



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: RICHARD A. WINE, R.N. ) CONSENT AGREEMENT**  
 of Waterville, Maine ) **FOR VOLUNTARY**  
 License #R052110 ) **SURRENDER OF LICENSE**

**INTRODUCTION**

This document is a Consent Agreement (“Agreement”) regarding Richard A. Wine’s license to practice registered professional nursing in the State of Maine. The parties to this Agreement are Richard A. Wine (“Mr. Wine” or “Licensee”), Maine State Board of Nursing (“Board”) and the Department of the Attorney General, State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A (1-A) (C), 10 M.R.S.A. §§ 8003 (A-1) (4), 8003 (5) (B) and 10 M.R.S.A. § 8003 (5) (D). The parties met in an informal conference on October 7, 2009 and reached this Agreement on the basis of a Board Notice of Complaint or Provider Report dated February 24, 2009, with information submitted by Lakewood Continuing Care Center (“Lakewood”) dated February 12, 2009; and Mr. Wine’s response dated March 18, 2009 [Exhibit A].

**FACTS**

1. Richard A. Wine has been a registered professional nurse licensed to practice in Maine since February 2006.
2. Richard A. Wine was terminated from Lakewood on January 30, 2009 for substandard nursing care; failure to follow Lakewood nursing policies and procedures; and significant medication errors. The substance of his termination is contained in the Provider Report from Lakewood dated February 12, 2009 [Exhibit A]. Following review of this information and the aforementioned response at its June 3-4, 2009 meeting, the Board notified the Licensee of its decision to meet with him in an informal conference. On July 23, 2009, Mr. Wine sent a supplemental response offering to voluntarily surrender his nursing license.
3. Richard A. Wine wishes to resolve this matter by voluntarily surrendering his registered professional nurse license and accepting this Agreement, thereby waiving his rights to an adjudicatory hearing.

**AGREEMENT**

4. The Maine State Board of Nursing will accept Richard A. Wine’s offer to voluntarily surrender his registered professional nurse license. Mr. Wine understands and agrees that should this matter go to hearing before the Board on the above-stated facts and the



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underlying information to support those facts, it is more likely than not the facts would support the Board's findings in this Agreement.

5. Richard A. Wine understands and agrees that based upon the above-stated facts, this document imposes discipline regarding his license to practice registered professional nursing in the State of Maine. The grounds for discipline are for incompetence in the practice for which he is licensed by engaging in conduct that evidences a lack of ability to discharge the duty owed by the Licensee to patients or the general public, 32 M.R.S. § 2105-A (2) (E) (1).
6. Richard A. Wine understands and agrees that his license will remain on surrender status and subject to the terms of this Agreement indefinitely until and unless the Board, at Mr. Wine's written request, votes to reinstate his license. He understands and agrees that if the Board reinstates his license, it may be for a probationary period.
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. Wine'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. Wine understands this Consent Agreement is subject to the Compact.
8. Mr. Wine understands that he does not have to execute this Agreement and has the right to consult with an attorney before entering into the Consent Agreement.
9. Richard A. Wine 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.
10. 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.
11. Modification of this Agreement must be in writing and signed by all parties.
12. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
13. Richard A. Wine affirms that he executes this Agreement of his own free will.
14. This Agreement becomes effective upon the date of the last necessary signature below.


I, RICHARD A. WINE, R.N., HAVE READ AND UNDERSTAND THE FOREGOING  
CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE  
CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, KNOWINGLY, AND INTELLI-  
GENTLY 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: 10/15/09

  
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RICHARD A. WINE, R.N.

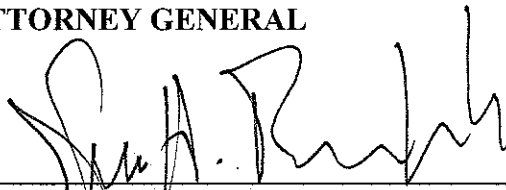
FOR THE MAINE STATE  
BOARD OF NURSING

DATED: 10/19/09

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

FOR THE DEPARTMENT OF THE  
ATTORNEY GENERAL

DATED: 10/20/09

  
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JOHN H. RICHARDS  
Assistant Attorney General