



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: **TERRI L. FERGASON, R.N.** ) **CONSENT AGREEMENT FOR**  
 of Portland, Maine ) **LICENSURE WITH CONDITIONS**  
 License #R040338 ) **OF PROBATION**

**INTRODUCTION**

This document is a Consent Agreement regarding Terri L. Fergason'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)(A-1)(4) & (B) and 32 M.R.S.A. § 2105-A (1-A)(B). The parties to this Consent Agreement are Terri L. Fergason, the Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine.

**FACTS**

1. On November 24, 1999 Terri L. Fergason requested the Maine State Board of Nursing to renew her license to practice professional nursing in the State of Maine.
2. On October 5, 1998, Terri L. Fergason's license to practice professional nursing was revoked in the State of Missouri for drug diversion. The drug diversion occurred January 22, 1997.
3. On March 30, 2000 Terri L. Fergason's license to practice professional nursing was indefinitely suspended in the State of Indiana for drug diversion \*the period of suspension began November 18, 1999.
4. On February 10, 2000 Terri L. Fergason appeared before the Board requesting the renewal of her license. As a result of that meeting the Board found that Terri L. Fergason has been substance-free since August 18, 1997.
5. Terri L. Fergason has been a registered nurse since 1991.
6. Terri L. Fergason has completed both in-patient and outpatient treatment for substance abuse at Memorial Hospital in South Bend, Indiana. Ms. Fergason is currently enrolled in an aftercare program, attends weekly therapy, is screened randomly for drugs and is active in a 12-step program. In addition, she has built a support system to assist her in remaining substance free.
7. The parties agreed to enter into this Consent Agreement to reinstate Ms. Fergason's license with the imposition of 6 months probation with conditions.

**RENEWAL WITH CONDITIONS OF PROBATION**

8. Terri L. Fergason's license to practice professional nursing in the State of Maine is renewed on a probationary status with conditions. The period of probation commences on Ms. Fergason's return to nursing practice, either through employment or pursuant to an educational program. The period of probation will be for a period of 6 months of nursing practice and will be subject to the following conditions:

\*From the Indiana Board Order, it would appear that the drug diversion occurred in 1996 and/or 1997.



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9. Terri L. Ferguson 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. Ferguson's substance abuse history.
10. Terri L. Ferguson will continue in her aftercare treatment program.
11. Terri L. Ferguson will arrange for and ensure the submission of quarterly reports to the Board by her treatment provider.
12. Terri L. Ferguson will immediately notify the Board in writing should she return to nursing 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.
13. Terri L. Ferguson 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. For purposes of this Consent Agreement, nursing employment is any employment during which Ms. Ferguson performs nursing services.
14. Terri L. Ferguson will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer or clinical faculty.
15. Terri L. Ferguson 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. Ferguson's compliance with this Consent Agreement and her continued recovery. Ms. Ferguson 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. Ferguson's compliance with this Consent Agreement and her continued recovery.
16. Terri L. Ferguson agrees and understands that if any member of the Board or the Board's Executive Director receives reasonably reliable information suggesting that Ms. Ferguson has not remained substance free in accordance with this Consent Agreement, Ms. Ferguson's 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 forwarded to Ms. Ferguson for a response. Ms. Ferguson agrees and understands that in such event, her license shall remain suspended unless and until the Board is satisfied that Ms. Ferguson's license may be reinstated consistent with the public health and welfare in the area of nursing service.
17. Terri L. Ferguson agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the 6 month probationary period of nursing practice, until and unless the Board, at Ms. Ferguson's written request, votes to terminate Ms. Ferguson's probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Ferguson has complied with the provisions of this Agreement.
18. Terri L. Ferguson understands that this document is a Consent Agreement that affects her rights to practice nursing in Maine. Ms. Ferguson 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.
19. Terri L. Ferguson affirms that she executes this Consent Agreement of her own free will.
20. Modification of this Consent Agreement must be in writing and signed by all parties.


21. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
22. This Consent Agreement becomes effective upon the date of the last necessary signature below.

DATED: 4-15-2000

  
TERRI L. FERGASON, R.N.

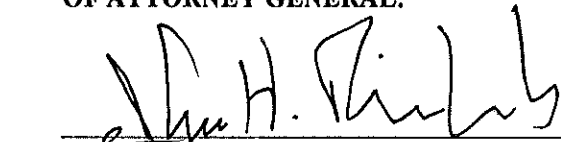
FOR THE MAINE STATE BOARD OF  
NURSING:

DATED: April 18, 2000

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

FOR THE DEPARTMENT  
OF ATTORNEY GENERAL:

DATED: 4/20/00

  
JOHN H. RICHARDS, ESQ.  
Assistant Attorney General