



STATE OF MAINE
 BOARD OF NURSING
 158 STATE HOUSE STATION
 AUGUSTA, MAINE
 04333-0158

PAUL R. LEPAGE
 GOVERNOR

KIM ESQUIBEL, PhD, M.S.N., R.N.
 EXECUTIVE DIRECTOR

IN RE: CHARLENE A. BELL
 of Rochester, NH
 NH License No. 017128-21

Complaint 2017-467

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**CONSENT AGREEMENT
 FOR
 REVOCATION**

INTRODUCTION

Pursuant to Title 32, Chapter 31, the Maine State Legislature endowed the Board with the power and duty to regulate the practice of nurses licensed by the Board, including issuing licenses and investigating complaints. Pursuant to 10 M.R.S. § 8008, the Legislature provided that the sole purpose of the Board is to “protect the public health and welfare” and that “other goals or objectives may not supersede this purpose.”

This document is a Consent Agreement (“Agreement”) regarding Charlene A. Bell’s privilege to practice as a registered professional nurse (“RN”) in the State of Maine. The parties to this Agreement are Charlene A. Bell (“Ms. Bell”), the Maine State Board of Nursing (“the Board”), and the Office of the Attorney General, State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S. § 2105-A and 10 M.R.S. § 8003(5) in order to resolve Complaint 2017-467.

FACTS

1. Ms. Bell was first licensed to practice in New Hampshire as an RN on December 26, 1973. Her New Hampshire RN license expired on March 18, 2018. Ms. Bell was practicing in Maine using the multistate licensure privilege granted under the Nurse Licensure Compact.
2. On October 20, 2017, the Board received a report from Durgin Pines in Kittery, Maine that it had terminated Ms. Bell’s employment after it received complaints concerning her behavior. Staff reported that Ms. Bell was rude to them, made negative remarks to them, used inappropriate language at the nursing station, and raised her voice. Several staff members reported that Ms. Bell joked about patients and in a few instances jokingly threatened harm to patients. When interviewed by Durgin Pines supervisors, Ms. Bell said she would never do anything to harm a patient. On the basis of this information, the Board initiated Complaint 2017-467.
3. In a response dated December 6, 2017, Ms. Bell said she neither agreed nor disagreed with the allegations from Durgin Pines. She said she has retired from nursing.
4. Following review at its March 28-29, 2018 meeting, the Board voted to resolve Complaint 2017-467 by offering Ms. Bell this Agreement to revoke her privilege to practice as an RN in the State of Maine.
5. Absent Ms. Bell’s acceptance of this Agreement by signing, dating, and returning it to the Maine State Board of Nursing, 158 State House Station, Augusta, Maine 04333-0158 on or before **May 19, 2018**, this matter will be scheduled for an adjudicatory hearing.

AGREEMENT

6. Ms. Bell admits to the facts as stated above and admits that such conduct constitutes grounds for the Board to impose discipline against her privilege to practice as an RN in the State of Maine under the following laws and regulations:

32 M.R.S. § 2105-A(2)(F), for engaging in unprofessional conduct by violating a standard of professional behavior that has been established in the practice of nursing, specifically, Provision 1.5 of the American Nurses Association’s Code of Ethics for Nurses with Interpretive Statements (2015), which states that



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“[t]he nurse creates an ethical environment and culture of civility and kindness, treating colleagues, coworkers, employees, students, and others with dignity and respect.”

7. As discipline for the conduct cited above, Ms. Bell agrees to the **REVOCATION** of her privilege to practice as an RN in the State of Maine, effective on the date of the final execution of this Agreement. Ms. Bell understands and agrees that as a result of this Agreement she no longer has the privilege to practice nursing in Maine under the Nurse Licensure Compact and is subject to the terms of this Agreement until and unless the Board, following her written request for reinstatement of her privilege to practice in the State of Maine, votes to reinstate her privilege.
8. Ms. Bell understands and agrees that, upon receiving a written request for reinstatement of her privilege to practice in the State of Maine, the Board shall have the sole discretion to grant or deny her request.
9. Ms. Bell waives her right to a hearing before the Board or any court regarding all terms of this Agreement. Ms. Bell agrees that this Agreement is a final order resolving this matter. This Agreement is not appealable. This Agreement cannot be modified orally. It can be modified only in writing and only if signed by all of the parties to the Agreement and approved by the Office of the Attorney General. Any decision by the Board as a result of Ms. Bell’s request to modify this Agreement need not be made pursuant to a hearing.
10. The Board and the Office of the Attorney General may communicate and cooperate regarding Ms. Bell’s practice or any other matter relating to this Agreement.
11. This Agreement is a public record within the meaning of 1 M.R.S. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S. § 408-A.
12. This Agreement constitutes a final adverse licensing action that is reportable to the National Practitioner Data Bank (“NPDB”).
13. Nothing in this Agreement shall be construed to affect any right or interest of any person not a party hereto.
14. Ms. Bell understands that she has the right to consult with legal counsel prior to the execution of this Agreement.
15. For the purposes of this Agreement, the term “execution” means the date on which the final signature is affixed to this Agreement.
16. Ms. Bell acknowledges by her signature hereto that she has read this Agreement, that she has had an opportunity to consult with an attorney before executing this Agreement, that she has executed this Agreement of her own free will, and that she agrees to abide by all the terms and conditions set forth in this Agreement.

DATED: 4/20/18

Charlene A. Bell
CHARLENE A. BELL

FOR THE MAINE STATE BOARD OF NURSING

DATED: 5/3/2018

Kim Esquibel
KIM ESQUIBEL, PHD, MSN, RN
Executive Director

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 5/7/18

Katie W. Johnson
KATIE W. JOHNSON
Assistant Attorney General