



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

BEFORE THE MAINE STATE BOARD OF NURSING

IN THE MATTER OF LICENSE
 #R041386 ISSUED TO:

TANYA M. MARQUIS

To practice registered professional
 nursing in the State of Maine

)
)
) **ORDER TERMINATING**
) **PROBATION**
)
)

WHEREAS, on **June 5, 2003**, License #R041386 issued to **Tanya M. Marquis** was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and

WHEREAS, on **March 18, 2009**, the Board of Nursing duly considered all evidence presented to it concerning **Tanya M. Marquis's** compliance with the conditions of said probation; and

WHEREAS, the Board found that **Tanya M. Marquis** has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation executed on **June 26, 2003** is hereby terminated.

DATED this **24th day of March 2009**.

MAINE STATE BOARD OF NURSING

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



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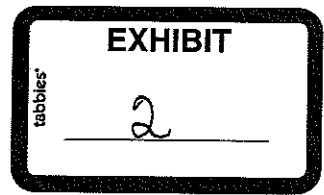
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JOHN ELIAS BALDACCI
 GOVERNOR

MYRA A. BROADWAY, J.D., M.S., R.N.
 EXECUTIVE DIRECTOR

IN RE: **TANYA M. MARQUIS**)
 of Portland, Maine)
 License #R041386) **CONSENT AGREEMENT**
FOR REINSTATEMENT
AND PROBATION

INTRODUCTION

This document is a Consent Agreement regarding Tanya M. Marquis' 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. § 2105-A(1-A)(B). The parties to this Consent Agreement are Tanya M. Marquis ("Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. The Board met with Ms. Marquis on June 5, 2003, regarding her petition for reinstatement of her registered professional nursing license.

FACTS

1. Tanya M. Marquis voluntarily surrendered her registered professional nursing license and entered a Consent Agreement with the Board, attached and marked as Exhibit A.
2. Tanya M. Marquis has successfully completed a six week substance abuse program at Crossroads for Women in Portland, Maine and continues to see a counselor at Crossroads. She has been substance free for 14 months.
3. Tanya M. Marquis has been attending Narcotics Anonymous (N.A.) since November 2002, has a sponsor and continues in N.A. once to twice per week.

REINSTATEMENT WITH CONDITIONS OF PROBATION

4. Tanya M. Marquis' license to practice registered professional nursing in the State of Maine is reinstated on a probationary status with conditions. The period of probation will commence on Ms. Marquis' return to nursing practice, either through employment or pursuant to an educational program. The period of probation will be for a period of three years, to be effective only while she is employed in nursing practice or enrolled in a nursing education program. For purposes of this Agreement, nursing employment is any employment during which Ms. Marquis performs nursing services. Ms. Marquis' probationary license will be subject to the following conditions:
 - a. Ms. Marquis will remain substance free, with the exception of prescribed medications by her physician who is aware of Ms. Marquis' substance abuse history.



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 BOARD OF NURSING**


- b. Ms. Marquis will continue in N.A. and an aftercare treatment program to such an extent and for as long as her treatment provider(s) recommend.
 - c. Ms. Marquis will arrange for and ensure the submission of quarterly reports to the Board by her treatment provider(s) during the probationary period.
 - d. Ms. Marquis employment is restricted during the period of probation to structured settings with on-site supervision of another registered professional nurse, which shall not include assignments from temporary employment agencies. Ms. Marquis will immediately notify the Board in writing should she return to employment or an educational program in the field of nursing. Notice under this section shall include the place and position of employment or the educational program and any subsequent change in employment or educational program.
 - e. Ms. Marquis will notify any and all of his 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. Ms. Marquis will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer regarding her nursing practice.
 - g. Ms. Marquis agrees and understands that the Board and the Department of Attorney General shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her treatment for substance abuse which the Board deems necessary to evaluate Ms. Marquis' compliance with the Consent Agreement and her continued recovery. Ms. Marquis shall provide such information, shall authorize the release of such records and information, and shall authorize any such discussions and communications with any and all persons involved in her care, counseling and employment as may be requested by the Board for the purpose of evaluating Ms. Marquis' compliance with the Consent Agreement and her continued recovery.
5. Ms. Marquis agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the three year probationary period, until and unless the Board, at Ms. Marquis' written request, votes to terminate Ms. Marquis' probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Marquis has complied with the provisions of this Agreement.
6. Ms. Marquis understands that this document is a Consent Agreement that affects her rights to practice nursing in Maine. Ms. Marquis 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.

7. If Ms. Marquis fails to meet any of the obligations of this Consent Agreement, the Board may take any disciplinary action, which it deems appropriate and impose any of the sanctions, including but not limited to that found in Title 10 M.R.S.A. § 8003 and Title 32 M.R.S.A. § 2105-A.
8. Ms. Marquis affirms that she executes this Consent Agreement of her own free will.
9. Modification of this Consent Agreement must be in writing and signed by all parties.
10. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
11. This Consent Agreement becomes effective upon the date of the last necessary signature below.


I, TANYA M. MARQUIS, 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: 6/19/03


TANYA M. MARQUIS

FOR THE MAINE STATE
BOARD OF NURSING

DATED: June 23, 2003


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

Tanya M. Marquis
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Consent Agreement for Reinstatement and Probation

DATED:

June 20, 2003

FOR THE OFFICE OF THE
ATTORNEY GENERAL



JOHN H. RICHARDS
Assistant Attorney General

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STATE OF MAINE
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In Re:)
Tanya M. Marquis, R.N.) DECISION AND ORDER
)

Pursuant to authority found in 32 M.R.S.A. § 2105(A)(1-A) *et seq.*, 5 M.R.S.A. § 9051 *et seq.*, and 10 M.R.S.A. § 8003(5), the Maine State Board of Nursing (“the Board”) met in public session at the Board’s offices located in Augusta Maine on April 8, 2005 for the purposes of determining whether Tanya Marquis had failed to comply with the conditions of probation set forth in the June 2003 Consent Agreement for Reinstatement with Probation and whether grounds existed for the Board to take disciplinary action against the license held by Tanya M. Marquis, RN. The adjudicatory hearing was held in accordance with 5 M.R.S.A. § 9051 *et seq.* A quorum of the Board was in attendance during all stages of the proceeding. Participating and voting board members were Board Chair Therese B. Shipps, Betty Kent-Conant, Richard L. Sheehan, Diane L. Dalton, Dorothy Melanson, and Karen L. Tripp. John Richards, Assistant Attorney General, presented the State’s case. Tanya M. Marquis, RN, was present but was not represented by an attorney. Susan Sparaco, Assistant Attorney General, served as the Board’s hearing officer.

The Board heard testimony from Bob DeMers, Ms. Marquis’ therapist, and from Ms. Marquis. Mr. DeMers testified about the concerns expressed in his letter to the Board dated December 31, 2004; specifically, that during the fourth quarter of 2004 Ms. Marquis had begun canceling appointments without rescheduling in a timely manner and

was not following through with an agreed upon payment plan for his services. Ms. Marquis testified that she began missing appointments with Mr. DeMers because she felt unable to meet her payment obligations to him. Ms. Marquis testified that she has maintained her sobriety and has resumed regular sessions with Mr. DeMers, having come to recognize that she was engaging in inappropriate avoidance behavior. Exhibits 1-7 were admitted into evidence by stipulation of the parties

The Board reviewed the admitted exhibits and considered the testimony from Ms. Mr. DeMers and from Ms. Marquis. At the conclusion of the evidentiary hearing, the Board deliberated and made the following finding of fact based on the preponderance of evidence.

FINDING OF FACT

1. Ms. Marquis failed to comply with the requirements of her treatment program with Mr. DeMers for a period of time as described by Mr. DeMers in his letter dated December 31, 2004.

CONCLUSIONS OF LAW

According to the Consent Agreement entered into in June, 2003, the Board may take any disciplinary action and impose any sanctions authorized by law for a violation of the consent agreement. The Board concluded that Ms. Marquis failed to fully comply with the provisions of paragraph 4(b) of the consent agreement.

DISCIPLINARY SANCTION

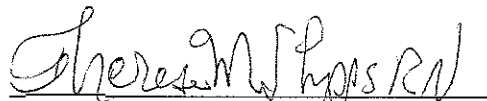
Based on the above Findings of Fact and Conclusion of Law, the Board voted to impose the following sanctions:

1. The June 2003 Consent Agreement for Reinstatement and Probation is extended from October 6, 2007 to October 6, 2008. (The vote was unanimous).

2. The licensee will pay the apportioned costs of the hearing up to a maximum of \$300 based on authority conferred by 10 M.R.S.A. § 8003-D. The licensee shall make payment in full no later than April 8, 2006. The check or money order shall be made payable to Maine State Board of Nursing and mailed to Myra Broadway, Executive Director, 158 State House Station, Augusta, Maine 04333-0158. (Board Chair Shipp, and members Tripp, Kent-Conant, and Melanson voted in favor. Members Sheehan and Dalton voted against the imposition of costs).

SO ORDERED.

Dated: 4/13/05


Therese M. Shipp, RN, Chairperson
Maine State Board of Nursing

APPEAL RIGHTS

Pursuant to the provisions of 5 M.R.S.A. § 11001 and 10 M.R.S.A. § 80035, any party may appeal this Decision and Order by filing a Petition for Review in the Superior Court within thirty (30) days of the receipt of this order. The Petition shall specify the person seeking review, the manner in which they are aggrieved and the final agency action in which they wish reviewed. This shall contain a concise statement as to the nature of the action or inaction to be reviewed, the grounds upon which relief is sought, and a demand for relief. Copies of the Petition for Review shall be served by certified

mail, return receipt requested, upon the Maine State Board of Nursing, all parties to the agencies proceedings, and the Maine Attorney General.

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