



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: TRACEY J. JACKSON, R.N.) **CONSENT AGREEMENT**
 of Waldoboro, Maine) **FOR**
 License #R027304) **WARNING**

INTRODUCTION

This document is a Consent Agreement (“Agreement”) regarding Tracey J. Jackson’s license to practice registered professional nursing in the State of Maine. The parties to this Agreement are Tracey J. Jackson (“Licensee” or “Ms. Jackson”), 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) (A), 10 M.R.S.A. § 8003(5) (B). The Parties reached this Agreement on the basis of 1) a Board Notice of Complaint or Provider Report dated July 16, 2009, which includes information submitted by Lincoln County Healthcare dated July 6, 2009; and 2) Ms. Jackson’s response dated August 11, 2009.

FACTS

- Tracey J. Jackson has been a registered professional nurse licensed to practice in Maine since March 1984.
- Tracey J. Jackson admitted that she falsified a patient’s medical record to cover up a medication error. On June 8, 2009, Ms. Jackson, the Director of Nursing at Cove’s Edge skilled nursing facility (“Cove’s Edge”), along with another nurse, placed a duplicate altered Medication Administration Record (“MAR”) in the medical record of a resident showing the resident received insulin (Lispro) according to an ordered sliding scale June 5 - June 7, 2009. The fact is, no sliding scale insulin was administered according to a physician’s order during that time frame. The failure to administer the medication according to schedule was a misinterpretation by the nursing staff on duty (not Ms. Jackson) of the physician’s order to discontinue both the Lispro 25u before meals and the sliding scale insulin. The altered duplicate MAR was placed in the resident’s record shortly after a state survey process had begun at Cove’s Edge on the morning of June 8, 2009. There was no documented patient harm.

AGREEMENT

- Tracey J. Jackson understands and agrees that her conduct in the above-stated facts constitutes grounds for discipline under Title 32 M.R.S.A. § 2105-A (2) (F), (2) (H) and Chapter 4.1.A.6, 4.1.A.8. and Chapter 4.3.K. of the Rules and Regulations of the Maine State Board of Nursing. Tracey J. Jackson is hereby **WARNED** for these violations. Specifically, the violations are:



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Title 32 M.R.S.A. §§:

- a. 2105-A (2) (F). Unprofessional Conduct. Ms. Jackson engaged in unprofessional conduct by violating standards of professional behavior regarding medication administration and documentation for patient care that have been established in the practice for which she is licensed. (See also Chapter 4, Section 1.A.6.)
- b. 2105-A (2) (H). A violation of this chapter or a rule adopted by the Board. (See also Chapter 4, Section 1.A.8.)

Chapter 4, Section 3. Unprofessional conduct as defined by the Rules and Regulations of the Maine State Board of Nursing in Chapter 4, Section 3, states that *nursing behavior which fails to conform to legal standards of the nursing profession, and which could reflect adversely on the health and welfare of the public shall constitute unprofessional conduct and shall include, but shall not be limited to, the following:*

- c. Section 3(K). Ms. Jackson falsified a patient health care record.
4. 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 Ms. Jackson’s “home state” of licensure and primary state of residence, which means she has declared the State of Maine as her fixed permanent and principle home for legal purposes; her 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. Ms. Jackson understands this Agreement is subject to the Compact.
 5. Tracey J. Jackson understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Consent Agreement.
 6. Modification of this Agreement must be in writing and signed by all parties.
 7. This Agreement is not subject to review or appeal by Ms. Jackson.
 8. 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.
 9. This Agreement becomes effective upon the date of the last necessary signature below.

I, TRACEY J. JACKSON, R.N., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY REGISTERED PROFESSIONAL NURSE LICENSE. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, KNOWINGLY,

AND INTELLIGENTLY 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


TRACEY J. JACKSON, R.N.

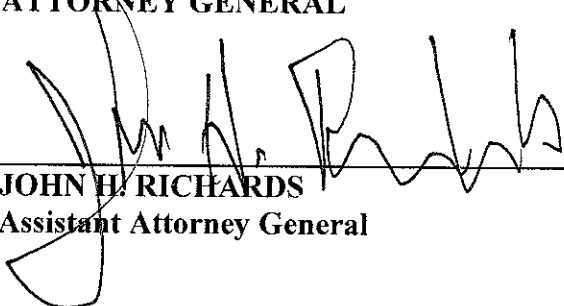
**FOR THE MAINE STATE
BOARD OF NURSING**

DATED: 10/19/09


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

**FOR THE DEPARTMENT OF THE
ATTORNEY GENERAL**

DATED: 10/20/09


JOHN H. RICHARDS
Assistant Attorney General