



Paul R. LePage
GOVERNOR

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

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

IN RE: AMANDA L. PETERS, RN
of Scarborough, ME

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)
)

AGREEMENT TO TERMINATE
PROBATION

License No. RN52666

INTRODUCTION

The purpose of this Agreement ("Agreement") is to terminate Amanda L. Peters's Consent Agreement dated March 23, 2009 (the "2009 Agreement") and thereby terminate her period of probation and all terms and conditions imposed by the 2009 Agreement. The parties to this Agreement are Amanda L. Peters ("Licensee" or "Ms. Peters"), the Maine State Board of Nursing ("the Board"), and the Office of the Attorney General, State of Maine.

FACTS

1. Amanda L. Peters was licensed by the Board to practice as a registered professional nurse ("RN") in Maine on June 28, 2006.
2. On March 23, 2009, Ms. Peters entered into a Consent Agreement (2009 Agreement) with the Board placing her nursing license on probation for a term of eight years. The 2009 Agreement is incorporated herein, attached hereto and marked as Exhibit A.
3. On July 30, 2013, Ms. Peters petitioned the Board to modify her 2009 Agreement. On September 4, 2013, Ms. Peters appeared before the Board and requested that her probation be amended or terminated.
4. The Board considered the following information pertaining to Ms. Peters's request:
 - a. Correspondence dated December 26, 2012 from Teresa Valliere, LCSW, LADC, CCS, confirming the Licensee meets the criteria for sustained full remission from opiate dependence and is able to maintain said remission without the support of psychotherapy;
 - b. Ms. Peter's continued three to four times a week meeting participation in NA with sponsorship, role as NA treasurer and chair of its Activities Committee, service work at the Cumberland County Jail and Maine Correctional Center; and
 - c. Correspondence dated June 19, 2013 from Tammie Bouchard, RN/Inpatient Program Manager regarding Amanda Peter's current nursing employment at Mercy Recovery Center.

AGREEMENT

5. The Board voted to grant Amanda L. Peter's request to modify the 2009 Agreement. This Agreement modifies the 2009 Agreement by terminating the probation imposed in Paragraph No. 5 of the 2009 Agreement.



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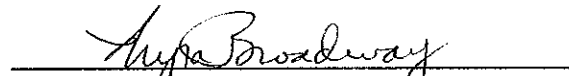
6. This Agreement is a public record within the meaning of 1 M.R.S. §402 and will be available for inspection and copying by the public pursuant to 1 M.R.S. §408.
7. This Agreement becomes effective upon the date of the last necessary signature below.
8. Amanda L. Peters acknowledges that she has read and understands this Agreement and has had an opportunity to consult with legal counsel prior to signing it.

DATED: 9.17.13


AMANDA L. PETERS, RN

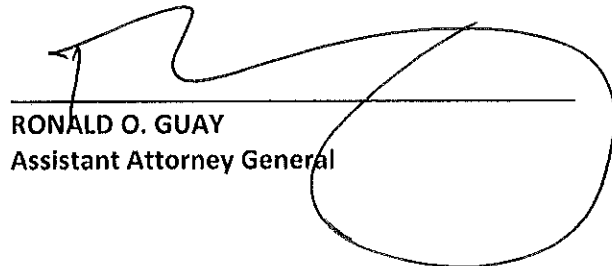
FOR THE MAINE STATE BOARD OF NURSING

DATED: 9/20/13


MYRA A. BROADWAY, JD, MS, RN
Executive Director

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 9/24/13


RONALD O. GUAY
Assistant Attorney General



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: AMANDA L. PETERS, R.N.) CONSENT AGREEMENT
 of Scarborough, Maine) **FOR PROBATION**
 License #R052666) **WITH CONDITIONS**

INTRODUCTION

This document is a Consent Agreement (Agreement”) regarding Amanda L. Peters’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. § 2105-A (1-A) (B) and 10 M.R.S.A. § 8003(5) (B). The parties to this Agreement are Amanda L. Peters (“Licensee” or “Ms. Peters”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. An informal conference was held on February 26, 2009. The parties reached this Agreement on the basis of a Notice of Complaint/Provider Report from the Board dated September 16, 2008, which included information from Maine Medical Center dated August 12, 2008; and Ms. Peters’s response dated September 22, 2008 [Exhibit A].

FACTS

1. Amanda L. Peters has been a registered professional nurse licensed to practice in Maine since June 2006.
2. On August 11, 2008, Ms. Peters admitted that she diverted controlled medications from Maine Medical Center for her own personal use. The hospital administration granted Ms. Peters’s request for assistance and support to address her substance abuse problem and she was placed on administrative leave for the purpose of undergoing drug abuse treatment.
3. Amanda L. Peters has been substance free since August 8, 2008. She continues to see a counselor and attends Narcotics Anonymous weekly.

AGREEMENT WITH CONDITIONS OF PROBATION

4. Amanda L. Peters understands that based upon the above-stated facts, this document imposes discipline regarding her license to practice professional nursing in the State of Maine. The grounds for discipline for violations under 32 M.R.S.A. § 2105-A(2)(A), (2)(B), (2)(F), (2)(H) and Chapter 4, sections 1(A)(1), 1(A)(2), 1(A)(6), 1(A)(8) and Chapter 4, sections 3(F), 3(K), 3(P) and 3(Q) of the Rules and Regulations of the Maine State Board of Nursing. Specifically, the violations are:
 - a. M.R.S.A. § 2105-A (2) (A). The practice of fraud or deceit in connection with service rendered within the scope of the license issued by engaging in the conduct of



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diverting controlled medications from Maine Medical Center. (See also Rule Chapter 4, Section 1.A.1.)

- b. M.R.S.A. § 2105-A (2) (B). Habitual substance abuse that has resulted or is foreseeably likely to result in the licensee performing services in a manner that endangers the health or safety of patients. (See also Rule Chapter 4, Section 1.A.2.)
- c. M.R.S.A. § 2105-A (2) (F). Unprofessional Conduct. Ms. Peters engaged in unprofessional conduct because she violated a standard of professional behavior that has been established in the practice for which she is licensed by engaging in the conduct of diverting controlled medications from Maine Medical Center. (See also Rule Chapter 4, Section 1.A.6.)
- d. M.R.S.A. § 2105-A (2) (H). A violation of this chapter or a rule adopted by the Board. (See also Rule Chapter 4, Section 1.A.6.)

Rule Chapter 4, Section 3. *Unprofessional conduct* is defined as *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:*

- e. Chapter 4, Section 3(F). Ms. Peters failed to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard the patient.
 - f. Chapter 4, Section 3(K). Ms. Peters inaccurately recorded, falsified or altered a patient and health care provider record in the act of diverting controlled medications.
 - g. Chapter 4, Section 3(P). Ms. Peters diverted drugs from patients and a health care provider.
 - h. Chapter 4, Section Q. Ms. Peters possessed, obtained and administered prescription drugs to herself, except as directed by a person authorized by law to prescribe drugs.
5. Amanda L. Peters's license as a registered professional nurse in the State of Maine is placed on a probationary status with conditions. The period of probation will commence upon her return to nursing practice for a period of eight years, to be effective only while she is employed in nursing practice and/or enrolled in a clinical nursing education program. For purposes of this Agreement, nursing employment is any employment during which Ms. Peters performs nursing services. Ms. Peters's probationary license will be subject to the following conditions:
- a. Amanda L. Peters shall fully comply with the conditions of probation and cooperate with the representatives of the Board in its monitoring and investigation of her compliance with probation. Ms. Peters shall inform the Board in writing within 15 days of any address change.

- b. Amanda L. Peters will abstain completely from the use of drugs, with the exception of substances used in accordance with a valid prescription from a treatment provider who is aware of her substance abuse history.
 - c. Amanda L. Peters will continue in her aftercare treatment program to such an extent and for as long as her treatment providers recommend.
 - d. Amanda L. Peters will arrange for and ensure the submission of quarterly reports to the Board by her treatment providers and such reports shall continue until her probation is terminated. If Ms. Peters's treatment is terminated during her probation, she shall notify the Board and provide written documentation.
 - e. Amanda L. Peters will notify the Board in writing within five business days after she obtains any nursing employment and/or an educational program in the field of nursing. Notice under this section shall include the place and position of employment or the nursing educational program. If during the period of probation, Ms. Peters's employment as a nurse or her educational program in the field of nursing terminates, she shall notify the Board in writing within five business days after she is terminated or separated, regardless of cause, with a full explanation of the circumstances surrounding the termination or separation.
 - f. Amanda L. Peters will notify any and all of her nursing employers and faculty involved in any clinical studies of the terms of this Consent Agreement and provide them with a copy of it.
 - g. Amanda L. Peters will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer and/or clinical faculty regarding her general nursing practice, which is to include clinical competency, ability to follow policies and procedures relative to standards of practice, and clinical documentation.
 - h. Amanda L. Peters agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement beyond the eight-year probationary period until and unless the Board, at Ms. Peters's written request, votes to terminate her probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Peters has complied with the provisions of this Agreement.
 - i. Amanda L. Peters's employment is restricted during the period of probation to structured settings with on-site supervision by another registered professional nurse. Structured settings shall not include assignments from temporary employment agencies, school nursing, work as a travel nurse, or work within the correctional system.
6. If Ms. Peters violates the conditions of her probation, the Board will give written notice to the Licensee regarding her failure to comply. Notice will be sent by certified mail, return receipt requested, to the last known address of the Licensee that is on file with the Board. The Licensee has 30 days from receipt of this notification to respond to the Board, in writing, regarding the alleged violation. The Board will review the Licensee's timely

response to determine what action, if any, the Board determines to take. If the Licensee fails to timely respond to the Board's notification regarding her failure to comply, her license will be immediately suspended pending a hearing at the next regularly scheduled Board meeting. If after notice and a hearing, the Board finds that the Licensee has failed to meet the conditions of probation, the Board may take any disciplinary action which it deems appropriate and impose any of the sanctions including, but not limited to, that found in Title 10 M.R.S.A. § 8003 and Title 32 M.R.S.A. § 2105-A.

7. Amanda L. Peters understands and agrees that if any member of the Board or the Board's Executive Director receives reasonably reliable information suggesting that she has not remained substance free in accordance with the Agreement, her license will be immediately and automatically suspended pending further review by the Board. In the event any member of the Board or its Executive Director receives such information, the information will be immediately forwarded to Ms. Peters for a response. Ms. Peters agrees and understands that in such an event, her license shall remain suspended pending a hearing. The Board shall hold a hearing within 60 days of the automatic suspension unless both the Licensee and the Board agree to hold the hearing later, or the Executive Director and/or the Office of the Attorney General earlier determine that such information is without merit. If the information received is proven to be inaccurate or incorrect, either through hearing or determination by the Executive Director and/or the Office of the Attorney General, Ms. Peters's license will be immediately reinstated retroactive to the date of suspension.
8. Amanda L. Peters understands and agrees that the Board and the Office of Attorney General shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her treatment for substance abuse which the Board deems necessary to evaluate her compliance with this Agreement and her continued recovery. Ms. Peters 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 her care, counseling and employment as may be requested by the Board.
9. 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. Peters's "home state" of licensure and primary state of residence, which means that she has declared the State of Maine as her fixed permanent and principle home for legal purposes; her domicile. Other party states that are in the Compact are referred to as "remote states," which means party states other than the home state that have adopted the Compact. Ms. Peters understands that this document is an Agreement subject to the Compact. Ms. Peters agrees that during the pendency of this Agreement, her nursing practice may be limited to the State of Maine as it pertains to the Compact. If Ms. Peters wishes to practice in any other party state within the Compact, she shall arrange to have the party state in which she intends to practice provide the Board with written authorization that she has been approved to practice in that state.

10. 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.
11. Amanda L. Peters understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Agreement.
12. Amanda L. Peters affirms that she executes this Agreement of her own free will.
13. Modification of this Agreement must be in writing and signed by all parties.
14. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
15. This Agreement becomes effective upon the date of the last necessary signature below.


I, AMANDA L. PETERS, 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: 3.17.09


AMANDA L. PETERS, R.N.

**FOR THE MAINE STATE
BOARD OF NURSING**

DATED: 3/19/09


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

**FOR THE DEPARTMENT OF
ATTORNEY GENERAL**

DATED: 3/23/09


JOHN H. RICHARDS
Assistant Attorney General