



## Maine State Board of Nursing

295 WATER STREET  
AUGUSTA, MAINE 04330

In Re: ) CONSENT AGREEMENT  
RUTH L. SWINERTON, R.N. ) PURSUANT TO 32 M.R.S.A.  
of North Conway, NH ) § 2105-A(1-A)(B)

This Consent Agreement is entered into by and among Ruth L. Swinerton, R.N., the Maine State Board of Nursing (hereinafter "the Board") and the Department of the Attorney General, State of Maine. By letter dated October 27, 1987, Ruth Swinerton was advised by the Board that it had received a complaint from James Dutton, Administrator of the Fryeburg Health Care Center, charging drug diversion. Ms. Swinerton responded by letter dated November 19, 1987 in which she admitted taking a card of Halcion from the Health Care Center. Subsequently, the Board requested that Ms. Swinerton attend an informal conference pursuant to 32 M.R.S.A. § 2105-A(1-A). At the informal conference, held on February 4, 1988, Ms. Swinerton was present without counsel. Following the conference, the Board made the following findings:

A. FINDINGS OF FACT.

1. Ms. Swinerton admits to taking Halcion from the facility to help her sleep.
2. Ms. Swinerton is in active treatment with a counselor who has helped her identify problems and who is treating her for these problems.
3. Ms. Swinerton has no history of drug abuse.
4. Ms. Swinerton currently is not working.
5. The drug diversion was a one-time occurrence and no patient was deprived or harmed.
6. Drug diversion and illegal possession is a violation of 32 M.R.S.A. § 2105-A(2)(F) and 10-380 CMR 4.3(P) and (Q).

B. COVENANTS

Pursuant to 32 M.R.S.A. § 2105-A(1-A)(B), the Board voted to place Ms. Swinerton's license on probationary status for a period of one year from January 1, 1988. The conditions of probation are:

1. Ms. Swinerton shall notify any employer of the probationary status of her license.
2. Ms. Swinerton shall arrange for an immediate report to be submitted to the Board from her counselor, and for quarterly reports to be submitted thereafter from her counselor and any nurse/employer.

3. Ms. Swinerton shall continue in treatment as recommended by her counselor or treating physician.

Ms. Swinerton may request termination of her probationary status after January 1, 1989. She understands and agrees that the Board, at that time, may extend the probationary status.

Dated: Feb 22, 1988

Ruth L. Swinerton R.N.  
Ruth L. Swinerton, R.N.

MAINE STATE BOARD OF NURSING

Dated: 2/25/88

Jean C. Caron  
By: Jean C. Caron, R.N.  
Executive Director

Dated: Feb. 26, 1988

Martha F. Willard  
Martha F. Willard  
Assistant Attorney General  
Counsel to the Board