



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: **TANYA L. PIPER**)
 of South Berwick, Maine)
 License #R048183) **CONSENT AGREEMENT**
FOR VOLUNTARY
SURRENDER OF LICENSE

INTRODUCTION

This document is a Consent Agreement regarding Tanya L. Piper’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)(B), (5)(D) and 32 M.R.S.A. § 2105-A(1-A)(C). The parties to this Consent Agreement are Tanya L. Piper, Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. An informal conference was held on June 9, 2004. The parties reached this Agreement based on information submitted by her attorney Janet Michael through letter dated March 17, 2004 which included the New Hampshire Board of Nursing Settlement Agreement.

FACTS

1. Tanya L. Piper has been a registered professional nurse for seven years and has been licensed to practice as a registered professional nurse in Maine since 2003.
2. Tanya L. Piper entered into a Settlement Agreement (“Settlement”) with the New Hampshire Board of Nursing dated February 23, 2004. Exhibit A. The Settlement resulted from Ms. Piper’s admission to the misappropriation of narcotic pain medications for her own use and her admission to a substance abuse problem. Ms. Piper also stated to the Maine Board that she has a prior history of addiction to Percocet.
3. The Settlement provides for a suspension period of nine months retroactive to January 4, 2004 and allows Ms. Piper to request reinstatement of her New Hampshire license in September 2004.
4. Tanya L. Piper has been substance free for five months as of June 9, 2004.
5. Tanya L. Piper’s aftercare treatment for substance abuse currently consists of attending N.A. two to three times a week and seeing a counselor once a week.



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Consent Agreement for Voluntary Surrender of License

Tanya L. Piper

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6. Based upon the above stated facts Ms. Piper has offered to surrender her registered professional nursing license commensurate with New Hampshire's suspension period until September 2004.

AGREEMENT

7. The Maine State Board of Nursing will accept Tanya L. Piper's voluntary surrender of her license, license #R048183, and Ms. Piper agrees and understands that the voluntary surrender of her license will be commensurate with the suspension period imposed in the Settlement with the New Hampshire Board of Nursing and Ms. Piper may petition for reinstatement of her Maine license in September, 2004.
8. Tanya L. Piper agrees and understands that her license will remain on surrender status and subject to the terms of this Consent Agreement indefinitely beyond the surrender period, until and unless the Board, at Ms. Piper's written request, votes to reinstate Ms. Piper's license. When considering whether to reinstate Ms. Piper's license, the Board will consider the extent to which Ms. Piper has complied with the provisions of this Consent Agreement and the New Hampshire Settlement.
9. Tanya L. Piper understands that this document is a Consent Agreement that affects her rights to practice registered professional nursing in Maine. Ms. Piper understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering the Consent Agreement.
10. If Ms. Piper 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. Tanya L. Piper agrees and understands that when she petitions the Board for reinstatement of her license, it will be for a probationary period determined by the Board.
12. Tanya L. Piper understands and agrees that as a condition of reinstatement of her registered professional nursing license she will continue treatment and counseling for substance abuse to such an extent and for as long as recommended by her treatment provider(s). Ms. Piper will arrange for and ensure the submission to the Board of quarterly reports from her treatment provider(s). In addition, Ms. Piper agrees and understands that the Board shall have access to any and all medical

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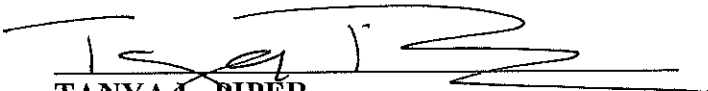
records and all otherwise confidential or medically privileged information pertaining to her treatment and therapy which the Board deems necessary to evaluate Ms. Piper's compliance with this Consent Agreement and her continued recovery. Ms. Piper shall notify her health care physician of her substance abuse problem.

Ms. Piper shall provide such information, shall authorize any release of such records and information, and shall authorize any such discussions and communications with any and all persons involved in her care as may be requested by the Board for the purpose of evaluating Ms. Piper's compliance with this Consent Agreement.


13. Tanya L. Piper shall not work or volunteer, in any capacity, for a health care provider as defined by Title 24 M.R.S.A. § 2502 (2) or in any position holding herself out as a registered professional nurse or with the designation, R.N. including, in a veterinarian's office, while her nursing license is surrendered. In addition, Ms. Piper is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.
14. Modification of this Consent Agreement must be in writing and signed by all parties.
15. Tanya L. Piper affirms that she executes this Consent Agreement of her own free will.
16. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, TANYA L. PIPER 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: 6/23/04


TANYA L. PIPER

DATED: 6/23/04


JANET E. MICHAEL, ESQ.
Attorney for Tanya L. Piper

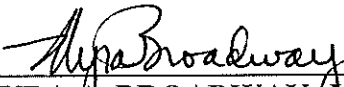
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FOR THE MAINE STATE
BOARD OF NURSING

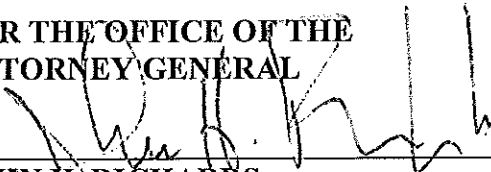
DATED: July 6, 2004



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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: July 3, 2004



JOHN H. RICHARDS
Assistant Attorney General

BEFORE THE
NEW HAMPSHIRE BOARD OF NURSING

Exhibit A.
COPY

IN THE MATTER OF:

Tanya Piper, RN #044080-21

SETTLEMENT AGREEMENT

THIS AGREEMENT is entered into between the New Hampshire Board of Nursing (Board) and Tanya Piper (Respondent) is a Registered Nurse in the State of New Hampshire having graduated from University of New Hampshire in 1997 and licensed by examination on September 9, 1997 and over whom the Board has jurisdiction pursuant to RSA 326-B and the Board rules.

On January 12, 2004, the Board received a complaint from, Anne Marie Bularzik, Vice President, Acute Care, representing Exeter Hospital, Exeter, NH alleging that Respondent had admitted to misappropriating percocet for her own use.

Respondent admits: misappropriation of narcotic pain medications, and that she has a substance abuse problem with narcotic pain medications and that, therefore, she has violated RSA 326-B:12 II (c): dishonest and unprofessional conduct and RSA 326-B: 12 II (e): abuse of habit-forming drugs which render a licensee unfit to practice nursing .

- I. To resolve the aforementioned admission in a fair and reasonable manner, the Respondent agrees to the following terms and stipulations set forth below:
- A. Respondent's RN license shall be suspended for nine months, retroactive to January, 2004, or until Respondent successfully petitions the Board for reinstatement of said license, whichever is later.
 - B. Respondent shall not seek reinstatement of the RN license before September, 2004.
 - C. Respondent shall provide a copy of this Settlement Agreement to all nurse-licensing boards where currently licensed and schools of nursing where currently enrolled within 30 days of receipt of the NH Board-executed copy. Respondent shall also provide a copy of this Agreement to all nurse-licensing Boards or schools of nursing for which Respondent makes future application, at the time of such application.
- II. If Respondent wishes to petition for reinstatement of the RN license, Respondent shall, in a letter to the Board, petition the Board for reinstatement. Respondent shall demonstrate to the Board the ability to safely perform nursing activities through evidence of successful rehabilitation, character references, personal testimony and written exhibits; said evidence shall specifically include, but is not limited to:
- A. A comprehensive evaluation by Respondent's professional counselor (who is skilled in the area of substance abuse/dependence treatment) addressing Respondent's progress regarding continuing abstinence from abuse of chemical substances, including alcohol, and which provides;
 - 1. The length of time Respondent has been chemically free, and if any relapses have occurred since treatment began,
 - 2. The extent to which Respondent has complied with treatment, and
 - 3. The counselor's opinion as to whether Respondent can successfully return to nursing practice and, if so, whether any work restrictions are needed to protect public safety and/or assist Respondent in continuing recovery.
 - 4. Whether Respondent is taking any prescription medications, the reason therefore, and what effect, if any, said medications may have on Respondent's ability to safely provide nursing-related activities;
 - B. Three letters of reference that address Respondent's professionalism, timeliness and productive work habits. If Respondent has been employed since the date of this agreement, at least one of the references must be from an employer.
 - C. Evidence of attendance at some formalized support program (e.g. 12-step meetings, intensive outpatient program) at least three (3) times per week;

- D. A personal statement from Respondent which describes Respondent's recovery experiences including specific examples of the behavioral, psychological, and (if desired) spiritual changes that have been made which support recovery; and
- E. Through oral presentation in support of Respondent's petition, provide the Board with a comfort level that Respondent is able to safely provide nursing care as an RN.

III. Upon the reinstatement of Respondent's RN license, said license shall be suspended for two years, said suspension shall be immediately *stayed* and the license shall be placed on probation 1) for a period of time and 2) under conditions and restrictions to be determined by the Board at the time Respondent's petition for reinstatement is considered.

Should Respondent apply for any New Hampshire license under RSA 326-B authority on or after the date of this Agreement, Respondent shall by the act of filing such an application, automatically waive any statute of limitations or laches defense which may otherwise be available concerning the misconduct allegations set forth above, and consents to these allegations being fully addressed in the context of her license application. Respondent shall bear the burden of proving that Respondent possesses sufficient knowledge, judgment and skills, and character qualifications to be licensed in any such future licensing proceedings;

Respondent is aware of and understands the right to have a formal disciplinary hearing pursuant to RSA 326-B:13 and hereby waives those rights and requests that this Agreement be accepted with the same force and effect as an order entered as result of a formal hearing;

This Agreement is entered into by Respondent, voluntarily, after the opportunity to consult with counsel, and with full understanding of the legal consequences of this Agreement;

This Agreement constitutes the entire agreement and understanding between the parties, and supersedes all prior agreements and understandings.

This Agreement becomes a public record upon signature, a summary of the misconduct noted above may be published in the Board's Newsletter and notification of federal or other state agencies and boards of nursing shall be effected as required or permitted by law.

I have carefully read and fully understand the conditions of this Agreement:

1-26-03
(Date)

Tanya Piper
Tanya Piper

1-26-04 *MJD*

Do not write below this line

EXECUTED THIS 23rd DAY OF February 2004

FOR THE NEW HAMPSHIRE BOARD OF NURSING:

Margaret J. Walker
Margaret J. Walker, MBA, BS, RN
Executive Director

CONFIDENTIAL

REC'D

REC'D

STATE BOARD

STATE BOARD

MAINTENANCE

MAINTENANCE