



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: DONALD C. JOHNSON, R.N.)
 of Auburn, Maine) **CONSENT AGREEMENT**
 License #R030811) **FOR WARNING**

INTRODUCTION

This document is a Consent Agreement regarding Donald C. Johnson'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)(1), § 8003(5)(B) and 32 M.R.S.A. § 2105-A(1-A)(A). The parties to this Consent Agreement are Donald C. Johnson ("Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. An informal conference was held on May 25, 2004. The parties reached this Agreement on the basis of information submitted by the State of Maine, Bureau of Medical Services, Division of Licensing & Certification's investigation of Freeport Nursing and Rehabilitation Center – Complaint No. 02-CU-741 dated August 16, 2002.

FACTS

1. Donald C. Johnson has been a registered professional nurse licensed to practice in Maine since 1987.
2. A resident was admitted to the skilled unit at Freeport Nursing and Rehabilitation Center ("Freeport Nursing") on July 3, 2002, without physician's orders. On July 3, 2002 it was documented that the resident had a decubitus ulcer on the coccyx/sacrum area. Between July 3 and July 10, 2002, nursing documentation staged the decubitus ulcer as a level II or III and described the wound's condition as "2 inch necrotic area/coccyx," "blackened and painful to touch," and the wound exhibiting "green drainage." During this period there was a failure to properly assess the progressing condition of the resident's decubitus ulcer which required differing measures and protocols of medical intervention. The resident was discharged on July 14, 2002, with a stage IV decubitus ulcer that later required multiple surgeries to correct.
3. The standards and protocols of practice for the treatment and care of decubitus ulcers ("wound care") at Freeport Nursing did not reflect current standards of practice.
4. Donald C. Johnson was the director of nursing at Freeport Nursing and had the responsibility to maintain current standards and protocols of practice for the treatment and care of decubitus ulcers ("wound care").



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5. The June 25, 2003 Notice of Complaint cited possible violations of 32 M.R.S.A. 2105-A(2)(E), (2)(F) and (2)(H).
6. The Board finds that Mr. Johnson did not violate 32 M.R.S.A. 2105-A(2)(E) regarding incompetence in the practice of nursing.

AGREEMENT

7. Donald C. Johnson agrees and understands that his 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. of the Rules and Regulations of the Maine State Board of Nursing. Donald C. Johnson is hereby **WARNED** for unprofessional conduct and for failing to take appropriate action or follow policies and procedures in a practice situation designed to safeguard the patient.
8. In lieu of an adjudicatory hearing and to resolve this matter, Donald Johnson agrees to enter into this Consent Agreement, without admitting, and expressly denying any wrongdoing or liability.
9. Donald C. Johnson understands that this Consent Agreement imposes discipline regarding his license to practice registered professional nursing in the State of Maine. Mr. Johnson understands that he does not have to execute this Consent Agreement and that he has the right to consult with an attorney before entering into this Consent Agreement.
10. Donald C. Johnson affirms that he executes this Consent Agreement of his own free will.
11. Modification of this Consent Agreement must be in writing and signed by all the parties.
12. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
13. This Consent Agreement becomes effective upon the date of the last necessary signature below.


I, DONALD C. JOHNSON, 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: 11/04/04


DONALD C. JOHNSON, R.N.

**FOR THE MAINE STATE
BOARD OF NURSING**

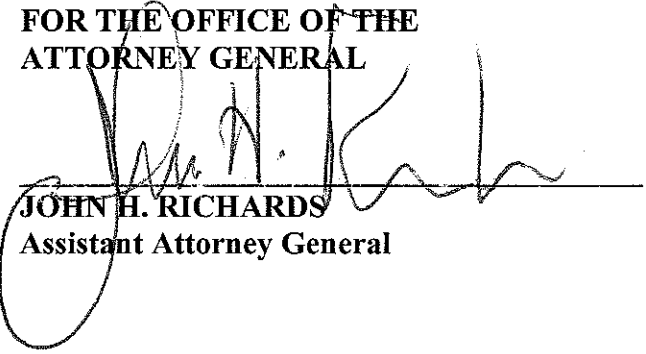
DATED: 11/16/04



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

**FOR THE OFFICE OF THE
ATTORNEY GENERAL**

DATED: 11/17/04



JOHN H. RICHARDS
Assistant Attorney General