



MAINE STATE BOARD OF NURSING

35 ANTHONY AVENUE
STATE HOUSE STATION 158
AUGUSTA, MAINE 04333
(207) 624-5275

BEFORE THE MAINE STATE BOARD OF NURSING

IN THE MATTER OF THE LICENSE NO.)
R24396 & P05652)
)
)
Issued to:)
Marilyn E. Barrett)
To practice professional and)
practical nursing in the)
State of Maine)
-----)

ORDER TERMINATING
PROBATION

WHEREAS, on May 1, 1991, License No. R24396 and P05652, issued to Marilyn E. Barrett was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and

WHEREAS, the Board of Nursing duly considered all evidence presented to it concerning Marilyn E. Barrett's compliance with the conditions of said probation at the Board's regularly scheduled meeting on May 1, 1991; and

WHEREAS, the Board found that Marilyn E. Barrett has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation issued May 1, 1991 is hereby terminated.

DATED this 11th day of February, 1992.

MAINE STATE BOARD OF NURSING

Jean C. Caron, R.N., M.S.
Executive Director

cc: Timothy W. Collier, Assistant Attorney General



MAINE STATE BOARD OF NURSING

35 ANTHONY AVENUE
STATE HOUSE STATION 158
AUGUSTA, MAINE 04333
(207) 289-5324

In re:) CONSENT AGREEMENT
Marilyn E. Barrett, R.N.) REGARDING PROBATIONARY
of Veazie, Maine) STATUS OF LICENSE

INTRODUCTION

This document is a Consent Agreement regarding Marilyn E. Barrett's license to practice professional nursing in the State of Maine, entered into pursuant to 32 M.R.S.A. Section 2105-A(1-A)(C) (1988). The parties to this Consent Agreement are: Marilyn E. Barrett, R.N., the Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine.

By letter dated February 15, 1991, Ms. Barrett was advised by the Board that it had received a letter dated February 8, 1991 from Lynn Brown, R.N., Senior Administrator, Eastern Maine Medical Center, alleging that Ms. Barrett may be in violation of 32 M.R.S.A. Section 2105-A(2)(B), (2)(E), and (2)(F). Ms. Barrett responded to the Board in a letter dated March 9, 1991. Subsequently, the Board requested that Ms. Barrett attend an informal conference pursuant to 32 M.R.S.A. Section 2105-A(1-A). The informal conference was held on May 1, 1991. Ms. Barrett was present and was not represented by an attorney.

FINDINGS OF FACT

As a result of the informal conference, the Board made the following findings of fact:

1. Licensee has been on prescribed medication for depression.
2. Licensee was impaired on duty during an evening shift in early February, 1991, as a result of these prescribed medications together with an over-the-counter drug with a high alcohol content.
3. This impairment on duty created a potential for patient harm.
4. There has been no documented patient harm as a result of Ms. Barrett's nursing activity.

5. Licensee is currently in professional treatment and is involved in self-help programs for chemical dependency.
6. Licensee is currently taking medication prescribed by a physician experienced in dual diagnoses.
7. Licensee has maintained a good employment record, according to her employer.
8. Licensee has no history of drug diversion.
9. Licensee admits to a history of alcohol abuse.
10. Licensee's hospital employer is supportive of her.
11. Licensee has a good family support system at home.
12. The Board has received a letter of support for Ms. Barrett from her substance abuse counselor.

COVENANTS

Based on the above findings of fact, the Board voted to place Ms. Barrett's license on a probationary status for one year, retroactive to February 13, 1991, pending compliance with the following conditions:

1. Licensee must continue with treatment by a licensed substance abuse counselor until the counselor deems that treatment is no longer necessary.
2. Licensee must remain substance-free except for medications prescribed for her by Dr. Violette.
3. Licensee must notify any subsequent nurse employer of her probationary status and must arrange for quarterly progress reports from her nurse employer once she returns to nursing practice.
4. Licensee will arrange for quarterly reports to be submitted to the Board by her substance abuse counselor, with the next report due in August of 1991.
5. When Licensee returns to nursing practice, she must not administer controlled substances until her substance abuse counselor says that she is capable of doing so.
6. Licensee must inform any treating physicians about her substance abuse problem.

Ms. Barrett understands that this document is a Consent Agreement which affects her rights to practice nursing in Maine. Ms. Barrett understands that she does not have to execute this

Consent Agreement and that she has the right to consult with an attorney before entering this Consent Agreement. Ms. Barrett affirms that she executes this Consent Agreement of her own free will.

DATED: May 10, 1991

BY: Marilyn E. Barrett, R.N.
MARILYN E. BARRETT, R.N.

FOR THE MAINE STATE BOARD OF NURSING:

DATED: 5/13/91

BY: Jean C. Caron
JEAN C. CARON, R.N., M.S.
Executive Director

FOR THE DEPARTMENT OF ATTORNEY GENERAL

DATED: 5/21/91

BY: Tim W. Collier
TIMOTHY W. COLLIER
Assistant Attorney General
Counsel to the Board