



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 NO.  
 R027792 ISSUED TO:

KEVIN MCMORROW

To practice registered professional  
 nursing in the State of Maine

ORDER TERMINATING  
 PROBATION

WHEREAS, on July 16, 2001, License No. R027792 issued to Kevin McMorrow was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and

WHEREAS, on March 2, 2006, the Board of Nursing duly considered all evidence presented to it concerning Kevin McMorrow's compliance with the conditions of said probation; and

WHEREAS, the Board found that Kevin McMorrow has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation executed on July 16, 2001 is hereby terminated.

DATED this 17th day of March 2006.

MAINE STATE BOARD OF NURSING

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



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ANGUS S. KING, JR.  
 GOVERNOR

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

IN RE: KEVIN McMORROW )  
 of No. Belgrade, Maine )  
 License #R027792 ) **CONSENT AGREEMENT  
 FOR REINSTATEMENT  
 AND PROBATION**

**INTRODUCTION**

This document is a Consent Agreement regarding Kevin McMorrow'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)(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 Kevin McMorrow, Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine.

**FACTS**

1. On April 28, 2000 Kevin McMorrow entered into a Consent Agreement for Voluntary Surrender of his license as a result of drug diversion and his admission that he removed Fentanyl from the drug waste containers in the operating room at MaineGeneral Medical Center, which compromised his recovery for substance abuse. These acts were violations of 32 M.R.S.A. § 2105-A(2)(B), (2)(E), (2)(F) and (2)(H).
2. On June 28, 2001 Mr. McMorrow appeared before the Board requesting the reinstatement of his license.
3. The Board finds that Mr. McMorrow is in an aftercare program. In addition, he has maintained sobriety for the duration of the Consent Agreement dated April 13, 2000.
4. The parties agree to enter into this Consent Agreement to reinstate Mr. McMorrow's registered professional nursing license with the imposition of a term of probation with conditions.

**REINSTATEMENT WITH CONDITIONS OF PROBATION**

5. Kevin McMorrow's 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 Mr. McMorrow's return to nursing practice, either through employment or pursuant to an educational program. The period of probation will be for a period of two years, to be effective only while he is employed in nursing practice or enrolled in a nursing education program. For purposes of the Consent Agreement, nursing



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**Consent Agreement for Reinstatement With Conditions of Probation**  
**Kevin McMorrow, R.N.**  
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employment is any employment during which Mr. McMorrow performs nursing services. Mr. McMorrow's probationary license will be subject to the following conditions:

- a. Kevin McMorrow will abstain completely from the use of alcohol or drugs, with the exception of substances used in accordance with a valid prescription from a physician who is aware of Mr. McMorrow's substance abuse history.
  - b. Kevin McMorrow will continue in his aftercare treatment program.
  - c. Kevin McMorrow will arrange for and ensure the submission of quarterly reports to the Board by his treatment provider.
  - d. Kevin McMorrow will immediately notify the Board in writing should he 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 change in employment or educational programs.
  - e. Kevin McMorrow will notify any and all of his nursing employers and notify faculty involved in any clinical studies of the terms of the Consent Agreement and shall provide them with a copy of it.
  - f. Kevin McMorrow will arrange for and ensure the submission to the Board of quarterly reports from his nursing employer or clinical faculty.
  - g. Kevin McMorrow 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 his treatment for substance abuse which the Board deems necessary to evaluate Mr. McMorrow's compliance with the Consent Agreement and his continued recovery. Mr. McMorrow 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 his care, counseling and employment as may be requested by the Board for the purpose of evaluating Mr. McMorrow's compliance with the Consent Agreement and his continued recovery.
6. Kevin McMorrow agrees and understands that if any member of the Board or the Board's Executive Director receives reasonably reliable information suggesting that Mr. McMorrow has not remained substance free in accordance with the Consent Agreement, Mr. McMorrow's license will be immediately and automatically suspended pending

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Kevin McMorrow, R.N.

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further review by the Board. In the event any member of the Board or its Executive Director receives such information, the information will be immediately forwarded to Mr. McMorrow for a response. Mr. McMorrow agrees and understands that in such event, his license shall remain suspended pending a hearing. The Board shall hold a hearing within sixty (60) days of the automatic suspension unless both the Licensee and the Board agree to hold the hearing later, or the Executive Director and/or the Department of the Attorney General earlier determine that such information is without merit. If the information received is proven to be inaccurate or incorrect, either through hearing or determination by the Executive Director and/or the Department of the Attorney General, Mr. McMorrow's license will be immediately reinstated retroactive to the date of suspension.

7. Kevin McMorrow agrees and understands that his license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the two year probationary period, until and unless the Board, at Mr. McMorrow's written request, votes to terminate Mr. McMorrow's probation. When considering whether to terminate the probation, the Board will consider the extent to which Mr. McMorrow has complied with the provisions of the Agreement.
8. The Consent Agreement modifies and replaces the April 28, 2000 Consent Agreement entered into by and between Mr. McMorrow, the Board and the Department of Attorney General. Mr. McMorrow understands that this document is a Consent Agreement that affects his rights to practice nursing in Maine. Mr. McMorrow 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 the Consent Agreement.
9. Kevin McMorrow affirms that he executes this Consent Agreement of his own free will.
10. Modification of this Consent Agreement must be in writing and signed by all parties.
11. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.

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Kevin McMorrow, R.N.  
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12. This Consent Agreement becomes effective upon the date of the last necessary signature below.


I, KEVIN MCMORROW 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: 7-9-01

  
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KEVIN MCMORROW

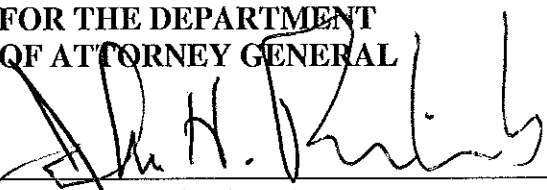
FOR THE MAINE STATE  
BOARD OF NURSING

DATED: July 9, 2001

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

FOR THE DEPARTMENT  
OF ATTORNEY GENERAL

DATED: July 16, 2001

  
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JOHN N. RICHARDS  
Assistant Attorney General