



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: JANE B. JACK )  
 of Bowdoin, Maine ) **CONSENT AGREEMENT FOR**  
 License #R019730 ) **REINSTATEMENT ON PROBATION**

**INTRODUCTION**

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

**FACTS**

On January 15, 1994, Jane B. Jack entered into a Consent Agreement for voluntary surrender of her license as a result of drug diversion and substance abuse. The reinstatement of Ms. Jack's license was dependent on the fulfillment of certain specified conditions during the period of surrender.

On October 7, 1999, Jane B. Jack appeared before the Board requesting the reinstatement of her license. As a result of that meeting the Board found that Ms. Jack has been substance free since December 1995 and has built a significant support system to assist her in remaining substance free. The parties agreed to enter into this Consent Agreement to reinstate Ms. Jack's license with the imposition of a period of probation with conditions.

**REINSTATEMENT WITH CONDITIONS OF PROBATION**

Jane B. Jack's license to practice professional nursing in the State of Maine is reinstated on a probationary status with conditions. The period of probation will commence on Ms. Jack's return to nursing practice either through employment or pursuant to an educational program. The period of probation will be for a period of 24 months of nursing practice and will be subject to the following conditions:

1. Jane B. Jack 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. Jack's substance abuse history.
2. Jane B. Jack will continue in her aftercare treatment program.
3. Jane B. Jack will arrange for and ensure the submission of quarterly reports to the Board by her treatment provider.



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OFFICES LOCATED AT: 24 STONE ST., AUGUSTA, ME

PHONE: (207) 287-1133

TDD: (207) 287-1151

FAX: (207) 287-1149

4. Jane B. Jack 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 change in employment or educational programs.
5. Jane B. Jack 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 the Consent Agreement. For purposes of this Consent Agreement, nursing employment is any employment during which Ms. Jack performs nursing services.
6. Jane B. Jack will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer or clinical faculty.
7. Jane B. Jack 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. Jack's compliance with this Consent Agreement and her continued recovery. Ms. Jack 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. Jack's compliance with this Consent Agreement and her continued recovery.
8. Jane B. Jack agrees and understands that if any member of the Board or the Board's Executive Director receives reasonably reliable information suggesting that Ms. Jack has not remained substance free in accordance with this Consent Agreement, Ms. Jack's license will be immediately and automatically suspended pending further review by the Board. In the event such information is received by any member of the Board or its Executive Director, the information will be forwarded to Ms. Jack for a response. Ms. Jack agrees and understands that in such event, her license shall remain suspended unless and until the Board is satisfied that Ms. Jack's license may be reinstated consistent with the public health and welfare in the area of nursing service.
9. Jane B. Jack agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the 24-month probationary period of nursing practice, until and unless the Board, at Ms. Jack's written request, votes to terminate Ms. Jack's probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Jack has complied with the provisions of this Agreement.
10. This Consent Agreement modifies and replaces the January 15, 1994 Consent Agreement entered into by and between Ms. Jack, the Board and the Department of Attorney General. Ms. Jack understands that this document is a Consent Agreement which affects her rights to practice nursing in Maine. Ms. Jack 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.

11. Jane B. Jack affirms that she executes this Consent Agreement of her own free will.
12. Modification of this Consent Agreement must be in writing and signed by all parties.
13. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
14. This Consent Agreement becomes effective upon the date of the last necessary signature below.

DATED: October 22, 1999

Jane B. Jack  
JANE B. JACK

**FOR THE MAINE STATE BOARD  
OF NURSING:**

DATED: October 25, 1999

Myra Broadway  
MYRA A. BROADWAY, JD., M.S., R.N.

**FOR THE DEPARTMENT OF  
ATTORNEY GENERAL:**

DATED: 10/26/99

John H. Richards  
JOHN H. RICHARDS  
Assistant Attorney General  
Counsel to the Board