



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: **MARCELINE MARTIN, R.N.**) **CONSENT AGREEMENT**
 of Edmundston, NB, Canada) **FOR PROBATION WITH**
 License #R043755) **CONDITIONS**

INTRODUCTION

This document is a Consent Agreement regarding Marceline Martin'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), 10 M.R.S.A. § 8003(5)(B), and 32 M.R.S.A. § 2105-A(1-A)(B). The parties to this Consent Agreement are Marceline Martin ("Licensee"), Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine. An informal conference was held on October 17, 2001. The parties reached this Agreement on the basis of information submitted by an investigative report obtained from the Madawaska Police Department dated February 18, 2001 re: the Licensee and High View Manor, Madawaska, Maine by a letter dated June 27, 2001.

FACTS

1. Marceline Martin has been licensed as a registered professional in Maine since July, 1999.
2. Marceline Martin admitted that she diverted medication that was discontinued for a patient. The medication consisted of 25 tablets of Tylenol #3 with Codeine. The medication was discovered as a result of an inventory conducted by the nurses following Ms. Martin's shift. Ms. Martin admitted that she consumed 4 of the tablets and destroyed the remaining 21 tablets. Ms. Martin pled guilty on May 14, 2001 in Madawaska District Court to one count of Stealing Drugs a Class D misdemeanor (17-A M.R.S.A. § 1109(1)). She was fined \$500.00, Docket No. MAD-CR-01-51.

AGREEMENT

3. Marceline Martin agrees and understands that her conduct constitutes grounds for discipline under 32 M.R.S.A. § 2105-A(2)(A), (A)(2)(F), (A)(2)(H) and Chapter 4.1.A.1., 4.1.A.6., 4.3.P. and Q. of the Board's Rules and Regulations.
4. Marceline Martin's license to practice registered professional nursing is placed on a probationary status with conditions for a period of one year of nursing employment. The conditions of probation are as follows:
 - a. Marceline Martin will notify any and all of her nursing employers of the terms of this Consent Agreement and shall provide them with a copy of it.



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Marceline Martin
Consent Agreement for Probation with Conditions
Page 2

For purposes of this Consent Agreement, nursing employment is any employment during which Ms. Martin performs nursing services or holds herself out as a nurse such as through the designation "R.N."

- b. Marceline Martin will immediately notify the Board in writing of any employment in the field of nursing, including the place and position of employment and of any change in nursing employment.
- c. Marceline Martin will arrange for and ensure the submission to the Board of quarterly reports addressing her job performance from her nursing employer(s).
- d. Marceline Martin will arrange for and ensure the submission to the Board of quarterly reports from her substance abuse counselor as long as licensee is in counseling.
- e. Marceline Martin understands and agrees that her license will remain on probationary status and subject to the terms of this Agreement until and unless the Board, at Ms. Martin's request, votes to terminate Ms. Martin's probation.

If, at the conclusion of the one year period of probation, Ms. Martin demonstrates that she has complied with the terms and conditions of this Consent Agreement, the Board will vote to terminate the period of probation. If the Board concludes that the terms and conditions of this Consent Agreement have not been fulfilled, the Board may continue the probationary period or take disciplinary action as authorized by law.

- 5. The Board agrees to take no further disciplinary action upon these facts so long as Ms. Martin fully complies with the terms and conditions of this Consent Agreement.
- 6. Marceline Martin understands and agrees that this document imposes discipline regarding her license to practice professional nursing in the State of Maine. Ms. Martin 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 this Consent Agreement.
- 7. Marceline Martin affirms that she executes this Consent Agreement of her own free will.
- 8. Modification of this Consent Agreement must in writing and signed by all the parties.

Marceline Martin
Consent Agreement for Probation with Conditions
Page 3

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

I, MARCELINE MARTIN, R.N., 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: 29 Nov. 2001

Marceline Martin RN
MARCELINE MARTIN, R.N.

FOR THE MAINE STATE
BOARD OF NURSING

DATED: Dec. 17, 2001

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

FOR THE DEPARTMENT OF
ATTORNEY GENERAL

DATED: 12/18/01

John H. Richards
JOHN H. RICHARDS
Assistant Attorney General

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10