



## Maine State Board of Nursing

295 WATER STREET  
AUGUSTA, MAINE 04330  
Tel. 289-5324

SAMPLE ONLY

In Re: Kevin C. Brekke, R.N.

### ADMINISTRATIVE CONSENT DECREE

On January 21, 1986, the Maine State Board of Nursing (hereinafter "the Board") met with Kevin Brekke, R.N., for an informal conference under the provisions of 32 M.R.S.A. Section 2105-A (1) at its offices at 295 Water Street, Augusta, Maine. During this informal conference, Mr. Brekke admitted that he had on two occasions diverted Tylenol No. 3 designated for a patient at Mercy Hospital in Portland, Maine for the use of another person.

The Board and Mr. Brekke wish to resolve this matter without filing an action in the Administrative Court. Therefore the Board and Mr. Brekke hereby agree to the following terms:

- (1) Mr. Brekke's license to practice as a registered professional nurse in Maine will be on a probationary status for one year beginning January 21, 1986.
- (2) During the period of probation, Mr. Brekke agrees to the following conditions:
  - (a) He will undergo an evaluation/assessment at the Jackson Brook Institute to determine whether he has a chemical dependency problem, as recommended by Roger Ginn, Ph.D., his outpatient therapist at Mercy Hospital.
  - (b) The report of Jackson Brook Institute's assessment will be sent directly to the Board. A copy of the Jackson Brook Institute's report dated June 2, 1986 was received by the Board on June 23, 1986 and is incorporated herein as Exhibit A.
  - (c) Mr. Brekke will follow any recommendation made by the staff at Jackson Brook Institute following his assessment and specifically the recommendation "that outpatient counseling with a clinician versed in chemical dependency treatment specifically addressing risk factors of chemical dependency be completed....Should outpatient counseling be unsuccessful for Mr. Brekke with regard to any

continued problems related to chemical use, then admission for inpatient treatment would clearly be appropriate."

- (d) Mr. Brekke will continue in therapy with Roger Ginn, Ph.D., and will submit to the Board Dr. Ginn's credentials as a therapist.
- (e) Mr. Brekke will arrange to have Dr. Ginn submit bi-monthly reports regarding his progress directly to the Board for the first six months of his probationary period. For the remainder of the probationary period, such progress reports will be submitted to the Board on a quarterly basis.
- (3) The Board and the Department of the Attorney General agree that the Board will <sup>not</sup> pursue through Administrative Court a revocation or suspension of Mr. Brekke's license pursuant to 32 M.R.S.A. Sections 2105-A(1)(d) and (2)(b) based on the drug diversion.

If for any reason Mr. Brekke fails to fulfill any of his obligations under this Consent Decree, both the Board and the Department of the Attorney General will be released from all of their obligations under this agreement and will be free to take whatever action they deem appropriate.

HUTHE

DATED: \_\_\_\_\_

SIGNED: Kevin C. Brekke RN  
Kevin C. Brekke, R.N.

DATED: \_\_\_\_\_

SIGNED: Gerald P. Conley, Jr.  
Gerald P. Conley, Jr., Esq.  
Attorney for Kevin Brekke

DATED: 12/12/86

SIGNED: Jean C. Caron  
MAINE STATE BOARD OF NURSING  
Jean C. Caron, R.N.  
Executive Director

DATED: 12/12/86

SIGNED: Martha F. Willard  
~~Martha F. Willard~~ KENNETH W. LEHMAN  
Assistant Attorney General  
Counsel to Board