

IN RE: MARC P. CHAMBERLAIN, R.N.)
License #RO43249)
)

**CONSENT AGREEMENT
FOR VOLUNTARY
SURRENDER OF LICENSE**

INTRODUCTION

This document is a Consent Agreement regarding Marc P. Chamberlain's license to practice registered professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A (1-A) (C) and 10 M.R.S.A. § 8003 (5) (B), (5) (D). The parties to this Consent Agreement are Marc P. Chamberlain ("Mr. Chamberlain"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine ("Attorney General").

FACTS

1. Mr. Chamberlain has been licensed by the Board as a registered professional nurse to practice in Maine since 1999.
2. On August 14, 2007, Mr. Chamberlain entered into a consent agreement with the Board and the Attorney General based on allegations of substance abuse.
3. As part of that consent agreement, Mr. Chamberlain's license was placed on probationary status for a period of five years.
4. Conditions of probation, found in paragraph 5 of the August 2007 consent agreement, include the following:
 - a. Marc P. Chamberlain will abstain completely from the use of alcohol or drugs, with the exception of substances used in accordance with a valid prescription from a treatment provider who is aware of Mr. Chamberlain's substance abuse history.
 - b. Marc P. Chamberlain will continue in his aftercare treatment program to such an extent and for as long as his treatment providers recommend.
 - c. Marc P. Chamberlain will arrange for and ensure the submission of quarterly reports to the Board by his treatment providers, and such report shall continue until his probation is terminated. If Mr. Chamberlain's treatment is terminated he shall notify the Board and provide the Board with a final report from his treatment provider(s).

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- d. Marc P. Chamberlain will immediately notify the Board in writing should he return to employment and/or an educational program in the field of nursing. Notice under this section shall include the place and position of employment or the educational program and any subsequent change in employment or educational programs.
 - e. Marc P. Chamberlain will notify any and all of his 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.
 - f. Marc P. Chamberlain's employment is restricted during the period of probation to structured settings with on-site supervision by another registered professional nurse. Structured settings shall not include assignments from temporary employment agencies, school nursing, working as a traveling nurse or working within the correctional system.
 - g. Marc P. Chamberlain will arrange for and ensure the submission to the Board of quarterly reports from his nursing employer and/or clinical faculty regarding his general nursing practice. If during the period of probation, Mr. Chamberlain's employment as a nurse terminates or should his educational program in the field of nursing terminate, he shall notify the Board of this change to ensure that he remains in compliance with his employment and/or educational quarterly reports.
5. In October 2007, the Board received a complaint against Mr. Chamberlain from Barbara Beal, the Vice President of Nursing at Maine Coast Memorial Hospital. From that complaint, it became clear that Mr. Chamberlain violated almost every condition of probation. Those violations are as follows:
- a. Mr. Chamberlain did not notify the Board in writing of his return to employment in the field of nursing.
 - b. Mr. Chamberlain did not notify any of his nursing employers of the terms of the August 2007 consent agreement.
 - c. Mr. Chamberlain's employment was not restricted to structured settings with on-site supervision by another registered professional nurse, as he was working for Arcadia Health Care, which is a temporary employment agency, as a per diem travel nurse.
 - d. Mr. Chamberlain did not notify the Board of his termination of employment.

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6. In addition, Mr. Chamberlain failed to continue in his aftercare treatment program, failed to submit quarterly reports to the Board from his treatment providers, and failed to notify the Board of any termination of treatment.
7. Mr. Chamberlain also failed to abstain completely from the use of alcohol. On October 27, 2007, Mr. Chamberlain was arrested in Turner, Maine by the Maine State Police for Operating Under the Influence. Mr. Chamberlain's blood-alcohol content was .19%. Mr. Chamberlain has since been convicted of Operating Under the Influence from that arrest.
8. The August 2007 consent agreement states that if Mr. Chamberlain fails to meet any of the obligations of the agreement, the Board may take any disciplinary action which it deems appropriate and impose any sanctions, including but not limited to that found in Title 10 M.R.S. § 8003 and Title 32 M.R.S. § 2105-A.

AGREEMENT

9. Mr. Chamberlain agrees that the facts set forth above are true and correct, and that he violated the August 2007 consent agreement.
10. The Maine State Board of Nursing will accept Mr. Chamberlain's offer to voluntarily surrender his registered professional nurse license, License No. R043249 and agrees and understands that should this matter go to hearing before the Board on the above-stated facts and the underlying information to support those facts, that it is more likely than not that the facts would support the Board's findings in this Consent Agreement.
11. Mr. Chamberlain understands that based upon the above-stated facts this document imposes discipline regarding his license to practice professional nursing in the State of Maine. The grounds for discipline are pursuant to 32 M.R.S. § 2105-A(1-A) and 10 M.R.S. § 8003(A)(A-1).
12. Mr. Chamberlain agrees and understands that his license will remain on surrender status and subject to the terms of this Consent Agreement indefinitely until and unless the Board, at Mr. Chamberlain's written request, votes to reinstate Mr. Chamberlain's license. Mr. Chamberlain agrees and understands that if the Board reinstates his license, it will be for a probationary period.
13. Mr. Chamberlain understands that this document is a Consent Agreement that affects his rights to practice professional nursing in Maine. Mr. Chamberlain understands that he does not have to execute this Consent Agreement and that he has the right to consult with an attorney before entering the Consent Agreement.
14. Mr. Chamberlain shall not work or volunteer, in any capacity, for a health care provider as defined by Title 24 M.R.S.A. § 2502 (2) or in any position holding

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Marc P. Chamberlain

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himself out as a registered professional nurse or with the designation, R.N., including, in a veterinarian's office, while his nursing license is surrendered. In addition, Mr. Chamberlain is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.

- 15. Modification of this Consent Agreement must be in writing and signed by all parties.
- 16. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
- 17. Marc P. Chamberlain affirms that he executes this Consent Agreement of his own free will.
- 18. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, MARC P. CHAMBERLAIN, 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: 5/7/08



MARC P. CHAMBERLAIN, R.N.

FOR THE MAINE STATE BOARD OF NURSING

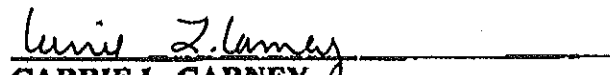
DATED: May 8, 2008



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

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 5-14-08



CARRIE L. CARNEY
Assistant Attorney General