

and the Lewiston area. At that time, Ms. Dalton was licensed as a Registered Professional Nurse.

3. Ms. Dalton subsequently plead guilty to one count of acquiring drugs by deception, a Class C crime, in Androscoggin Superior Court, and plead guilty to two counts of acquiring drugs by deception in Lincoln County Superior Court.

4. On February 22, 1988, Ms. Dalton voluntarily surrendered her R.N. license to the Board.

5. Ms. Dalton, along with her attorney, Michael Messerschmidt, met with the Board in an informal conference pursuant to 32 M.R.S.A. § 2105-A(1-A), on March 24, 1988.

FINDINGS OF FACT

Following the informal conference, the Board made the following findings of fact:

1. Ms. Dalton admits to a longstanding substance abuse problem. Four years ago her nursing license was disciplined in Massachusetts for trouble with alcohol abuse, and she admits to relapses since then.

2. Ms. Dalton admits to writing prescriptions for scheduled drugs for her own use and using the drugs acquired thereby.

3. There is no evidence of significant problems with Ms. Dalton's nursing skills, and there is no evidence of diversion of drugs from patients.

4. Ms. Dalton has voluntarily surrendered her license, is undergoing counseling and has a good support system.

5. Ms. Dalton has completed the 14-day relapse program at Jackson Brook Institute and has been substance-free for five (5) months.

COVENANTS

Following the informal conference, the Board voted to enter into a Consent Agreement with Ms. Dalton under the following conditions:

1. The Board will discontinue its investigation of the Smith complaint of October 30, 1987 as long as Ms. Dalton meets the terms of this Agreement.

2. Ms. Dalton will surrender her license to the Board for suspension for a two-year period commencing on February 22, 1988.

3. Ms. Dalton will remain substance-free.

4. Ms. Dalton will not work in nursing in any capacity.

5. Ms. Dalton will continue with her counseling and substance abuse rehabilitation program as recommended by her substance abuse counselor.

6. Ms. Dalton will arrange for quarterly reports on her progress to be sent to the Board from her counselor(s). She will waive any claim of privilege she may have in regard to these reports.

7. After the two-year suspension period, Ms. Dalton may reapply for reinstatement of her license. It is understood and accepted that Board may condition any license given to Ms. Dalton at that time.

Dated: May 1, 1988

Roberta R. Dalton
Roberta R. Dalton

Dated: May 5, 1988

Michael G. Messerschmidt
Michael G. Messerschmidt, Esq.

MAINE STATE BOARD OF NURSING

Dated: 5/11/88

By: Jean C. Caron
Jean C. Caron, R.N.
Executive Director

Dated: 5/12/88

Martha F. Willard
Martha F. Willard
Assistant Attorney General
Counsel to the Board