



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: BARBARA L. CARY, R.N.)
 of Madison, Maine) **CONSENT AGREEMENT**
 License #R029182) **FOR REPRIMAND**

INTRODUCTION

This document is a Consent Agreement regarding Barbara L. Cary'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) (A), 10 M.R.S.A. § 8003(5) (A-1) (1) and § 8003(5) (B). The parties to this Consent Agreement are Barbara L. Cary ("Licensee" or "Ms. Cary"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. The parties reached this agreement based upon information submitted by the Maine Department of Health and Human Resources, Division of Licensing & Certification in Complaint Investigation, Sandy River, ME#00004395.

FACTS

1. Barbara L. Cary has been a registered professional nurse licensed to practice in Maine since January 14, 1986.
2. Barbara L. Cary was working the evening shift at Sandy River as the Charge Nurse on November 16, 2006. During the evening shift, Ms. Cary prepared a scheduled pain medication for one of the residents under her care and subsequently administered the medication to the wrong resident, who was the roommate of the resident intended to receive the medication. The medications administered were Oxycontin SR 200mg and Percocet 5/325, which created a medication error that caused this resident to become unresponsive. The resident was sent to the intensive care unit and later recovered.

AGREEMENT

3. Barbara L. Cary understands that her conduct in the above-stated facts constitutes grounds for discipline under Title 32 M.R.S.A. § 2105-A (2) (F), (2) (H) and Chapter 4.1.A.6., and Chapter 4.3.F. and 4.3.H. of the Rules and Regulations of the Maine State Board of Nursing. Barbara L. Cary is hereby **REPRIMANDED** for unprofessional conduct because she failed to follow an appropriate standard of nursing practice in medication administration designed to safeguard the patients.
4. 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. Cary's "home state" of licensure and primary state of residence, which means that Ms. Cary has declared that the State of



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Maine is 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. Cary understands that this document is a Consent Agreement that is subject to the Compact.

5. Barbara L. Cary 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. Barbara L. Cary 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 the parties.
8. This Consent 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.
9. This Consent Agreement is not subject to review or appeal by Ms. Cary.
10. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, BARBARA L. CARY, 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: 5/8/08

Barbara L. Cary
BARBARA L. CARY, R.N.

DATED: 05/05/2008

Janet E. Michael
JANET E. MICHAEL, R.N., M.S., J.D.
Attorney for Barbara L. Cary, R.N.

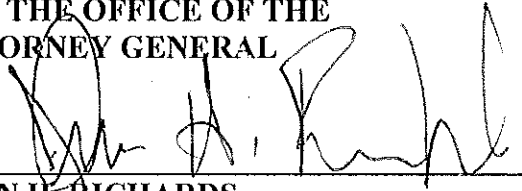
FOR THE MAINE STATE
BOARD OF NURSING

DATED: May 9, 2008

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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: May 14, 2008



JOHN H. RICHARDS
Assistant Attorney General