



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

JOHN ELIAS BALDACCI
 GOVERNOR

MYRAA. BROADWAY, J.D., M.S., R.N.
 EXECUTIVE DIRECTOR

IN RE: **KIMBERLY T. GROOTHAND**)
 of Portland, Maine)
 License #R047537 & #P011460) **CONSENT AGREEMENT**
FOR VOLUNTARY
SURRENDER OF LICENSE

INTRODUCTION

This document is a Consent Agreement regarding Kimberly T. Groothand's license to practice registered professional nursing and practical nursing in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A(1-A)(C) and 10 M.R.S.A. § 8003(5)(B), (5)(D). The parties to this Consent Agreement are Kimberly T. Groothand ("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 Ms. Groothand's offer to voluntarily surrender her license.

FACTS

1. Kimberly T. Groothand has been licensed as a registered professional nurse to practice in Maine since 2002 and as a practical nurse since 1996.
2. Kimberly T. Groothand was employed during August and September 2004 at Seaside Rehabilitation & Health Care Center ("Seaside") located in Portland, Maine.
3. The Board received two provider reports from Seaside dated September 10, 2004 and November 3, 2004, regarding its internal investigation concerning medical errors/discrepancies in the medication administration of Ms. Groothand, a registered professional nurse employed at their facility. Based on the information provided by Seaside as of November 4, 2004, the Board finds that the information provided supports the conclusion that Ms. Groothand diverted controlled medications, for her own use, including Fentanyl patches, Oxycodone, Hydrocodone, MS04 IM and Ambien from Seaside during the months of August and September of 2004.
4. In lieu of an adjudicatory hearing and to resolve this matter, Kimberly T. Groothand has offered to voluntarily surrender her registered professional nurse license and practical nurse license, and enter into this Consent Agreement, without admitting any wrongdoing or liability.



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Kimberly T. Groothand

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AGREEMENT

5. The Maine State Board of Nursing will accept Kimberly T. Groothand's voluntary surrender of her licenses.
6. Kimberly T. Groothand understands that this document imposes discipline regarding her license to practice registered professional nursing and practical nursing in the State of Maine under 32 M.R.S.A. § 2105-A(2)(A), (2)(B), (2)(F), (2)(H) and Chapter 4, sections 1(A)(1), 1(A)(2), (A)(6) and Chapter 4, sections 3(K), 3(P) and 3(Q) of the Rules and Regulations of the Maine State Board of Nursing.
7. Kimberly T. Groothand agrees and understands that her license will remain on surrender status and subject to the terms of this Consent Agreement indefinitely until and unless the Board, at Ms. Groothand's written request, votes to reinstate Ms. Groothand's license. Ms. Groothand agrees and understands that if the Board reinstates her license, it will be for a probationary period.
8. Kimberly T. Groothand understands that this document is a Consent Agreement that affects her rights to practice registered professional nursing and practical nursing in Maine. Ms. Groothand understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering the Consent Agreement.
9. Kimberly T. Groothand 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 herself out as a registered professional nurse or with the designation, R.N., or as a licensed practical nurse or with the designation, L.P.N., including, in a veterinarian's office, while her nursing license is surrendered. In addition, Ms. Groothand is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.
10. If Ms. Groothand fails to meet any of the obligations of this Consent Agreement, 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.
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. Kimberly T. Groothand affirms that she executes this Consent Agreement of her own free will.

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

I, KIMBERLY T. GROOTHAND 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: 3/21/05

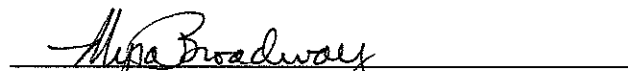

KIMBERLY T. GROOTHAND

DATED: 3/24/05


RONALD W. SCHNEIDER, JR, ESQ.
Attorney for Kimberly T. Groothand

FOR THE MAINE STATE
BOARD OF NURSING

DATED: April 4, 2005


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

FOR THE OFFICE OF
THE ATTORNEY GENERAL

DATED: 3/25/05


JOHN H. RICHARDS
Assistant Attorney General