



MAINE STATE BOARD OF NURSING

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

In re:) TEMPORARY
Judith P. Flanagan) CONSENT AGREEMENT
of Bangor, Maine) REGARDING VOLUNTARY
License #P002824) SURRENDER OF LICENSE

INTRODUCTION

This document is a Temporary Consent Agreement regarding Judith P. Flanagan'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 Temporary Consent Agreement are: Judith P. Flanagan, L.P.N., the Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine.

By letter dated January 10, 1992, Ms. Flanagan was advised by the Board that it had received a letter dated December 31, 1991, with attachments, from Edith A Beauchamp, R.N., Vice President of Nursing, St. Joseph Hospital, reporting information suggesting that Ms. Flanagan may have violated 32 M.R.S.A. Section 2105-A(2)(B), (2)(E) and (2)(F). Ms. Flanagan responded to the Board in a letter dated January 13, 1992. Subsequently, the Board requested that Ms. Flanagan attend an informal conference pursuant to 32 M.R.S.A. Section 2105-A(1-A). The informal conference was held on April 8, 1992. Ms. Flanagan was present and was not represented by an attorney.

At that informal conference the Board made certain findings of fact, which appear below. As a result of that informal conference, the Board decided to accept the voluntary surrender of Ms. Flanagan's L.P.N. license, pending receipt of a report of an evaluation and assessment by a L.S.A.C. Since then, the Board has received a report of an evaluation of Ms. Flanagan performed by Peter Carleton, L.C.P.C., L.S.A.C., dated May 20, 1992, in which he recommends that Ms. Flanagan attend an in-patient drug rehabilitation program.

FINDINGS OF FACT

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

1. Ms. Flanagan denies diversion of drugs for her own use.

2. There are several inconsistencies with Ms. Flanagan's documentation of drug administration, especially with regard to Percocet and Tylenol #3.
3. The hospital suspects drug diversion by Ms. Flanagan.
4. Ms. Flanagan is currently suspended from employment.
5. Ms. Flanagan admits that she is under significant personal stress.
6. Ms. Flanagan has a history of substance abuse and is not currently in a treatment or self-help program.

COVENANTS

Based on all of the facts of this case, the Board has voted to accept the voluntary surrender of Ms. Flanagan's license to practice practical nursing in Maine, pending her full compliance with the recommendations of Peter Carleton, L.S.A.C. In addition, Ms. Flanagan understands and agrees that she will accept no employment in any position in the field of health care, including as a Certified Nursing Assistant (C.N.A.). The Board agrees to take no further disciplinary action upon these facts so long as Ms. Flanagan is fully complying with the terms of this Temporary Consent Agreement.

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

DATED: _____

BY: Judith P. Flanagan
JUDITH P. FLANAGAN

DATED: 9/14/92

FOR THE MAINE STATE BOARD OF NURSING:
BY: Jean C. Caron
JEAN C. CARON, R.N., M.S.
Executive Director

DATED: 9/21/92

FOR THE DEPARTMENT OF ATTORNEY GENERAL
BY: Timothy W. Collier
TIMOTHY W. COLLIER
Assistant Attorney General
Counsel to the Board