



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: **BOBBI J. McCARTHY, R.N.**)
 of Oakland, Maine) **CONSENT AGREEMENT**
 License # R035536) **FOR REPRIMAND**

INTRODUCTION

This document is a Consent Agreement regarding Bobbi J. McCarthy's license to practice registered professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105A(1A)(A), 10 M.R.S.A. § 8003(5)(A-1)(1) and § 8003(5)(B). The parties to this Consent Agreement are Bobbi J. McCarthy ("Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. An informal conference was held on June 5, 2002. The parties reached this Agreement on the basis of information submitted by HealthReach Home Care by letters dated November 7, 2001 and December 4, 2001 with attachments relative to the facility's investigation.

FACTS

1. Bobbi J. McCarthy has been a registered professional nurse licensed by the Board to practice in Maine since 1992.
2. Bobbi J. McCarthy admits that she falsified billing documents and patient care records for nursing services that were never done.
3. The Board finds that Ms. McCarthy's conduct in falsifying a patient's assessment could have put the patient at risk.

AGREEMENT

4. Bobbi J. McCarthy agrees and understands that her above-described conduct constitutes grounds for discipline under Title 32 M.R.S.A. § 2105-A(2)(A), (2)(F) and (2)(H) and Chapter 4.1.A.1., 4.1.A.6., 4(3)(F) and 4(3)(K). The Board finds that the factual basis of the complaint is true and is of sufficient gravity to issue Bobbi J. McCarthy a REPRIMAND pursuant to 32 M.R.S.A. § 2105-A(A-1)(A).
5. Bobbi J. McCarthy understands that this Consent Agreement imposes discipline regarding her license to practice registered professional nursing in the State of Maine. Ms. McCarthy 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.



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6. Bobbi J. McCarthy affirms that she executes this Consent Agreement of her own free will.
7. Modification of this Consent Agreement must be in writing and signed by all the parties.
8. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
9. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, BOBBI J. MCCARTHY, 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: June 27, 02

Bobbi J. McCarthy R.N.
BOBBI J. MCCARTHY, R.N.

FOR THE MAINE STATE
BOARD OF NURSING

DATED: July 29, 2002

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

FOR THE DEPARTMENT OF
ATTORNEY GENERAL

DATED: July 31, 2002

John N. Richards
JOHN N. RICHARDS
Assistant Attorney General