



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: IDA McGEE )  
 of Steuben, Maine )  
 )  
 ) **CONSENT AGREEMENT**  
**FOR LICENSE PROBATION**  
**WITH CONDITIONS**

**INTRODUCTION**

This document is a Consent Agreement regarding Ida McGee’s license to practice registered 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 Ida McGee (“Applicant”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. On November 1, 2006, the Board received an application from Ms. McGee for a license as a registered professional nurse by endorsement.

**FACTS**

1. Ida McGee has been a registered professional nurse since 1994. Her original state of licensure was New Hampshire, where she was licensed from 1994 until 1997 (License No. 039576-21). Ms. McGee was also licensed in the State of Alaska (License No. 17306). Her Alaska license was first issued on May 23, 1996; on November 9, 1999, she voluntarily surrendered her license because of an addiction to Opioids (Oxycodone and Morphine and drug diversion. In 2003, she successfully completed a twenty-eight (28) day inpatient chemical dependency treatment program at the Sundown Ranch in Yakima, Washington, and she completed her continuing aftercare in Valdez, Alaska. Her registered professional nurse license was reinstated in Alaska, on probation status, on September 20, 2006. Ms. McGee’s Alaska license lapsed on November 30, 2006. Attached is an Amended Memorandum of Agreement from the State of Alaska, which is marked as Exhibit A.
2. Ida McGee has relocated to the State of Maine. She met with the Board on December 12, 2006, regarding her application for licensure. The Board voted to table her application pending a psychological evaluation regarding her mental health, past use of opiates, and substance abuse history.
3. The Board reviewed an extensive psychological evaluation report conducted in January 2007, by Jonathan Siegel, PH.D. in clinical and forensic psychology.
4. The Board is satisfied that Ms. McGee application for licensure by endorsement as a registered professional nurse should be granted and has offered her a Consent Agreement for a probationary license.



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OFFICES LOCATED AT: 161 CAPITOL ST., AUGUSTA, ME  
<http://www.maine.gov/boardofnursing/>

PHONE: (207) 287-1133

FAX: (207) 287-1149

**AGREEMENT WITH CONDITIONS OF PROBATION**

5. Ida McGee understands and agrees that this document approves her application for licensure as a registered professional nurse in the State of Maine, which is placed on a probationary status with conditions. The period of probation will commence on Ms. McGee's return to nursing practice, either through employment and/or pursuant to an educational program. The period of probation will be for a period of five years, to be effective only while she is employed in nursing practice and/or enrolled in a nursing education program. For purposes of this Agreement, nursing employment is any employment during which Ms. McGee performs nursing services. Ms. McGee's probationary license will be subject to the following conditions:
- a. Ida McGee will abstain completely from the use of alcohol or drugs, with the exception of substances used in accordance with a valid prescription from a treatment provider who is aware of Ms. McGee's substance abuse history.
  - b. Ida McGee will continue in her aftercare treatment program to such an extent and for as long as her treatment provider(s) recommend.
  - c. Ida McGee will arrange for and ensure the submission of quarterly reports to the Board by her treatment provider(s), and such report shall continue until her probation is terminated. The reports must include the results of any random urinalysis conducted as part of her treatment. If Ms. McGee's treatment is terminated she shall notify the Board.
  - d. Ida McGee will immediately notify the Board in writing should she return to employment and/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 programs.
  - e. Ida McGee 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. Ida McGee's employment is restricted during the period of probation to structured settings with on-site supervision by another registered professional nurse. Structured settings shall not include assignments from temporary employment agencies, school nursing, working as a traveling nurse or working within the correctional system.

g. Ida McGee will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer and/or clinical faculty regarding her general nursing practice. If during the period of probation, Ms. McGee's employment as a nurse terminates or should her educational program in the field of nursing terminate, she shall notify the Board of this change to ensure that she remains in compliance with her employment and/or educational quarterly reports.

h. Ida McGee 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. McGee's compliance with the Consent Agreement and her continued recovery. Ms. McGee 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. McGee's compliance with the Consent Agreement and her continued recovery.


6. If Ida McGee reinstates her registered professional nurse license in the State of Alaska, a non-party state to the Nurse Licensure Compact, she will comply with the terms and conditions in the Amended Memorandum of Agreement in Alaska (Exhibit A).
7. The State of Maine is Ida McGee's home state of licensure for purposes of the Nurse Licensure Compact. Ms. McGee agrees that during the pendency of this Consent Agreement her nursing practice is limited to the State of Maine. If Ms. McGee wishes to practice in any other party state within the Compact she shall petition the Board for written authorization. In addition, Ms. McGee will arrange to have the party state in which she intends to practice provide the Board with written authorization that she has been approved to practice in that state.
8. Ida McGee agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the five year probationary period, until and unless the Board, at Ms. McGee's written request, votes to terminate Ms. McGee's probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. McGee has complied with the provisions of this Agreement.
9. Ida McGee understands that this document is a Consent Agreement that affects her rights to practice nursing in Maine and other party states in the Nurse Licensure Compact. Ms. McGee 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.

**Ida McGee**  
**Consent Agreement for Probation with Conditions**  
**Page 4**

10. If Ms. McGee 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. Ida McGee affirms that she executes this Consent Agreement of her own free will.
12. Modification of this Consent Agreement must in writing and signed by all the 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.

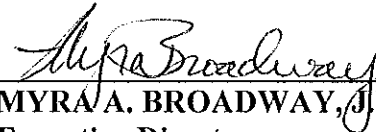
**I, IDA MCGEE, HAVE READ AND UNDERSTAND THE FOREGOING  
CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE  
CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, WITHOUT ANY THREAT OR  
PROMISE. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS  
THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY  
KIND.**

DATED: 4-10-07

  
\_\_\_\_\_  
IDA MCGEE

**FOR THE MAINE STATE  
BOARD OF NURSING**

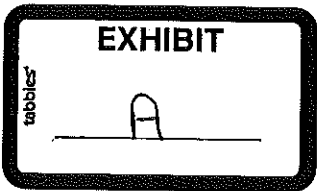
DATED: 10 Apr 07

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

**FOR THE DEPARTMENT OF  
ATTORNEY GENERAL**

DATED: April 11, 2007

  
\_\_\_\_\_  
JOHN H. RICHARDS  
Assistant Attorney General



STATE OF ALASKA  
DEPARTMENT OF COMMERCE  
COMMUNITY AND ECONOMIC DEVELOPMENT  
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING  
BEFORE THE BOARD OF NURSING

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In the Matter of: )  
)  
IDA M. MCGEE, R.N., )  
)  
Respondent. )  
Case No. 2350-06-003

**AMENDED MEMORANDUM OF AGREEMENT**

IT IS HEREBY AGREED by the Department of Commerce, Community and Economic Development, Division of Corporations, Business and Professional Licensing (Division) and Ida M. McGee (McGee), as follows:

1. Licensure. McGee is licensed as a registered nurse in the State of Alaska, and holds license number R 17306. This license was first issued on May 23, 1996, surrendered on November 9, 1999, placed on probation status on September 20, 2006, and will lapse on November 30, 2006.

2. Admission/Jurisdiction. McGee admits and agrees that the Alaska Board of Nursing (Board) has jurisdiction over the subject matter of her license in Alaska and over this Amended Memorandum of Agreement.

3. Admission/facts. McGee admits to the following facts:

a. That from 1996 to 2003, she was prescribed controlled substances, oxycodone and morphine, for pain management from a medical condition, which escalated into her abuse and addiction to Opioids.

b. That from 1996 to 1998, while practicing nursing at Valdez Community Hospital in Valdez, Alaska, she diverted a

State of Alaska  
Department of Commerce, Community and Economic Development  
Division of Corporations, Business and Professional Licensing  
550 West 7<sup>th</sup> Avenue, Suite 1500  
Anchorage, Alaska 99501-3567  
Telephone 907-269-8160 Fax 907-269-8195

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controlled substance, Percocet, from the workplace for her own use.

- c. That on October 29, 1999, she surrendered her Alaska nursing license to this division, which was adopted by the Board on November 9, 1999.
- d. That she suffers from an addiction to Opioids which, if left untreated, can adversely affect her ability to practice nursing safely.
- e. That during 2003, she voluntarily entered and successfully completed a twenty-eight (28) day inpatient chemical dependency treatment program at the Sundown Ranch in Yakima, Washington, and she completed her continuing aftercare in Valdez, Alaska.
- f. That she has relocated to the State of Maine.

McGee admits that as a result of the above facts, grounds exist for possible suspension, revocation, or other disciplinary sanctions of her nursing license pursuant to AS 08.01.075, AS 08.68.270(3)(5)(6)(7) and 12 AAC 44.770(1)(5)(8)(9)(22).

4. Formal Hearing Process. It is the intent of the parties to this Amended Memorandum of Agreement to Provide for the compromise and settlement of all issues which could be raised by an Accusation to revoke, suspend, or impose disciplinary sanctions against McGee's nursing license through a formal hearing process.

5. Waiver of Rights. McGee understands that she has the right to consult with an attorney of her own choosing and that she has a right to an

1 administrative hearing on the facts in this case. she understands and agrees that  
2 by signing this Amended Memorandum of Agreement, she is waiving her rights to  
3 counsel and to a hearing. Further, she understands and agrees that she is  
4 relieving the Division of any burden it has of proving the facts she admits above.  
5 McGee further understands and agrees that by signing this Amended  
6 Memorandum of Agreement she is voluntarily and knowingly giving up her right to  
7 present oral and documentary evidence, to present rebuttal evidence, to cross-  
8 examine witnesses against her, and to appeal the Board's decision to Superior  
9 Court.

10  
11 6. Effect of Non-acceptance of Agreement. McGee and the Division  
12 agree that this Amended Memorandum of Agreement is subject to the approval of  
13 the Board. They agree that, if the Board rejects this Agreement, it will be void, and  
14 an Accusation may be filed. If this Agreement is rejected by the Board it will not  
15 constitute a waiver of McGee's right to a hearing on the matters alleged in an  
16 Accusation and the admissions contained herein will have no effect. McGee  
17 agrees that, if the Board rejects this Agreement, the Board may decide the matter  
18 after a hearing, and its consideration of this Agreement shall not alone be grounds  
19 for claiming that the Board is biased against her, that it cannot fairly decide the  
20 case, or that it has received ex parte communication.

21  
22 7. Amended Memorandum of Agreement, Decision and Order.  
23 McGee agrees that the Board has the authority to enter into this Amended  
24 Memorandum of Agreement and to issue the following Decision and Order.

25  
26 **PROPOSED DECISION AND ORDER**

27  
28 IT IS HEREBY ORDERED that on December 6, 2006, the Memorandum of  
29 Agreement adopted by the Board on September 20, 2006, will no longer be in  
30 effect, and this Amended Memorandum of Agreement will go into effect on the  
31 same date that it is adopted by the Board.

1 IT IS FURTHER ORDERED that as long as McGee holds a license to  
2 practice nursing in the State of Alaska, the following permanent conditions will  
3 apply:

4  
5 A. Permanent Conditions  
6

7 McGee has relocated to the State of Maine. Therefore, as long as she holds  
8 a license to practice nursing in the State of Alaska, the following permanent  
9 conditions will apply:

- 10  
11 (1) McGee agrees not to practice nursing in the State of Alaska  
12 until she enters into another Amended Memorandum of  
13 Agreement with this Division, or is otherwise authorized to  
14 practice nursing by the Board of Nursing (Board).  
15  
16 (2) McGee shall consume no alcohol or controlled drugs  
17 whatsoever, including foods, medicines, and other substances  
18 containing controlled drugs or alcohol. However, if McGee is  
19 hospitalized and receiving inpatient care, or is receiving  
20 outpatient care from a medical/dental condition that cannot be  
21 adequately treated without medicines containing controlled  
22 drugs, she must inform her treating health care provider of her  
23 history of substance abuse and she may then take drugs on  
24 her health care provider's written prescription, in the  
25 prescribed dosage, for the prescribed duration, and for the  
26 prescribed purpose. Further, McGee shall not self-medicate  
27 with any other prescription drugs. If a condition exists which  
28 requires the use of such a drug, it must be prescribed by  
29 McGee's health care provider.  
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Under no circumstances shall McGee be prescribed or consume her drug of choice, **oxycodone and morphine**, unless this drug is absolutely necessary for her treatment, and then the prescribing health care provider shall contact the Board's agent prior to issuing the prescription or drug to her and justify its necessity.

(3) Before McGee practices nursing in the State of Alaska, she agrees to undergo whatever physical, psychological, psychiatric, chemical dependency examinations and evaluations, and other testing that the Division may require to prove to the Board that she is competent to practice nursing without posing a danger to the public or herself. The health care provider(s) who administer these examinations, evaluations, and other testing must be approved by the Division. McGee will incur all costs associated with undergoing such examinations, evaluations, and other testing, and she will provide a copy of all reports and records generated from each examination, evaluation, and other testing to the Division. McGee will comply with all of the examiners and evaluators' professional recommendations resulting from the examinations, evaluations, and other testing required by this Agreement.

(4) McGee agrees that, if required by the Division, she will enter into another Amended Memorandum of Agreement approved by the Board, which will place her nursing license on probation, and encompass specific requirements that will include, but not be limited to, the recommendations by the above professional examiners and evaluators.

1 (5) If McGee successfully completes a probationary period in  
2 another jurisdiction, that probation may be sufficient to fulfill  
3 the requirements of this Agreement. McGee may submit a  
4 request to the Board, through the Board's agent, to release her  
5 from the permanent conditions of this Agreement.  
6

7 McGee will obey all laws pertaining to the practice of nursing in this state  
8 and all other states.  
9

10 B. Violation of Agreement  
11

12 If McGee fails to comply with any term or condition of this Agreement, her  
13 license shall be automatically suspended. If her license is suspended under this  
14 paragraph, she will be entitled to a hearing regarding the issue of the suspension.  
15 If McGee's license is suspended, she will continue to be responsible for all license  
16 requirements pursuant to AS 08.68.  
17

18 C. Authorization  
19

20 McGee will sign all authorizations necessary for the release of the  
21 information required by the Amended Memorandum of Agreement to the Board's  
22 agent.  
23

24 D. Non-cooperation by Reporting Persons  
25

26 If any of the persons required by this Order to report to the Board fails or  
27 refuses to do so, and after adequate notice to McGee so she can correct the  
28 problem, the Board may terminate the Agreement and invoke other sanctions as it  
29 determines appropriate.  
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E. Good Faith

All parties agree to act in good faith in carrying out the stated intentions of this Amended Memorandum of Agreement.

F. Address of the Board

All required reports or other communication concerning compliance with this Amended Memorandum of Agreement shall be addressed to:

Robert A. Harrington  
STATE OF ALASKA  
Division of Corporations, Business and Professional Licensing  
550 West 7<sup>th</sup> Avenue, Suite 1500  
Anchorage, Alaska 99501  
TEL: (907) 269-8177  
FAX: (907) 269-8195

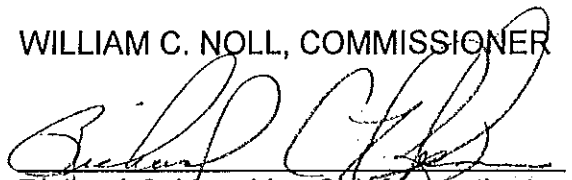
It is the responsibility of McGee to keep the Board's agent advised in writing at all times of her current mailing address, current physical address, and telephone number. Failure to do so will constitute grounds for suspension of her license in accordance with paragraph (B) above.

IT IS HEREBY ORDERED that this Order shall take effect immediately upon its adoption by the Board and is a public record of the Board and the State of Alaska. The State may provide a copy of it to any person or entity.

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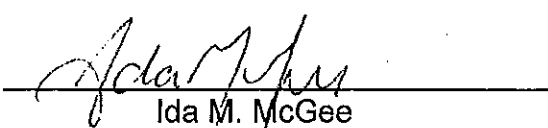
DATED this 8<sup>th</sup> day of NOVEMBER  
2006 at ANCHORAGE, Alaska.

WILLIAM C. NOLL, COMMISSIONER

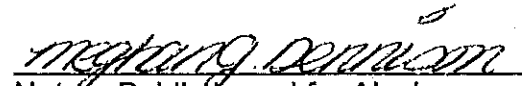
  
Richard C. Younkings Chief Investigator  
For Richard Urion, Director  
Division of Corporations, Business and  
Professional Licensing

*RCY*

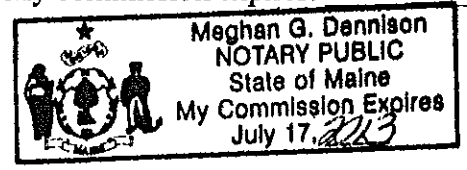
I, Ida M. McGee, have read the Amended Memorandum of Agreement,  
understand it, and agree to be bound by its terms and conditions.

DATED: 10/30/06   
Ida M. McGee

SUBSCRIBED AND SWORN TO before me this 30 day of  
October 2006 at MOCKINGBIRD, MAINE; Alaska.

  
Notary Public in and for Alaska  
*maine*

My commission expires:



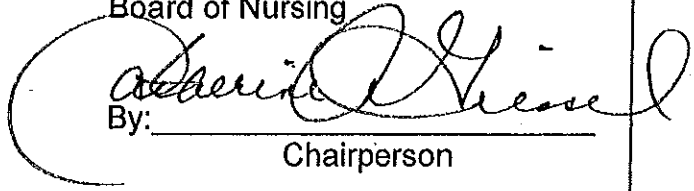
State of Alaska  
Department of Commerce, Community and Economic Development  
Division of Corporations, Business and Professional Licensing  
550 West 7<sup>th</sup> Avenue, Suite 1500  
Anchorage, Alaska 99501-3567  
Telephone 907-269-8160 Fax 907-269-8195

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ORDER

The Board for the State of Alaska, having examined the Amended Memorandum of Agreement and Proposed Decision and Order, Case No. 2350-06-003, by the parties, adopted the Amended Memorandum of Agreement and Decision and Order in this matter on 6 December, 2006.

DATED this 6 day of December, 2006, at Anchorage, Alaska.

Board of Nursing  
By:   
Chairperson

pp 3-9 of Board order  
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**RECEIVED**

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MAINE STATE  
BOARD OF NURSING

MAINE STATE  
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