



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

BEFORE THE MAINE STATE BOARD OF NURSING

IN THE MATTER OF LICENSE NO.)
R038949 ISSUED TO:)

BRENDA J. THIBODEAU)

To practice registered professional)
nursing in the State of Maine)
-----)

**ORDER TERMINATING
PROBATION**

WHEREAS, on **October 1, 2003**, License No. **R038949** issued to **Brenda J. Thibodeau** was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and

WHEREAS, on **March 14, 2007**, the Board of Nursing duly considered all evidence presented to it concerning **Brenda J. Thibodeau's** compliance with the conditions of said probation; and

WHEREAS, the Board found that **Brenda J. Thibodeau** has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation executed on **November 3, 2003** is hereby terminated.

DATED this **19th** day of **March 2007**.

MAINE STATE BOARD OF NURSING

BY: *Myra Broadway*
Myra A. Broadway, J.D., M.S., R.N.
Executive Director



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**STATE OF MAINE
 MAINE STATE BOARD OF NURSING**

IN RE: **BRENDA J. THIBODEAU, R.N.**) **CONSENT AGREEMENT**
 of Caribou, Maine) **FOR PROBATION**
 License #R038949) **WITH CONDITIONS**

INTRODUCTION

This document is a Consent Agreement regarding Brenda J. Thibodeau’s license to practice registered professional nursing in the State of Maine. The parties enter into this Consent 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 Brenda J. Thibodeau (“Licensee”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The parties reached this Consent Agreement based on information submitted by State of Maine, Department of Human Services, Division of Licensing & Certification Complaint No. 03-C-HH-201 dated February 26, 2003 and supplemental information dated July 21, 2003 and July 23, 2003.

FACTS

1. Brenda J. Thibodeau has been licensed to practice as a registered professional nurse in Maine since 1995.
2. Brenda J. Thibodeau provided home nursing care for Presque Isle Home Care in October, 2002. She is also currently the Director of Nursing at Presque Isle Home Care.
3. Brenda J. Thibodeau failed to adequately assess a patient’s wound and the patient’s change in condition, which led to the patient’s hospital admission with a gangrenous left foot.
4. Brenda J. Thibodeau improperly delegated nursing services to be performed by an unlicensed individual, which consisted of dressing changes to an open wound.
5. Brenda J. Thibodeau provided treatment to the wound using hydrogen peroxide without a physicians order.
6. Brenda J. Thibodeau failed to take appropriate actions to remove herself from the responsibility of rendering patient care when she realized that the patient’s daughter had

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assumed the patient's care and had become an obstacle to Brenda J. Thibodeau in rendering nursing services to the patient.

AGREEMENT WITH CONDITIONS OF PROBATION

7. Brenda J. Thibodeau agrees and understands that this document imposes discipline regarding her license to practice professional nursing and the above-described conduct constitutes grounds for discipline under 32 M.R.S.A. § 2105-A(2)(E), (2)(F) and (2)(H) and Chapter, 4(1)(A)(5), 4(1)(A)(6), (4)(3)(F) and (4)(H) of the Nursing Board Rules.
8. Brenda J. Thibodeau's license to practice registered professional nursing in the State of Maine will be placed on a probationary status with conditions. The period of probation will be for a period of three years, to be effective only while she is employed in nursing practice or enrolled in a nursing education program. For purposes of this Consent Agreement, nursing employment is any employment during which Brenda J. Thibodeau performs nursing services. Brenda J. Thibodeau's probationary license will be subject to the following conditions:
 - a. For as long as Brenda J. Thibodeau is the Director of Nursing at Presque Isle Home Care she will provide the Board with quarterly reports regarding quality improvements issues that she has identified or become aware of and what solutions she has implemented to correct these issues. She will also provide the Board with a quarterly summary of any incident reports.
 - b. In the event that Brenda J. Thibodeau is not the Director of Nursing she will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer or clinical faculty regarding her nursing practice.
 - c. Brenda J. Thibodeau 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.
 - d. Ms. Brenda J. Thibodeau will immediately notify the Board in writing regarding any change in her nursing employment or entry into an educational program in the field of nursing. Notification under this section shall include the place and position of employment or the educational program and the same notification shall apply to any subsequent change in employment or change in educational program.
9. Brenda J. Thibodeau agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the three year probationary period, until and unless the Board, at Brenda J. Thibodeau's written request, votes to terminate Brenda J. Thibodeau's probation. When considering whether to terminate the probation, the Board will consider the extent to which Brenda J. Thibodeau has complied with the provisions of this Consent Agreement.

10. Brenda J. Thibodeau understands that this document is a Consent Agreement that affects her rights to practice nursing in Maine. Brenda J. Thibodeau 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.
11. If Brenda J. Thibodeau 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.
12. Brenda J. Thibodeau affirms that she executes this Consent Agreement of her own free will.
13. Modification of this Consent Agreement must in writing and signed by all the parties.
14. This Consent Agreement is not subject to appeal or review by the Licensee but may be enforced by an action in the Superior Court.
15. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, BRENDA J. THIBODEAU, 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: 10/29/03

Brenda J. Thibodeau
BRENDA J. THIBODEAU, R.N.

FOR THE MAINE STATE
BOARD OF NURSING

DATED: 30 Oct 30

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

FOR THE DEPARTMENT OF
ATTORNEY GENERAL

DATED: 11/3/03

John H. Richards
JOHN H. RICHARDS
Assistant Attorney General

RECEIVED
OCT 30 2003
STATE BOARD OF NURSING

RECEIVED
NOV 3 2003
DEPARTMENT OF ATTORNEY GENERAL