



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. )  
 R037533 ISSUED TO: )  
 LYNN M. PATKUS )  
 To practice registered professional )  
 nursing in the State of Maine )  
 ----- )

**ORDER TERMINATING  
 PROBATION**

WHEREAS, on **July 9, 1998**, License No. **R037533** issued to **Lynn M. Patkus** was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and

WHEREAS, on **September 4, 2008**, the Board of Nursing duly considered all evidence presented to it concerning **Lynn M. Patkus'** compliance with the conditions of said probation; and

WHEREAS, the Board found that **Lynn M. Patkus** has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation executed on **August 8, 1998** is hereby terminated.

DATED this **9th day of September 2008**.

**MAINE STATE BOARD OF NURSING**

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



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JOHN ELIAS BALDACCI  
 GOVERNOR

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

IN RE: LYNN M. PATKUS	)	<b>CONSENT AGREEMENT</b>
of Waterville, Maine	)	<b>FOR REPRIMAND</b>
License #R037533	)	<b>SUSPENSION AND</b>
	)	<b>EXTENTION OF</b>
	)	<b>PROBATION</b>

**INTRODUCTION**

This document is a Consent Agreement regarding Lynn M. Patkus' 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)(B), 10 M.R.S.A. § 8003(5)(A-1)(4) and 10 M.R.S.A. § 8003(5)(B). The parties to this Consent Agreement are Lynn M. Patkus ("Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. The Board met with Ms. Patkus on June 10, 2004, regarding her noncompliance of a Consent Agreement entered into with the Board on August 18, 1998.

**FACTS**

1. Lynn M. Patkus' registered professional nursing license was placed on probation through a Consent Agreement entered with the Board and the Attorney General's office on August 18, 1998, attached and marked as Exhibit A.
2. Lynn M. Patkus agrees that she failed to comply with the following terms and conditions of her Consent Agreement dated August 18, 1998:
  - a. In Paragraph # 1.c. of the Agreement Ms. Patkus failed to arrange for and ensure the submission of quarterly reports to the Board from her counselor.
  - b. In Paragraph # 1.e. of the Agreement Ms. Patkus failed to notify the Board of her employments and change of employments in the field of nursing.
  - c. In Paragraph # 1.g. of the Agreement Ms. Patkus failed to arrange and ensure the submission to the Board of quarterly reports addressing her job performance from her nursing employers.



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**REINSTATEMENT WITH CONDITIONS OF PROBATION**

3. Lynn M. Patkus agrees and understands that her conduct in the above stated facts constitutes grounds for discipline under Title 10 M.R.S.A. § 8003 (5). Lynn M. Patkus is hereby **REPRIMANDED** for her failure to comply with the conditions of probation as agreed to in the Consent Agreement dated August 18, 1998. Exhibit A. In addition, Ms. Patkus' license to practice registered professional nursing is **SUSPENDED** for a period of one year from the effective date of this Consent Agreement. A **STAY** of the period of suspension will be implemented when Ms. Patkus is able to provide the Board with her annual performance evaluations that were conducted for the past three years of her employment at MaineGeneral Hospital and a current employment performance evaluation by July 1, 2004.

When the Executive Director of the Board is satisfied that Ms. Patkus has complied with these conditions of the initial suspension, the stay of suspension will become effective when the Executive Director communicates to Ms. Patkus in writing that she has complied with the Board's initial period of suspension.

4. Lynn M. Patkus' license to practice registered professional nursing in the State of Maine will be placed on probationary status with conditions when the stay of suspension becomes effective. The period of probation will commence on Ms. Patkus' 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. Patkus performs nursing services. Ms. Patkus' probationary license will be subject to the following conditions:
- a. Ms. Patkus 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.
  - b. Ms. Patkus will notify any and all of her 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.
  - c. Ms. Patkus will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer regarding her nursing practice.

5. Lynn M. Patkus 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. Patkus' written request, votes to terminate Ms. Patkus' probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Patkus has complied with the provisions of this Agreement.
6. Lynn M. Patkus understands that this document is a Consent Agreement that affects her rights to practice registered professional nursing in Maine. Ms. Patkus 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. Patkus 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, and also the discretion to impose any portion or all of the remaining suspension period that is stayed
8. Lynn M. Patkus affirms that she executes this Consent Agreement of her own free will.
9. This Consent Agreement constitutes the entire agreement and understanding between the parties, and supersedes all prior agreements and understandings.
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.

12. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, LYNN M. PATKUS, 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: 6/25/04

Lynn M. Patkus  
LYNN M. PATKUS

FOR THE MAINE STATE  
BOARD OF NURSING

DATED: July 1, 2004

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

FOR THE OFFICE OF THE  
ATTORNEY GENERAL

DATED: July 8, 2004

John H. Richards  
JOHN H. RICHARDS  
Assistant Attorney General



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 BOARD OF NURSING  
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 04333-0158

ANGUS S. KING, JR.  
 GOVERNOR

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

IN RE: **LYNN (STEVENS) PACKUS** ) **CONSENT AGREEMENT FOR**  
 of Waterville, Maine ) **PROBATION WITH CONDITIONS**  
 License #R037533 )

### INTRODUCTION

This document is a Consent Agreement regarding Lynn Packus' license to practice professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. Section 2105-A(1-A) and 10 M.R.S.A. Section 8003(5). The parties to this Agreement are Lynn M. Packus, the Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine.

This Consent Agreement arose out of an informal conference held on July 9, 1998 regarding information submitted by Redington Fairview General Hospital by letter dated January 12, 1998.

### FACTS

1. Lynn M. Packus admits to diverting schedule III narcotics from the hospital pharmacy at Redington Fairview General Hospital.
2. As a result of this conduct, Ms. Packus was terminated from Redington Fairview General Hospital.
3. Ms. Packus suffers chronic pain from previous accidents.
4. Ms. Packus' employment at Redington Fairview General Hospital was her first position as a nurse and was too stressful for her.
5. Ms. Packus has a family history of substance abuse.
6. Ms. Packus denies that she diverted any drugs from patients.
7. There is no evidence of patient harm
8. As of the date of the informal conference, Ms. Packus was employed as an agency nurse in long term care.
9. As of the date of the informal conference, Ms. Packus had not told her employer that there were issues pending before the Board regarding her license.



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10. As of the date of the informal conference, Ms. Packus was not involved in treatment for substance abuse.
11. Ms. Packus readily acknowledged the diversion when confronted by Redington Fairview General Hospital. Furthermore, Ms. Packus was candid and remorseful when discussing her conduct with the Board.

### AGREEMENT

1. **Probation:** Ms. Packus' license to practice professional nursing in the State of Maine shall be placed on probationary status for a minimum period of two years (24 months) of nursing employment and shall be subject to the following conditions:
  - a. **Substance Free:** Ms. Packus shall remain substance free with the exceptions of substances used in accordance with a valid prescription from a health care provider who is aware of Ms. Packus' history.
  - b. **Substance Abuse Counseling:** Within 30 days from the effective date of this Consent Agreement, Ms. Packus shall enroll and begin participating in substance abuse counseling.
  - c. **Counselor's Quarterly Reports:** Ms. Packus will notify the Board when she enrolls in counseling, and further, Ms. Packus will arrange for and ensure the submission of quarterly reports to the Board from her counselor.
  - d. **No Agency Work:** Ms. Packus shall not work as an agency nurse while her license is subject to probationary status.
  - e. **Notice of Employment Status:** Ms. Packus will immediately notify the Board in writing of any employment in the field of nursing, including the place and position of employment, and any change in nursing employment thereafter.
  - f. **Notice to Employer:** Ms. Packus will notify any and all of her nursing employers of the terms of this Consent Agreement and shall provide them with a copy of it. For purposes of this Consent Agreement, nursing employment is an employment during which Ms. Packus performs nursing services or holds herself out as a nurse, such as through the designation "R.N."
  - g. **Employer Quarterly Reports:** Ms. Packus will arrange for and ensure the submission to the Board of quarterly reports addressing her job performance from any and all of her nursing employers.
  - h. **Confidentiality and Release of Records:** Ms. Packus agrees and understands that the Board and the Department of Attorney General shall have access to any and all medical and counseling records and all otherwise confidential or medically

privileged information pertaining to her treatment for substance abuse which the Board deems necessary to evaluate Ms. Packus' compliance with this Consent Agreement. Ms. Packus 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 care, counseling and employment as may be requested by the Board for the purpose of evaluating Ms. Packus' compliance with this Consent Agreement and the laws and rules governing nursing practice in the State of Maine.

- 2. **Term of Probationary Status:** Ms. Packus agrees and understands that her license shall remain on probationary status and subject to the terms of this Consent Agreement indefinitely beyond the minimum 24-month probationary period of nursing practice, until and unless the Board, at Ms. Packus' written request, votes to terminate her probation. When considering whether to terminate the probation, the Board shall consider the degree to which Ms. Packus has complied with the provisions of this Consent Agreement.
- 3. **Miscellaneous Provisions:** Ms. Packus understands that this document is a Consent Agreement which affects her rights to practice nursing in Maine. This Consent Agreement may be amended only in writing, signed by all the parties. Ms. Packus understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering this Consent Agreement. Ms. Packus affirms that she executes this consent Agreement of her own free will.
- 4. **Effective date:** This Consent Agreement becomes effective upon the last necessary signature below.

DATED: August 11, 1998

Ms. Lynn M. (PACKUS) Packus  
LYNN M. PACKUS

FOR THE MAINE STATE BOARD  
OF NURSING:

DATED: August 18, 1998

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

FOR THE DEPARTMENT OF  
ATTORNEY GENERAL:

DATED: Aug. 18, 1998

Susan A. Sparaco  
SUSAN A. SPARACO  
Assistant Attorney General  
Counsel to the Board

MAINE STATE BOARD OF NURSING  
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