



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

**BEFORE THE MAINE STATE BOARD OF NURSING**

IN THE MATTER OF LICENSE NO. )  
 R033347 ISSUED TO: )  
 )  
 PHYLLIS B. ARCHIBALD )  
 )  
 To practice registered professional nursing )  
 in the State of Maine )  
 ----- )

**ORDER TERMINATING  
 PROBATION**

WHEREAS, on February 6, 2002, License No. R033347 issued to Phyllis B. Archibald was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and

WHEREAS, on August 28, 2002, the Board of Nursing duly considered all evidence presented to it concerning Phyllis B. Archibald's compliance with the conditions of said probation; and

WHEREAS, the Board found that Phyllis B. Archibald has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation executed on February 28, 2002 is hereby terminated.

DATED this 29th day of August 2002.

MAINE STATE BOARD OF NURSING

BY: Myra Broadway  
 Myra A. Broadway, J.D., M.S., R.N.  
 Executive Director



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OFFICES LOCATED AT: 24 STONE ST., AUGUSTA, ME

PHONE: (207) 287-1133

TDD: (207) 287-1151

FAX: (207) 287-1149



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IN RE: **PHYLLIS B. ARCHIBALD, R.N.**        )  
       of Windham, Maine                    )  
       License #R033347                     )        **CONSENT AGREEMENT**  
   )        **FOR REINSTATEMENT**  
   )        **AND PROBATION**

**INTRODUCTION**

This document is a Consent Agreement regarding Phyllis B. Archibald'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. § 2105A(1A)(B). An informal conference was held on February 6, 2002. The parties to this Consent Agreement are Phyllis B. Archibald, Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine.

**FACTS**

1. Phyllis B. Archibald voluntarily surrendered her nursing license on October 31, 2001 as a result of a substance abuse problem.
2. The Board finds that Ms. Archibald has complied with the terms and conditions of the Consent Agreement dated October 31, 2001.

**REINSTATEMENT WITH CONDITIONS OF PROBATION**

3. Phyllis B. Archibald's license to practice registered professional nursing in the State of Maine is reinstated on a probationary status with conditions. The period of probation will be for a period of six months, to be effective upon the date of the last necessary signature below. Ms. Archibald's probationary license will be subject to the following conditions:
  - a. Phyllis B. Archibald 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 Ms. Archibald's substance abuse history.

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- b. Phyllis B. Archibald will continue in her aftercare treatment program.
  - c. Phyllis B. Archibald will arrange for and ensure the submission of monthly reports to the Board by her treatment providers.
  - d. Phyllis B. Archibald will immediately notify the Board in writing should she return to employment or an educational program in the field of nursing during the period of probation. Notice under this section shall include the place and position of employment or the educational program and any change in employment or educational programs.
  - e. Phyllis B. Archibald will notify any and all of her nursing employers and notify faculty involved in any clinical studies of the terms of this Consent Agreement and shall provide them with a copy of it.
  - f. Phyllis B. Archibald will arrange for and ensure the submission to the Board of monthly reports from her nursing employer or clinical faculty.
4. Phyllis B. Archibald agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the six month probationary period, until and unless the Board, at Ms. Archibald's written request, votes to terminate Ms. Archibald's probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Archibald has complied with the provisions of this Agreement.
  5. Phyllis B. Archibald understands that this document is a Consent Agreement that affects her rights to practice nursing in Maine. Ms. Archibald 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 the Consent Agreement.
  6. Phyllis B. Archibald 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 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, PHYLLIS B. ARCHIBALD, 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: 2/25/02 Phyllis Archibald R.N.  
PHYLLIS B. ARCHIBALD, R.N.

DATED: 2/25/02 KW Lehman  
KENNETH W. LEHMAN, ESQ.  
Attorney for Phyllis B. Archibald

FOR THE MAINE STATE  
BOARD OF NURSING

DATED: 2/26/02 Myra Broadway  
MYRA A. BROADWAY, J.D., M.S., R.N.  
Executive Director

FOR THE DEPARTMENT  
OF ATTORNEY GENERAL

DATED: 2/28/02 John H. Richards  
JOHN H. RICHARDS  
Assistant Attorney General

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BOARD OF NURSING