



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

JOHN ELIAS BALDACCI  
 GOVERNOR

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

IN RE: Cheryl Drda, R.N. ) DECISION  
 ) &  
 Licensure Appeal ) ORDER

**I. PROCEDURAL HISTORY**

Pursuant to the authority found in 32 M.R.S. Sec. 2105-A(1-A)(D), *et seq.*, 5 M.R.S. Sec. 9051, *et seq.* and 10 M.R.S. Sec. 8003, *et seq.*, the Maine State Board of Nursing (Board) met in public session at the Board's office located in Augusta, Maine at 1:30 p.m. on June 3, 2010. The purpose of the meeting was to conduct an adjudicatory hearing to determine whether to grant Nurse Drda's appeal from the Board's preliminary decision to deny her application for licensure by endorsement as a nurse practitioner in the State of Maine. A quorum of the Board was in attendance during all stages of the proceedings. Participating and voting Board members were Chairman Bruce O'Donnell, C.R.N.A.; Robin Brooks (public representative); Carmen Christensen, R.N.; Margaret Hourigan, R.N., Ed. D., CNAA, BC; and Elaine Duguay, L.P.N. John Richards, Assistant Attorney General, presented the State's case. Cheryl Drda was present and not represented by legal counsel. James E. Smith, Esq. served as Presiding Officer.

The Board first determined that none of the Board members had conflicts of interest which would bar them from participating in the hearing. The Board then took official notice of its statutes and rules, and subsequent to the opening statement by the State, State's Exhibit A and Appellant's Exhibit B were admitted into the Record. The Board next heard the testimony, reviewed the submission of exhibits, and considered the parties' closing arguments, after which it deliberated and made the following findings of fact by a preponderance of the credible evidence regarding the alleged violations.

**II. FINDINGS OF FACT**

Cheryl Drda, date of birth May 17, 1966, filed an application with the Board to be licensed in Maine as an advanced practice registered nurse (nurse practitioner). The application was received by the Board on January 27, 2010. Ms. Drda is currently licensed in the state of Florida as a nurse until April 30, 2011. On January 24, 2003, she entered into a Consent Agreement (Final Order) with the Florida Board of Nursing which resulted in a reprimand, payment of \$500 in costs, entry into the Intervention Project for Nurses (IPN), and suspension of licensure in the event that she failed to comply with the IPN directives.

In her application for licensure in Maine, Nurse Drda was asked several questions relating to disciplinary actions taken against her license. Among the questions were: "*Has any Board of Nursing ever fined, warned, censured, or reprimanded you?*" - "*Have you ever been disciplined for problems resulting from chemical dependency?*" - "*Have you ever had a nursing license placed on probation, denied, suspended or revoked in any*



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state?" Ms. Drda answered "No" to the above questions, which resulted in the Board's preliminary denial of her application at its March 3- 4, 2010 meeting.

At this hearing, Nurse Drda gave the following credible testimony: Nurse Drda sustained serious neck injuries in 1996 when she was struck by a drunk hit and run driver. She was treated with prescribed pain medications while working as a nurse and was reported to be impaired while on duty. She realized that she had a substance abuse problem and entered the IPN five-year program. Nurse Drda was doing well with the program until she was placed in treatment with a prison group with which she was incompatible. She subsequently participated in a triathlon where she sustained a serious injury to her hand and again reverted to pain medication. Nurse Drda then began the IPN Program anew and was informed that if she successfully completed the IPN Program, no discipline would be reflected on her nursing record.

Nurse Drda attained substance sobriety in December 2001. She completed treatment pursuant to the IPN on September 11, 2009 and had complied with all of the terms of the Florida Consent Agreement by February 16, 2010. On that date, she was informed that her license "is currently clear and active." Verification was received by this Board on February 24, 2010 that Cheryl Drda is certified as an Adult Psychiatric and Mental Health Nurse Practitioner with the American Nurses Credentialing Center until February 7, 2015.

Cheryl Drda accepted employment as a Psychiatric Mental Health Nurse Practitioner at MaineGeneral Medical Center in Waterville, Maine where she will be initially supervised by the Interim Medical Director. Nurse Drda presented impressive letters of support and recommendations on her behalf to the Board.

**III. CONCLUSIONS OF LAW**

Based on the above facts and those found in the record but not alluded to herein, and utilizing its experience and training, the Board, by a vote of 5-0, concluded that Cheryl Drda has qualified for licensure as an advanced practice registered nurse (nurse practitioner) in the State of Maine and will not pose a threat of harm to the public.

**WHEREFORE, THE APPEAL IS GRANTED.**

**SO ORDERED.**

Dated: 27 June 2010



Bruce O'Donnell, C.R.N.A., Chairman  
Maine State Board of Nursing

**IV.**

**APPEAL RIGHTS**

Pursuant to the provisions of 5 M.R.S.A. Sec. 10051.3, any party that decides to appeal this Decision and Order must file a Petition for Review within 30 days of the date of receipt of this Order with the Superior Court having jurisdiction. The petition shall specify the person seeking review, the manner in which s/he is aggrieved and the final agency action which s/he wishes reviewed. It shall also contain a concise statement as to the nature of the action or inaction to be reviewed, the grounds upon which relief is sought and a demand for relief. Copies of the Petition for Review shall be served by Certified Mail, Return Receipt Requested upon the Maine State Board of Nursing, all parties to the agency proceedings, and the Maine Attorney General.