



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

ANGUS S. KING, JR.
 GOVERNOR

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

IN RE: BARBARA A. GORDON, R.N.)
 of Wiscasset, Maine)
 License #R016966)

CONSENT AGREEMENT
 FOR LICENSE PROBATION
 WITH CONDITIONS

INTRODUCTION

This document is a Consent Agreement regarding Barbara A. Gordon's license to practice registered professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 10 M.R.S.A. § 8003(5)(A-1)(4), 10 M.R.S.A. § 8003(5)(B), and 32 M.R.S.A. § 2105-A(1-A)(B). The parties to this Consent Agreement are Barbara A. Gordon ("Licensee"), Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine. An informal conference was held on November 19, 2001. The parties reached this Agreement on the basis of information submitted by MaineGeneral Rehabilitation and Nursing Care by letter and supporting documentation dated March 23, 2001.

FACTS

1. Barbara A. Gordon is a registered professional nurse licensed by the Board to practice in Maine since 1972.
2. On December 13, 2000, Ms. Gordon, while working as a charge nurse, failed to transfer a lab order to the proper location in the lab book. This caused an INR to be missed on January 10, 2001.
3. On January 16, 2001, Ms. Gordon re-wrote the lab sheet for blood draws for the morning of January 17, 2001, entering a deceased resident's lab order in error. As a result of this error the lab technician drew blood on a new resident in that bed. The resident underwent an unnecessary invasive procedure because of this error.
4. On January 16, 2001, Ms. Gordon, while working as a charge nurse, failed to transfer a lab order from the proper location in the lab book to the lab sheet for the blood to be drawn in the morning of the 16th. This error caused the lab to be missed on the 16th.
5. Barbara A. Gordon failed to administer medications in accordance with accepted standards of practice.
6. Barbara A. Gordon's nursing practice has demonstrated an inability to properly assess, intervene and follow-up when rendering patient care.



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AGREEMENT

7. Barbara A. Gordon agrees and understands that the conduct alleged constitutes grounds for discipline under 32 M.R.S.A. § 2105-A(2)(E)(1), (2)(F) and (2)(H) and Chapter 4.1.A.5.a., 4.1.A.6., 4.3.F of the Maine State Nursing Board Rules.
8. Barbara A. Gordon's license to practice registered professional nursing is placed on a probationary status with conditions for a period of two years of nursing employment. The conditions of probation are as follows:
 - a. Barbara A. Gordon will notify any and all of her nursing employers of the terms of this Consent Agreement and shall provide them with a copy of it. For purposes of this Consent Agreement, nursing employment is any employment during which Ms. Gordon performs nursing services or holds herself out as a nurse such as through the designation "R.N."
 - b. Barbara A. Gordon will immediately notify the Board in writing of any employment in the field of nursing, including the place and position of employment and of any change in nursing employment.
 - c. Barbara A. Gordon will arrange for and ensure the submission to the Board of quarterly reports addressing her job performance from her nursing employer(s) regarding clinical competency in the areas of assessment, problem identification and problem identification follow-up.
 - d. Barbara A. Gordon will arrange for and ensure the Board that she will seek employment in a supervised facility and during the period of this Consent Agreement Ms. Gordon shall not be in an employment situation where she is the only nurse on duty.
9. Barbara A. Gordon understands and agrees that her license will remain on probationary status and subject to the terms of this Agreement until and unless the Board, at Ms. Gordon's request, votes to terminate Ms. Gordon's probation.

If, at the conclusion of the two year period of probation, Ms. Gordon demonstrates that she has complied with the terms and conditions of this Consent Agreement, the Board will vote to terminate the period of probation. If the Board concludes that the terms and conditions of this Consent Agreement have not been fulfilled, the Board may continue the probationary period or take disciplinary action as authorized by law.

10. Barbara A. Gordon understands and agrees that this document imposes discipline regarding her license to practice professional nursing in the State of Maine. Ms.

Gordon 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.

11. Barbara A. Gordon affirms that she executes this Consent Agreement of her own free will.
12. Modification of this Consent Agreement must in writing and signed by all the parties.
13. This Consent Agreement is not subject to appeal or review by the Licensee but may be enforced by an action in the Superior Court.
14. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, BARBARA A. GORDON, R.N., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.

DATED: 1/8/03

Barbara Gordon RN
BARBARA A. GORDON, R.N.

DATED: 1-8-03

FOR THE MAINE STATE
BOARD OF NURSING

ROGER R. THERRIault, ESQ.
Attorney for Barbara A. Gordon, R.N.

Roger R. Therriault

DATED: Jan 9, 2003

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

DATED: Jan. 10, 2003

FOR THE DEPARTMENT OF
ATTORNEY GENERAL

John H. Richards
JOHN H. RICHARDS
Assistant Attorney General