



MAINE STATE BOARD OF NURSING

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In re: ) CONSENT AGREEMENT  
Rosemary A. Cole ) FOR VOLUNTARY  
of China, Maine ) SURRENDER OF LICENSE  
License #P07577 )

INTRODUCTION

This document is a Consent Agreement regarding Rosemary A. Cole's license to practice practical 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: Rosemary A. Cole, the Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine.

By letter dated March 4, 1992, Ms. Cole was advised by the Board that it had received a letter dated March 2, 1992 from Janet Drouin, Director of Nursing for the Volmer Nursing Home, alleging that Ms. Cole may be in violation of 32 M.R.S.A. Section 2105-A(2)(B), (2)(E) and (2)(F). This letter was supplemented by a letter dated March 9, 1992 from Rachel Garcia, L.P.N., a colleague of Ms. Cole's at the Volmer Nursing Home. Ms. Cole responded to the Board in a letter received March 16, 1992, accompanied by her original L.P.N. license.

Subsequently, the Board requested that Ms. Cole attend an informal conference pursuant to 32 M.R.S.A. Section 2105-A(1-A). The informal conference was held on September 15, 1992. Ms. Cole was present and was not represented by counsel. At the conference the results of an investigation by the Department of the Attorney General were presented to the Board in summary fashion.

FINDINGS OF FACT

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

1. By her actions Ms. Cole violated the terms of her June 1991 Consent Agreement.
2. Ms. Cole admits to diverting medications from her employer, Volmer Nursing Home, Inc., for her own use.

3. Ms. Cole admits substituting quinidine for darvocet on a patient's medication card.
4. There is no documentation of any patient receiving quinidine rather than darvocet.
5. Ms. Cole states that she has been substance-free for six months.
6. Ms. Cole is involved in substance abuse counseling and self-help recovery programs.
7. Ms. Cole was terminated from her employment with Volmer Nursing Home, Inc.
8. Ms. Cole is not currently employed in any position in the health care field.
9. Ms. Cole has voluntarily surrendered her license to practice practical nursing in the State of Maine.
10. Ms. Cole voluntarily notified her employer that she had substituted quinidine for darvocet on a patient's medication card.
11. There is no documented patient harm as a result of Ms. Cole's actions.

#### COVENANTS AND WARNING

Based on the above findings of fact, the Board voted to enter into an agreement with Ms. Cole under which she will voluntarily surrender her license for an indefinite period. The Board agrees to accept the voluntary surrender of Ms. Cole's license and agrees to take no further disciplinary action upon these facts so long as Ms. Cole does not engage in the practice of nursing.

Ms. Cole understands that this document is a Consent Agreement which affects her rights to practice nursing in Maine. Ms. Cole 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. Ms. Cole affirms that she executes this Consent Agreement of her own free will.

DATED: Jan 24th 1993

BY: Rosemary A. Cole  
ROSEMARY A. COLE

FOR THE MAINE STATE BOARD OF NURSING:

DATED: 3/1/93

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

FOR THE DEPARTMENT OF ATTORNEY GENERAL

DATED: 3/2/93

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