



STATE OF MAINE  
 BOARD OF NURSING  
 158 STATE HOUSE STATION  
 AUGUSTA, MAINE  
 04333-0158

ANGUS S. KING, JR.  
 GOVERNOR

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

IN RE: **MARNIE M. PHILIP, R.N.** ) **CONSENT AGREEMENT**  
 of Owls Head, Maine ) **FOR PROBATION**  
 License #R039931 )

**INTRODUCTION**

This document is a Consent Agreement regarding Marnie M. Philip'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)(B) and 10 M.R.S.A. § 8003(5)(A-1)(4), 10 M.R.S.A. § 8003(5)(B). The parties to this Consent Agreement are Marnie M. Philip ("Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. Marnie M. Phillip met with the Board June 6, 2002 to discuss her application for renewal of her registered professional nurse license. The Parties reached this Consent Agreement based on information provided by the Knox County District Attorney's Office regarding a criminal complaint for Criminal Restraint dated December 20, 2001.

**FACTS**

1. Marnie M. Philip has been a registered professional nurse licensed by the Board to practice in Maine since 1996.
2. Marnie M. Philip was charged with the misdemeanor crime of Criminal Restraint, Class D in Knox County, Maine. Ms. Philip entered a plea of guilty in the Knox County Superior Court to the charge of Criminal Restraint on December 20, 2001 and received a sentence of 30 days in the Knox County jail. Her jail term was suspended and she was placed on probation for a period of one year.
3. This is the second time in six months Ms. Philip has appeared before the Board for conduct regarding her professional judgment. The first instance did not result in disciplinary action, however, the Board did issue a letter of concern relative to Ms. Philip's exercise of poor judgment. The Board finds that the recent criminal conviction is an additional instance that calls Ms. Philip's professional judgment into question.
4. Marnie M. Philip states that her personal life was in turmoil during this period of time and that she has taken steps to correct her living situation.
5. Marnie M. Philip is currently employed with Bridges Home Health.



PRINTED ON RECYCLED PAPER

OFFICES LOCATED AT: 24 STONE ST., AUGUSTA, ME  
 PHONE: (207) 287-1133

**CONDITIONS OF PROBATION**

6. Marnie M. Philip agrees and understands that this document imposes discipline regarding her license to practice registered professional nursing and the above described conduct in the circumstances underlying the criminal charge of Criminal Restraint constitutes grounds for discipline under Title 32 M.R.S.A. § 2105-A(2)(F), (2)(H) and Chapter 4(1)(A)(6) for unprofessional conduct.
7. Marnie M. Philip's license to practice registered professional nursing in the State of Maine is placed on a probationary status with conditions. The period of probation will commence on Ms. Philip'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 she is employed in nursing practice or enrolled in a nursing education program. For purposes of this Consent Agreement, nursing employment is any employment during which Ms. Philip performs nursing services. Ms. Philip's probationary license will be subject to the following conditions:
  - a. Marnie M. Philip will immediately notify the Board in writing when she changes employment or enters into 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 programs.
  - b. Marnie M. Philip 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. Marnie M. Philip will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer regarding her nursing practice.
  - d. Marnie M. Philip will arrange for and ensure submission of quarterly reports from Choice Skyward.
8. Marnie M. Philip agrees and understands that her license will remain on probationary status and subject to the terms of this Consent Agreement indefinitely beyond the two year probationary period, until and unless the Board, at Ms. Philip's written request, votes to terminate Ms. Philip's probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Philip has complied with the provisions of this Agreement.
9. Marnie M. Philip understands that this document is a Consent Agreement that affects her

rights to practice nursing in Maine. Ms. Philip 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.

10. If Ms. Philip 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.
11. Marnie M. Philip affirms that she executes this Consent Agreement of her own free will.
12. Modification of this Consent Agreement must be in writing and signed by all parties.
13. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
14. This Consent Agreement becomes effective upon the date of the last necessary signature below.

**I, MARNIE M. PHILIP, 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: 7/9/02

Marnie M Philip RN  
MARNIE M. PHILIP, R.N.

FOR THE MAINE STATE  
BOARD OF NURSING

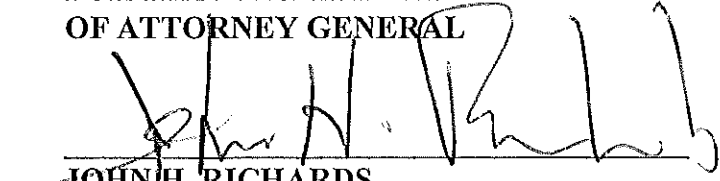
DATED: 7/10/02

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

Marnie M. Philip  
Page 4  
Consent Agreement for Reinstatement and Probation

DATED: 7/10/02

FOR THE DEPARTMENT  
OF ATTORNEY GENERAL



\_\_\_\_\_  
JOHN H. RICHARDS  
Assistant Attorney General

RECEIVED  
JUL 10 2002  
STATE OF MICHIGAN  
DEPARTMENT OF ATTORNEY GENERAL

STATE OF MICHIGAN  
DEPARTMENT OF ATTORNEY GENERAL  
JUL 10 2002