



4. The Board received a complaint, dated January 11, 1988 from Margaret Bremner, Director of Nursing, at the John F. Murphy Foundation indicating that Mr. Roy may have been taking prescription drugs in such dosages as to affect his work performance.

5. The Consent Agreement, dated July, 1987, and in effect on the date the complaint was submitted, requires Mr. Roy to be chemical and drug-free.

6. Mr. Roy voluntarily surrendered his license to the Board, at its request, on February 8, 1988, and met with the Board in an informal conference on March 24, 1988, pursuant to 32 M.R.S.A. § 2105-A(1-A). Mr. Roy was without counsel, although he was notified of his right to be represented.

#### FINDINGS OF FACT

Following the informal conference the Board made the following findings of fact:

1. Mr. Roy admits to violations of his existing Consent Agreement in that:

A. He repeatedly got prescriptions for pain-killing drugs following a vasectomy and its complications, without telling the prescribing doctors of his substance abuse problem; and

B. He admitted to abusing the prescription drugs in that he took twice the recommended dosages.

2. Mr. Roy's L.P.N. license had been previously suspended and he was twice put on probationary status by the Board for substance abuse.

3. Mr. Roy is currently in treatment with a Registered Substance Abuse Counselor, although she has told him that if he abuses any more substances, she will stop seeing him; i.e., he must start working harder in his substance abuse program.

4. Mr. Roy has a good support system.

5. Mr. Roy has had two months continuous sobriety.

#### COVENANTS

Following the informal conference the Board voted to enter into a Consent Agreement with Mr. Roy under the following conditions:

1. The Board will discontinue its investigation of the Bremner complaint of January 11, 1988 as long as Mr. Roy meets the terms of this agreement.

2. Mr. Roy will surrender his L.P.N. license to the Board for suspension for a three-year period, commencing March 24, 1988.

3. Mr. Roy will maintain his after-care counseling program as prescribed by his Registered Substance Abuse Counselor.

4. Mr. Roy will arrange to have his counselor submit quarterly reports to the Board on his progress. He will waive any claim of privilege he may have in regard to these reports.

5. Mr. Roy will remain substance-free.

6. Mr. Roy will not work in professional nursing in any capacity.

7. Mr. Roy will notify his employers and all of his prescribing medical personnel of the surrender of his license and the terms of this agreement.

8. Mr. Roy will maintain his involvement with self-help groups such as AA and NA.

9. After the three-year suspension period, Mr. Roy may reapply for reinstatement of his license. It is understood and accepted that the Board may condition any license given to Mr. Roy at that time.

Dated: 4/14/88

Richard A. Roy  
Richard A. Roy

MAINE STATE BOARD OF NURSING

Dated: 5/2/88

By: Jean C. Caron  
Jean C. Caron, R.N.  
Executive Director

Dated: 5/3/88

Martha F. Willard  
Martha F. Willard  
Assistant Attorney General  
Counsel to the Board