



MAINE STATE BOARD OF NURSING

35 ANTHONY AVENUE • STATE HOUSE STATION 158
AUGUSTA, MAINE 04333-0158
(207) 624-5275 • FAX (207) 624-5290

BEFORE THE MAINE STATE BOARD OF NURSING

IN THE MATTER OF LICENSE NO.)
R030565 ISSUED TO:)
JAMES M. CARROLL)
To practice professional nursing)
in the State of Maine)
-----)

ORDER TERMINATING
PROBATION

WHEREAS, on October 1, 1991, License No. R030565 issued to James M. Carroll was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and

WHEREAS, on December 15, 1993, the Board of Nursing duly considered all evidence presented to it concerning James Carroll's compliance with the conditions of said probation; and

WHEREAS, the Board found that James Carroll has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation executed on December 20, 1991 is hereby terminated.

DATED this 16th day of December 1993.

MAINE STATE BOARD OF NURSING

Jean C. Caron

Jean C. Caron, R.N., M.S.
Executive Director

pc: Timothy W. Collier, Assistant Attorney General



MAINE STATE BOARD OF NURSING

35 ANTHONY AVENUE
STATE HOUSE STATION 158
AUGUSTA, MAINE 04333
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In re:)
James M. Carroll, R.N.) CONSENT AGREEMENT
of Camden, ME) REGARDING LICENSURE
License #R030565)

INTRODUCTION

This document is a Consent Agreement regarding James M. Carroll's license to practice professional nursing in the State of Maine, entered into pursuant to 32 M.R.S.A. Section 2105-A(1-A)(B) and 10 M.R.S.A. Section 8003(5)(B). The parties to this Consent Agreement are: James M. Carroll, R.N., the Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine.

By letter dated April 9, 1991, Mr. Carroll was advised by the Board that it had received a letter dated April 3, 1991 from Thomas Bosica, Vice President for Human Resources, Penobscot Bay Medical Center, alleging that Mr. Carroll may be in violation of 32 M.R.S.A. Section 2105-A(2)(B), (2)(E) and (2)(F). Mr. Carroll responded to the Board in letters received on April 11 and April 20, 1991. Subsequently, the Board requested that Mr. Carroll attend an informal conference pursuant to 32 M.R.S.A. Section 2105-A(1-A). The informal conference was held on October 1, 1991. Mr. Carroll was present and was not represented by an attorney.

FINDINGS OF FACT

As a result of the informal conference the Board made the following findings of fact:

1. Licensee admits to the abuse of a variety of substances at work for two years.
2. Licensee reports a family history of substance abuse.
3. Licensee has entered and completed an in-patient substance abuse treatment program, the Talbott-Marsh Recovery System program in Atlanta, Georgia.

4. Licensee is continuing a structured and active program of recovery.
5. No patients were denied medication as a result of licensee's actions.
6. Licensee has admitted to the use of substances while working.
7. There is no documented patient harm as a result of licensee's actions.
8. Licensee is receiving good support from his employer.
9. Licensee has two-year contracts for follow-up with his employer and with the Talbott-Marsh Recovery System.
10. Licensee is active in aftercare and support programs and has a sponsor.
11. Licensee voluntarily surrendered his Maine license.

COVENANTS

Based on the above findings of fact, the Board voted to enter in an agreement with Mr. Carroll under which his license is placed on probation until July 1993 (for the duration of his contract with the Talbott-Marsh Recovery System) with the following conditions:

1. Licensee will remain completely substance-free.
2. Licensee will arrange to have quarterly reports submitted to the Board from his nurse employer and from his counselor. Licensee waives any claims of confidentiality and privilege which he may have with respect to these reports.
3. Licensee will immediately notify the Board of any change in his employment.
4. The Board agrees to take no further action upon these facts so long as the licensee fully complies with these conditions.

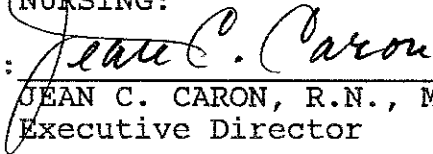
Mr. Carroll understands that this document is a Consent Agreement which affects his rights to practice nursing in Maine. Mr. Carroll understands that he does not have to execute this Consent Agreement and that he has the right to consult with an attorney before entering this Consent Agreement. Mr. Carroll affirms that he executes this Consent Agreement of his own free will.

DATED: _____

BY: 
JAMES M. CARROLL, R.N.

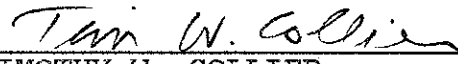
FOR THE MAINE STATE BOARD OF NURSING:

DATED: 12/19/91

BY: 
JEAN C. CARON, R.N., M.S.
Executive Director

FOR THE DEPARTMENT OF ATTORNEY GENERAL

DATED: 12/20/91

BY: 
TIMOTHY W. COLLIER
Assistant Attorney General
Counsel to the Board