



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

ANGUS S. KING, JR.
 GOVERNOR

MYRA A. BROADWAY, J.D., M.S., R.N.
 EXECUTIVE DIRECTOR

IN RE: **BRENDA W. BOULIER, R.N.**)
 of Bangor, Maine) **CONSENT AGREEMENT**
 License #R018226) **FOR WARNING**

INTRODUCTION

This document is a Consent Agreement regarding Brenda W. Boulier's license to practice professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 10 M.R.S.A. § 8003(5)(A-1)(1), § 8003(5)(B) and 32 M.R.S.A. § 2105-A(1-A)(A) and (B). The parties to this Consent Agreement are Brenda W. Boulier ("Licensee"), Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine. An informal conference held on October 5, 2000. The parties reached this Agreement on the basis of information submitted by the State of Maine, Department of Human Services, Bureau of Medical Services, Division of Licensing and Certification by letter dated May 3, 1999 and supporting documentation and Complaint Narrative No. 99-C-HH-460.

FACTS

1. Brenda W. Boulier has been a registered nurse licensed by the Board to practice in Maine since 1974 with no prior complaints submitted to the Board.
2. On April 5-6, 1999 the Department of Human Services-Bureau of Medical Services, Division of Licensing and Certification ("DHS") conducted an investigation at Community Health and Counseling Services ("CHCS") to investigate a complaint against Brenda W. Boulier regarding patient care.
3. A patient was receiving Home Health Aide services from CHCS twice a day. A contingency plan was in place with the daughter as the emergency contact person. On March 16, 1999 the evening Home Health Aide was unable to make contact with the patient. The clinical documentation shows that the Home Health Aide called Ms. Boulier and reported that they were unable to contact the patient. However, Ms. Boulier failed to initiate the emergency plan as designated in the contingency plan.
4. The Board finds that the investigation conducted by DHS in conjunction with Ms. Boulier's admissions substantiates that Ms. Boulier failed to take appropriate action and to follow policies and procedures in the nursing practice situation designed to safeguard a patient.

AGREEMENT

5. Brenda W. Boulier agrees and understands that her conduct constitutes grounds for discipline under 32 M.R.S.A. § 2105-A(2)(F) and (2)(H). Brenda W. Boulier is hereby **WARNED**. Ms. Boulier is hereby **WARNED** because she failed to take appropriate action and to follow policies and procedures in the nursing practice designed to safeguard a patient.



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6. Brenda W. Boulier understands that this Consent Agreement imposes discipline regarding her license to practice professional nursing in the State of Maine. Ms. Boulier 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 this Consent Agreement.
7. Brenda W. Boulier affirms that she executes this Consent Agreement of her own free will.
8. Modification of this Consent Agreement must be in writing and signed by all the parties.
9. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
10. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, BRENDA W. BOULIER, L.P.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: 11/2/00

Brenda W Boulier RN
BRENDA W. BOULIER, L.P.N. RN

DATED: _____

JOHN J. WALL, III, ESQ.
Attorney for Brenda W. Boulier, R.N.

FOR THE MAINE STATE BOARD OF NURSING

DATED: 11/29/00

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

FOR THE DEPARTMENT OF ATTORNEY GENERAL

DATED: 11/16/00

John H. Richards
JOHN H. RICHARDS, ESQ.
Assistant Attorney General