

# MSBON



MAINE STATE BOARD OF NURSING  
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In re: )  
Carol Nigro )  
of East Oakland, Maine )  
License #R020345 )  
CONSENT AGREEMENT  
REGARDING VOLUNTARY  
SURRENDER OF LICENSE

## INTRODUCTION

This document is a Consent Agreement regarding Carol Nigro's license to practice professional nursing in the State of Maine, entered into 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: Carol Nigro, the Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine. On March 29, 1995 Ms. Nigro wrote to the Board explaining that she was voluntarily returning her registered professional nurse license "due to a medical problem [she] developed at work," and for which she was getting treatment. Ms. Nigro enclosed her registered professional nurse license along with this letter to the Board. By letter dated April 5, 1995 Ms. Nigro was advised by the Board that it had received a letter dated April 3, 1995 from Barbara Whitehead, R.N., Vice President for Patient Services at Mid-Maine Medical Center, stating that Ms. Nigro had been suspended from employment at the Medical Center for suspected drug abuse and diversion. Ms. Nigro responded in a letter to the Board dated April 14, 1995. The Board held an informal conference to discuss this matter on September 14, 1995. Ms. Nigro attended the conference without legal counsel. This Consent Agreement is a result of that informal conference.

## FINDING OF FACTS

1. Ms. Nigro readily admits to the diversion of narcotics from her employer, Mid-Maine Medical Center, over a period of approximately five months in late 1994 and early 1995.
2. Ms. Nigro used computer access codes belonging to other nurses to obtain the narcotics, taking advantage of situations in which these nurses had left their access codes in the machine.
3. Ms. Nigro used the narcotics while on duty.
4. Ms. Nigro falsified medical records in this process.
5. Ms. Nigro states that she did not deprive any patients of medications.

6. There was a potential for patient deprivation because of the inaccurate documentation.
7. The facility believes that this period of diversion was the only such period during Ms. Nigro's employment at that facility.
8. The facility states that she was in a supervisory position and therefore was a role model for other nurses in the facility.
9. The administration of the facility may be willing to consider Ms. Nigro for continued employment.
10. Ms. Nigro is currently involved in the treatment process, and she has completed a formal substance abuse treatment program.
11. Ms. Nigro states that she has been substance-free since March 27, 1995.
12. Ms. Nigro voluntarily surrendered her license to the Board.
13. Ms. Nigro is getting appropriate counseling for the various stressors in her life.

#### COVENANTS

Ms. Nigro agrees voluntarily to surrender her license to practice professional nursing in Maine until March 27, 1996. The Board accepts the voluntary surrender of Ms. Nigro's license with the following conditions:

1. Ms. Nigro will remain substance-free.
2. Ms. Nigro will continue her prescribed aftercare treatment process and self-help recovery program.
3. Ms. Nigro will provide to the Board quarterly reports from her substance abuse counselor so long as she remains in treatment. Ms. Nigro waives any claims of confidentiality and privilege which she may have with respect to these reports.
4. Should Ms. Nigro petition the Board for reinstatement of her license the decision of reinstatement at that point will be at the discretion of the Board. The Board agrees to take no further action upon these facts so long as Ms. Nigro fully complies with this Consent Agreement.

5. Ms. Nigro understands that this document is a Consent Agreement which extinguishes her legal right to practice nursing in Maine. Ms. Nigro understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering this Consent Agreement. Ms. Nigro affirms that she executes this Consent Agreement of her own free will.

DATED: 1/20/96

Carol Nigro  
CAROL NIGRO

FOR THE MAINE STATE BOARD OF NURSING:

DATED: 1/26/96

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

FOR THE DEPARTMENT OF ATTORNEY GENERAL:

DATED: 1/28/96

Timothy W. Collier  
TIMOTHY W. COLLIER  
Assistant Attorney General  
Counsel to the Board