



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: GILLIAN MILLER, R.N.)
 of Machias, Maine) **CONSENT AGREEMENT**
 License #R040756) **FOR CENSURE**

INTRODUCTION

This document is a Consent Agreement regarding Gillian Miller'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)(1), § 8003(5)(B) and 32 M.R.S.A. § 2105-A(1-A)(A). The parties to this Consent Agreement are Gillian Miller ("Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. An informal conference was held on April 26, 2004. The parties reached this Agreement on the basis of information submitted by Sunrise County HomeCare Services, Machias, Maine, by correspondence dated May 5, 2003.

FACTS

1. Gillian Miller has been a registered professional nurse licensed to practice in Maine since 1997.
2. Gillian Miller provided in-home skilled nursing care. On two occasions, April 12, 2003 and April 25, 2003 Ms. Miller falsified documentation that the two skilled visits were made with a client when in fact they were not performed.
3. Gillian Miller was terminated immediately from Sunrise County HomeCare Services as a result of her actions.
4. Gillian Miller attributes her actions because of life stressors she describes as financial, family and relational. In addition, her work load added to the stress she was experiencing and admits that she falsified the medical documentation in a state of panic.

AGREEMENT

5. Gillian Miller agrees and understands that his conduct constitutes in the above stated facts are grounds for discipline under Title 32 M.R.S.A. § 2105-A(2)(A), (2)(F), (2)(H) and Chapter 4.1.A1., 1.A.6., 4.3.F. and 4.3.K. of the Rules and Regulations of the Maine State Board of Nursing. Gillian Miller is hereby **CENSURED** for:
 - a. The practice of fraud or deceit in connection with a service rendered within the scope of the license she was issued.



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- b. Unprofessional conduct and for failing to take appropriate action or follow policies and procedures in a practice situation designed to safeguard the patient.
 - c. Inaccurate recording, falsifying or altering a patient or health care provider record.
6. Gillian Miller understands that this Consent Agreement imposes discipline regarding her license to practice registered professional nursing in the State of Maine. Ms. Miller 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.
 7. Gillian Miller affirms that she executes this Consent Agreement of her own free will.
 8. Modification of this Consent Agreement must be in writing and signed by all the parties.
 9. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
 10. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, GILLIAN MILLER, 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: 5/26/04

Gillian Miller
GILLIAN MILLER, R.N.

DATED: 6/1/04

Tracie L. Adamson
TRACIE L. ADAMSON, ESQ
Attorney for Gillian Miller, R.N.


**FOR THE MAINE STATE
BOARD OF NURSING**

DATED: June 4, 2004

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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: 6/10/04



JOHN H. RICHARDS
Assistant Attorney General