



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

ANGUS S. KING, JR.
 GOVERNOR

JEAN C. CARON, M.S., R.N.
 EXECUTIVE DIRECTOR

IN RE:) **CONSENT AGREEMENT**
) **FOR REINSTATEMENT OF**
) **LICENSE ON PROBATION**
)
RANDY L. JOHNSON
 of Corea, Maine
 License #R025752

INTRODUCTION

This document is a Consent Agreement regarding Randy L. Johnson's license to practice professional nursing in the State of Maine, entered into pursuant to 32 M.R.S.A. § 2105-A(1-A)(B) and 10 M.R.S.A. § 8003(5)(B). The parties to this Consent Agreement are Randy L. Johnson, the Maine State Board of Nursing ("the Board") and the Department of Attorney General, State of Maine.

This Consent Agreement arose out of an informal conference held on October 23, 1997 to consider Randy L. Johnson's request for reinstatement of license. At the time of the October 23, 1997 informal conference, Mr. Johnson's license to practice professional nursing in Maine had lapsed while on probationary status. Mr. Johnson's license had been placed on probationary status pursuant to an Consent Agreement entered into by the parties in June, 1993. Mr. Johnson's license to practice nursing has been subject to various restrictions dating back to at least 1986 as a result of his history of substance abuse. The 1993 Consent Agreement provided for a reinstatement of Mr. Johnson's license on probation following a voluntary surrender.

At the informal conference on October 23, 1997, Mr. Johnson represented to the Board that he moved to Florida and did not practice nursing after entering into the 1993 Consent Agreement. He acknowledged that he failed to fulfill the conditions of the 1993 Consent Agreement but maintained that he had been substance free for approximately four years.

**AGREEMENT FOR REINSTATEMENT
 OF LICENSE ON PROBATION WITH CONDITIONS**

Mr. Johnson's license to practice professional nursing in the State of Maine is reinstated on probationary status. The period of probation will be for a minimum of two years of nursing employment and will be subject to the following conditions:

1. **Substance Free:** Mr. Johnson will abstain completely from the use of alcohol or drugs with the exception of substances used in accordance with a valid prescription from a physician who is aware of Mr. Johnson's substance abuse history.

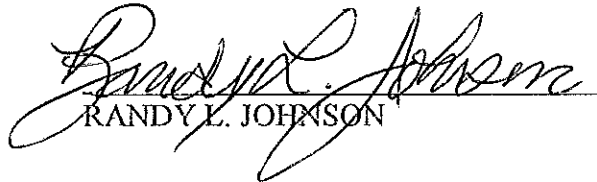
2. **Self-Help Program:** Mr. Johnson will continue in his self-help program.
3. **Continuing Education:** Mr. Johnson shall submit proof of having completed twelve (12) contact hours of continuing education during the probationary period.
4. **Notice to Employer:** Mr. Johnson will notify any and all of his 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 Mr. Johnson performs nursing services or holds himself out as a nurse such as through the designation "R.N."
5. **Employer Quarterly Reports:** Mr. Johnson will arrange for and ensure the submission to the Board of quarterly reports addressing his job performance from his nursing employer(s).
6. **Notice of Employment Status:** Mr. Johnson 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.
7. **Employment Restricted to a Structured Setting:** Mr. Johnson shall limit his practice of nursing to employment in a supervised structured health care setting where there is nursing supervision.
8. **Confidentiality and Release of Records:** Upon request of any member of the Board, the Board's Executive Director, or the Department of Attorney General, for the purpose of evaluating Mr. Johnson's compliance with this Consent Agreement and his continued recovery, Mr. Johnson shall provide such information, shall authorize the release of such records and information, and shall authorize any such discussions and communications with any and all persons involved in Mr. Johnson's employment or self-help program regarding Mr. Johnson's recovery from substance abuse and his competency to practice professional nursing.
9. **Automatic Suspension:** Mr. Johnson agrees and understands that if any member of the Board or the Board's Executive Director receives reasonably reliable information that Mr. Johnson has not remained substance free or is unable to competently perform the duties and responsibilities required of a professional nurse, Mr. Johnson's license will be immediately and automatically suspended pending further review by the Board. In the event such information is received by any member of the Board or its Executive Director, the information will be forwarded to Mr. Johnson for a response. Mr. Johnson agrees and understands that his license will remain suspended unless and until the Board is satisfied that Mr. Johnson's license may be reinstated consistent with the public health and welfare in the area of nursing services.

10. **Termination of Probation:** Mr. Johnson agrees and understands that his license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond a minimum two-year probationary period, until and unless the Board, at Mr. Johnson's request, votes to terminate Mr. Johnson's probation. When considering whether to terminate the probation, the Board will consider the degree to which Mr. Johnson has complied with the provisions of this Agreement.

11. **Miscellaneous Provisions:** Mr. Johnson understands that this document is a Consent Agreement which affects his license to practice nursing in the State of Maine. This Consent Agreement may be amended only in writing, signed by all the parties. Mr. Johnson understands that he does not have to execute this Consent Agreement and that he has the right to consult with an attorney before entering this Consent Agreement. Mr. Johnson affirms that he executes this Consent Agreement of his own free will.

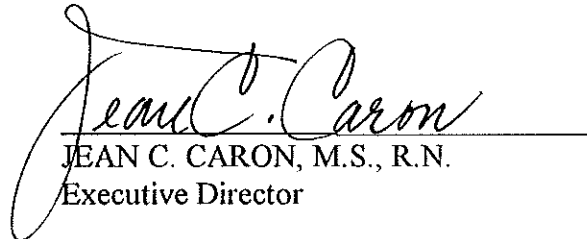
12. **Effective Date:** This Consent Agreement becomes effective upon the last necessary signature below.

DATED: 11/4/97


RANDY L. JOHNSON

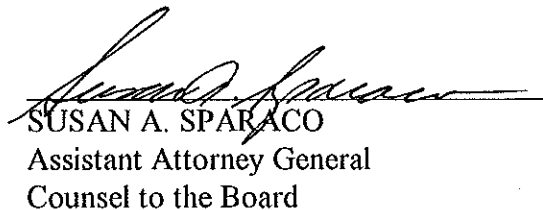
FOR THE MAINE STATE BOARD OF NURSING:

DATED: 11/5/97


JEAN C. CARON, M.S., R.N.
Executive Director

FOR THE DEPARTMENT OF ATTORNEY GENERAL:

DATED: 11/5/97


SUSAN A. SPARACO
Assistant Attorney General
Counsel to the Board

RECEIVED
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MAINE STATE BOARD OF NURSING