



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: **MARY P. HYSLOP**)
 of Fort Fairfield, Maine)
 License #R036874) **CONSENT AGREEMENT**
FOR REINSTATEMENT
AND PROBATION

INTRODUCTION

This document is a Consent Agreement regarding Mary P. Hyslop’s license to practice registered professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A(1-A)(B), 10 M.R.S.A. § 8003(5)(A-1)(4) and 10 M.R.S.A. § 8003(5)(B). The parties to this Consent Agreement are Mary P. Hyslop ("Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. The Board met with Ms. Hyslop on June 10, 2004, regarding her petition for reinstatement of her registered professional nursing license.

FACTS

1. Mary P. Hyslop voluntarily surrendered her registered professional nursing license and entered a Consent Agreement with the Board on January 17, 1997, attached and marked as Exhibit A.
2. Mary P. Hyslop is substance free and currently sees a counselor once every two weeks.

REINSTATEMENT WITH CONDITIONS OF PROBATION

3. Mary P. Hyslop’s license to practice registered professional nursing in the State of Maine is reinstated on a probationary status with conditions. The period of probation will commence on Ms. Hyslop’s return to nursing practice, either through employment or pursuant to an educational program. The period of probation will be for a period of two years, to be effective only while she is employed in nursing practice or enrolled in a nursing education program. For purposes of this Agreement, nursing employment is any employment during which Ms. Hyslop performs nursing services. Ms. Hyslop’s probationary license will be subject to the following conditions:
 - a. Ms. Hyslop will abstain completely from the use of alcohol, and other illicit substances with the exception of prescribed medications by her physician who is aware of Ms. Hyslop’s substance abuse history.



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Mary P. Hyslop

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Consent Agreement for Reinstatement and Probation

- b. Ms. Hyslop will continue in an aftercare treatment program to such an extent and for as long as her treatment providers recommend. Upon completion of her counseling Ms. Hyslop will arrange for and ensure that a report from her treatment provider is provided to the Board.
 - c. Ms. Hyslop will arrange for and ensure the submission of quarterly reports to the Board by her treatment provider(s) during the probationary period.
 - d. Ms. Hyslop will immediately notify the Board in writing should she return to 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 subsequent change in employment or educational program.
 - e. Ms. Hyslop 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.
 - f. Ms. Hyslop will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer regarding her nursing practice.
 - g. Ms. Hyslop's employment is restricted during the period of probation to structured settings, which shall not include assignments from temporary employment agencies, school nursing or nursing within the correctional system.
4. Mary P. Hyslop 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. Hyslop's compliance with the Consent Agreement and her continued recovery. Ms. Hyslop 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. Hyslop's compliance with the Consent Agreement and her continued recovery.
 5. Mary P. Hyslop agrees and understands that if any member of the Board or the Board's Executive Director receives reasonably reliable information suggesting that Ms. Hyslop has not remained substance free in accordance with the Consent Agreement, Ms. Hyslop'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 immediately forwarded to Ms. Hyslop for a response. Ms. Hyslop agrees and understands that in such event, her license shall


remain suspended pending a hearing. The Board shall hold a hearing within 60 days of the automatic suspension unless both the Licensee and the Board agree to hold the hearing later, or the Executive Director and/or the Department of the Attorney General earlier determine that such information is without merit. If the information received is proven to be inaccurate or incorrect, either through hearing or determination by the Executive Director and/or the Department of the Attorney General, Ms. Hyslop's license will be immediately reinstated retroactive to the date of suspension.

6. Mary P. Hyslop agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the two year probationary period, until and unless the Board, at Ms. Hyslop's written request, votes to terminate Ms. Hyslop's probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Hyslop has complied with the provisions of this Agreement.
7. Mary P. Hyslop understands that this document is a Consent Agreement that affects her rights to practice nursing in Maine. Ms. Hyslop 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.
8. If Ms. Hyslop 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.
9. Mary P. Hyslop affirms that she executes this Consent Agreement of her own free will.
10. Modification of this Consent Agreement must be in writing and signed by all parties.
11. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.

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

I, MARY P. HYSLOP, 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: _____



MARY P. HYSLOP

**FOR THE MAINE STATE
BOARD OF NURSING**

DATED: June 22, 2004



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

**FOR THE OFFICE OF THE
ATTORNEY GENERAL**

DATED: June 22, 2004



JOHN H. RICHARDS
Assistant Attorney General



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:)
Mary P. Hyslop, R.N.)
Ft. Fairfield, ME)
License #R036874)
**CONSENT AGREEMENT
REGARDING REINSTATEMENT
OF LICENSE**

INTRODUCTION

This document is a Consent Agreement regarding Mary P. Hyslop's license to practice professional nursing in the State of Maine. This Consent Agreement is 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 Mary P. Hyslop, R.N., the Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine. This Consent Agreement arises out of the informal conference held on October 18, 1995 and the subsequent substance abuse evaluations conducted by Roy R. Snell, L.A.D.C., L.S.W., on November 13 and 27, 1995, and by Richard E. Redmond, L.C.S.W., L.A.D.C., on September 25, 1996.

FACTS

1. Ms. Hyslop admits to diverting narcotics from the Aroostook Medical Center during the time that she was employed by that facility.
2. Ms. Hyslop admits to past instances of diversions of non-narcotic medications, including tranquilizers.
3. Ms. Hyslop used these diverted medications while on duty.
4. Ms. Hyslop falsified patient records.
5. Ms. Hyslop falsified her application for licensure by endorsement.
6. There was no documented patient harm as a result of Ms. Hyslop's activities.
7. Ms. Hyslop has a long history of episodes of substance abuse.
8. Ms. Hyslop was treated for depression, but at the time of the informal conference had not been evaluated or treated by a substance abuse professional, nor had she attended any self-help substance abuse programs.
9. Ms. Hyslop was not employed in nursing as of the time of the informal conference.

10. Ms. Hyslop's license to practice nursing in Maine is currently in a lapsed status.
11. Ms. Hyslop has a letter of support from her priest.
12. Following the informal conference, Ms. Hyslop, at the request of the Board, submitted to substance abuse evaluations.

AGREEMENT

1. Ms. Hyslop's conduct constitutes grounds for discipline under 32 M.R.S.A. § 2105-A(2)(A), (2)(B), (2)(E)(1) and (2)(F).
2. Ms. Hyslop is **REPRIMANDED** for her conduct and shall not have her license to practice nursing in Maine reinstated for a minimum period of one (1) year from the effective date of this agreement.
3. Ms. Hyslop agrees and understands that reinstatement of her license will depend upon her compliance with the following conditions during the minimum one year period pending reinstatement:
 - a. **Substance free:** Ms. Hyslop 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. Hyslop's substance abuse history.
 - b. **Employment:** Ms. Hyslop will not work in any capacity in the health care field (including a veterinarian's office).
 - c. **Substance abuse program:** Ms. Hyslop will enroll and participate in a structured substance abuse program. Ms. Hyslop shall enroll in such a program within thirty (30) days of the effective date of this agreement.
 - d. **Quarterly reports:** Ms. Hyslop will arrange and ensure that quarterly reports are submitted to the Board from her substance abuse treatment provider(s).
 - e. **Release of records:** Ms. Hyslop hereby waives any claims of confidentiality and privilege which she may have with respect to reports provided to the Board by her substance abuse treatment provider(s). Ms. Hyslop further agrees that the Board shall have access to any and all medical records and all otherwise confidential or medically-privileged information pertaining to her substance abuse and chemical dependency which the Board deems necessary to evaluate Ms. Hyslop's compliance with this Consent Agreement and her continued recovery. Ms. Hyslop shall provide such information, shall authorize release of such records and information, and shall authorize any such discussion or communications with any and all persons involved in her substance abuse care and counseling as may be requested by the Board for the purpose of evaluating Ms. Hyslop's compliance with this Consent Agreement and her continued recovery.

- f. **Request for reinstatement:** After one (1) year from the effective date of this agreement, Ms. Hyslop may petition the Board for reinstatement of her license on probationary status. Ms. Hyslop agrees and understands that her license will not be reinstated until she requests and the Board votes to reinstate her license. When considering whether to reinstate Ms. Hyslop's license, the Board will consider the degree to which Ms. Hyslop has complied with the provisions of this agreement.
- 4. **Further action:** The Board agrees to take no further disciplinary action upon these facts so long as Ms. Hyslop fully complies with these conditions.
- 5. **Miscellaneous provisions:** Ms. Hyslop understands that this document is a Consent Agreement which affects her rights to practice nursing in Maine. This Consent Agreement may be amended only in writing, signed by all the parties. Ms. Hyslop 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. Ms. Hyslop affirms that she executes this Consent Agreement of her own free will.
- 6. **Effective date:** This Consent Agreement becomes effective upon the last necessary signature below.

DATED: Jan 13/97

Mary P. Hyslop
MARY P. HYSLOP

FOR THE MAINE STATE BOARD OF NURSING:

DATED: 1/15/97

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

FOR THE DEPARTMENT OF ATTORNEY GENERAL:

DATED: 1/17/97

Susan A. Sparaco
SUSAN A. SPARACO
Assistant Attorney General
Counsel for the Board

RECEIVED
JAN 20 1997
10:30 AM
CLERK

RECEIVED
JAN 20 1997
11:30 AM
CLERK