

STATE OF MAINE
MAINE STATE BOARD OF NURSING

In Re:)
Suzanne L. Torrey) DECISION AND ORDER
)

INTRODUCTION

Pursuant to 32 M.R.S.A. § 2105(A)(1-A) *et seq.*, 5 M.R.S.A. § 9051 *et seq.*, and 10 M.R.S.A. § 8003(5), the Maine State Board of Nursing (“the Board”) met in public session at the Board’s offices located in Augusta Maine on March 28, 2006 for an adjudicatory hearing in the matter of Suzanne L. Torrey. A quorum of the Board was in attendance during all stages of the proceeding. Participating and voting board members were Board Chair Therese B. Shipps, D.N.Sc., R.N., Dorothy Melanson, R.N., Bruce O’Donnell, C.R.N.A., Karen L. Tripp, Susan Brume, L.P.N., and Robin Brooks.

John Richards, Assistant Attorney General, presented the State’s case. Suzanne L. Torrey was present for part of the proceeding, having arrived three hours after the hearing was scheduled to start and one hour forty-five minutes into the actual proceeding. Susan Sparaco, Assistant Attorney General, served as the Board’s hearing officer.

The State called the following witnesses: Myra Broadway, Executive Director of the Maine State Board of Nursing; Alice Workman, an administrator at Courtland Rehabilitation and Living Center; Elizabeth Gordon, Director of Nursing at Courtland Rehabilitation and Living Center, Suzanne Dwyer, LPN, and Suzanne L. Torrey. State’s Exhibits 1, 2, 3, 3a, 4, 5, 6, 7, and 8 were admitted into evidence.

Suzanne Torrey testified on her behalf and offered into evidence an exhibit marked as Torrey Exhibit 1.

The Board reviewed the admitted exhibits and considered the testimony of Ms. Torrey and the other witnesses. At the conclusion of the hearing, the Board deliberated and made the following findings of fact based on the preponderance of evidence.

FINDINGS OF FACT

1. Ms. Torrey's license to practice registered professional nursing has been suspended since March 1, 2006 pursuant to the "immediate jeopardy" provision set forth in 5 M.R.S.A. § 10004(3).
2. Ms. Torrey admitted to a history of substance abuse dating back to before 1994.
3. Ms. Torrey identified cocaine as the primary substance that she abused until 1994.
4. Ms. Torrey admitted relapsing into substance abuse in 2002.
5. Ms. Torrey identified oxycodone as her preferred "drug of choice" during this period of substance abuse.
6. Ms. Torrey testified that she stopped abusing substance when she learned that she was pregnant.
7. Ms. Torrey admitted that she again began abusing substance almost immediately after the birth of her child in September 2003.
8. Ms. Torrey admitted to recent abuses of prescription drugs.

9. Ms. Torrey suffers from habitual substance abuse that is reasonably likely to result in her performing services in a manner that endangers the health and safety of her patients.

10. Ms. Torrey's behavior fails to conform to accepted standards of the nursing profession and constitutes unprofessional conduct.

CONCLUSIONS OF LAW

Ms. Torrey's conduct violates 32 M.R.S.A. § 2105-A(2)(B), (F) and (H) and Chapter 4, sections 1(A) (2) and (6) and section 3 (O) of the Rules and Regulations of the Maine State Board of Nursing.

DISCIPLINARY SANCTION

Based on the above Findings of Fact and Conclusion of Law, the Board voted unanimously to **REVOKE** the professional registered nursing license of Suzanne L. Torrey.

SO ORDERED.

Dated: April 4, 2006

Therese B. Shipps
Therese B. Shipps, D.N.S.c., R.N.
Chair, Maine State Board of Nursing

APPEAL RIGHTS

Pursuant to the provisions of 5 M.R.S.A. § 10051(3) and 10 M.R.S.A. § 8003(5)(F) any party may appeal this Decision and Order by filing a Petition for Review within thirty (30) days of the date of receipt of this order with the District Court having jurisdiction. The petition shall specify the person seeking review, the manner in which he or she is aggrieved and the final agency action for which review is sought. It shall contain a concise statement as to the nature of the action or inaction to be reviewed, the grounds upon which relief is sought, and a demand for relief. Copies of the Petition for Review shall be served by certified mail, return receipt requested, upon the Maine State Board of Nursing, all parties to the agency proceeding, and the Maine Attorney General.