENT**
 of Pownal, Maine)
 License #R014953)

INTRODUCTION

This document is a Consent Agreement regarding James H. Tukey's license to practice professional nursing in the State of Maine, entered into pursuant to 32 M.R.S.A. Section 2105-A(1-A)(B) and 10 M.R.S.A. Section 8003(5)(B). The parties to this Consent Agreement are: James H. Tukey, the Maine State Board of Nursing, ("the Board") and the Department of the Attorney General, State of Maine.

By letter dated January 19, 1996, Mr. Tukey was advised by the Board that it received a letter dated November 2, 1995 from Jennifer Jorgensen, an M.S.W. Intern at Shoreline Community Mental Health Services, stating that a client had provided her with information of possible violations of 32 M.R.S.A. Section 2105-A(2)(E), (2)(F), and (2)(H) by Mr. Tukey. Although Ms. Jorgensen's letter did not include the name of the patient alleged to have been involved in the actions of Mr. Tukey, that information was provided to counsel for Mr. Tukey prior to the informal conference in this matter. The former patient of Mr. Tukey's has alleged that he engaged in an improper sexual relationship with her in 1991. Mr. Tukey was employed as a mental health counselor at the Richmond Area Health Center in Richmond, Maine during 1991.

The informal conference was held on June 5, 1996. Mr. Tukey was present and was represented by Robert S. Frank, Esq. Mr. Tukey's license to practice has now lapsed.

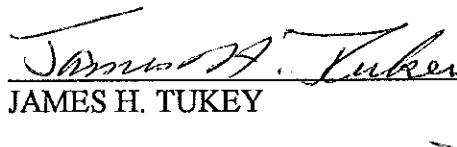
COVENANTS

1. Upon the signing of this agreement by all signatories, Mr. Tukey will surrender all residual rights he has in his lapsed license to practice professional nursing in the State of Maine, and the Board will accept the voluntary surrender of Mr. Tukey's license rights. As a result of this Agreement, Mr. Tukey will have no further rights in his lapsed license. The result of this Agreement is a disciplinary action, specifically, a voluntary surrender of Mr. Tukey's license within the meaning of 10 M.R.S.A. Section 8003(5)(D). As such, this Agreement is reportable to the Disciplinary Data Bank of the National Council of State Boards of Nursing, the National Health Care Practitioner Data Bank, and to any other state board of nursing upon request.

2. Mr. Tukey may not apply for a license to practice professional nursing in the State of Maine for a period of three years from the date of this agreement. The decision on Mr. Tukey's application for such a license will be at the discretion of the Board based upon the information presented to the Board. In exercising its discretion, the Board may consider the facts of circumstances of this matter as well as Mr. Tukey's qualifications to practice nursing competently and safely, including any evidence of Mr. Tukey's having participated in additional educational, instructional or rehabilitative programs. The Board will hold a hearing on the application if Mr. Tukey so requests.
3. So long as Mr. Tukey complies with this agreement the Board will take no further action on the matter that was the subject matter of the informal conference between the Board and Mr. Tukey on June 5, 1996.
4. This agreement may be modified only in writing signed by Mr. Tukey, the Board, and the Department of the Attorney General.

Mr. Tukey acknowledges that in connection with this agreement he has been represented by counsel, that he is not legally required to enter into this agreement, and has elected to do so under his own free will, and that having surrendered his license he will not have the right to engage in the practice of professional nursing in the State of Maine unless and until such time as he obtains a license from the Board.

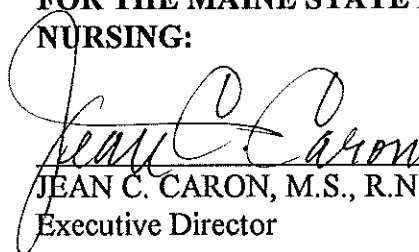
DATED: 5-19-97



JAMES H. TUKEY

FOR THE MAINE STATE BOARD OF NURSING:

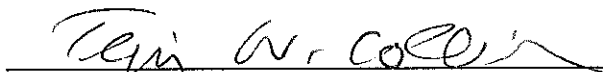
DATED: 5/28/97



JEAN C. CARON, M.S., R.N.
Executive Director

FOR THE DEPARTMENT OF THE ATTORNEY GENERAL:

DATED: 5-30-97



TIMOTHY W. COLLIER
Assistant Attorney General
Counsel to the Board