



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: KATHLEEN A. GILLIAM, R.N.)
 of Brunswick, Maine)
 License #R023870)

CONSENT AGREEMENT
 FOR
 WARNING

INTRODUCTION

This document is a Consent Agreement (“Agreement”) regarding Kathleen A. Gilliam’s license to practice registered professional nursing in the State of Maine. The parties to this Agreement are Kathleen A. Gilliam (“Licensee” or “Ms. Gilliam”), Maine State Board of Nursing (“Board”), and the Office of the Attorney General, State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A (1-A) (A), 10 M.R.S.A. § 8003(5) (B) and reached this Agreement on the basis of 1) the Board Notice of Provider Report dated January 19, 2010, which includes information from Maine Medical Center (“MMC”) dated January 13, 2010; and 2) Ms. Gilliam’s response dated February 9, 2010.

FACTS

1. Kathleen A. Gilliam has been a registered professional nurse licensed to practice in Maine since August, 1980.
2. Kathleen A. Gilliam admits that she breached patient confidentiality by accessing medical information of a patient who was not under her direct care. Ms. Gilliam had received a warning from MMC for similar conduct in September 2009.

AGREEMENT

3. Kathleen A. Gilliam understands and agrees that her conduct in the above-stated facts constitutes grounds for discipline under Title 32 M.R.S.A. § 2105-A (2) (F), (2) (H) and Chapter 4.1.A.6, 4.1.A.8. and Chapter 4.3.F. of the rules and regulations of the Maine State Board of Nursing. Kathleen A. Gilliam is hereby **WARNED** for these violations. Specifically, the violations are:

Title 32 M.R.S.A. §§:

- a. 2105-A (2) (F). Unprofessional Conduct. Ms. Gilliam engaged in unprofessional conduct by violating standards of professional behavior regarding confidentiality of information or knowledge concerning the patient that have been established in the practice for which the licensee is licensed. (See also Chapter 4, Section 1.A.6.)
- b. 2105-A (2) (H). A violation of this chapter or a rule adopted by the Board. (See also Chapter 4, Section 1.A.8.)

Chapter 4, Section 3. Unprofessional conduct as defined by the rules and regulations of the Maine State Board of Nursing in Chapter 4, Section 3, states *nursing behavior which fails to conform to legal standards of the nursing profession, and which could reflect adversely on the health and welfare of the public shall constitute unprofessional conduct and shall include, but shall not be limited to, the following:*



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- c. Section 3(F). Ms. Gilliam failed to follow MMC policies and procedures designed to safeguard a patient.
4. The State of Maine is a “party state” that has adopted the Nurse Licensure Compact (“Compact”), which is set out in Chapter 11 of the rules and regulations of the Maine State Board of Nursing. The State of Maine is Ms. Gilliam’s “home state” of licensure and primary state of residence, which means she has declared the State of Maine as her fixed permanent and principle home for legal purposes; her domicile. Other party states in the Compact are referred to as “remote states,” which means party states other than the home state that have adopted the Compact. Ms. Gilliam understands this Agreement is subject to the Compact.
 5. Kathleen A. Gilliam understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Agreement.
 6. Modification of this Agreement must be in writing and signed by all parties.
 7. This Agreement is not subject to review or appeal by Ms. Gilliam.
 8. This Agreement is a public record within the meaning of 1 M.R.S.A. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S.A. § 408.
 9. This Agreement becomes effective upon the date of the last necessary signature below.

I, KATHLEEN A. GILLIAM, R.N., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY REGISTERED PROFESSIONAL NURSE LICENSE. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, KNOWINGLY, AND INTELLIGENTLY AND AGREE TO BE BOUND BY THIS AGREEMENT. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.

DATED: 5/13/10


KATHLEEN A. GILLIAM, R.N.

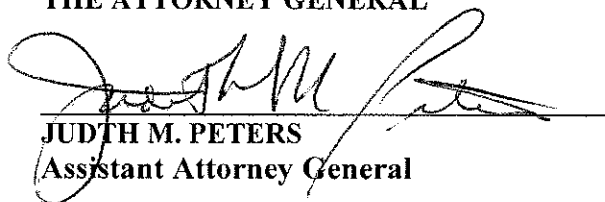
FOR THE MAINE STATE
BOARD OF NURSING

DATED: 5/24/10


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

FOR THE OFFICE OF
THE ATTORNEY GENERAL

DATED: 5/25/10


JUDITH M. PETERS
Assistant Attorney General