



MAINE STATE BOARD OF NURSING

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In re:)
Sharon E. Tommasino) **CONSENT AGREEMENT**
of Camden, Maine) **REGARDING VOLUNTARY**
License #P008706) **SURRENDER OF LICENSE**

INTRODUCTION

This document is a Consent Agreement regarding Sharon E. Tommasino's license to practice practical nursing in the State of Maine, entered into pursuant to 32 M.R.S.A. Section 2105-A(1-A)(B) and 10 M.R.S.A. Section 8003(5)(B). The parties to this Consent Agreement are: Sharon E. Tommasino, L.P.N., the Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine.

By letter dated April 6, 1993, Ms. Tommasino was advised by the Board that it had received a letter dated March 22, 1993, with attachments, from Holly Carlson, R.N., Director of Nursing, Shore Village Nursing Center, containing information that Ms. Tommasino may be in violation of 32 M.R.S.A. Section 2105-A(2)(B), (2)(E) and (2)(F). Ms. Tommasino responded to the Board in a letter received on April 30, 1993. Ms. Tommasino was then advised by letter dated April 26, 1993 that the Board had received another letter with information of similar statutory violations, dated April 15, 1993 from Dianne Postupack, R.N., Acting Director of Nursing at the Camden Health Care Center. Subsequently, the Board requested that Ms. Tommasino attend an informal conference pursuant to 32 M.R.S.A. Section 2105-A(1-A). As a result of that informal conference the parties entered into a Temporary Consent Agreement Regarding Licensure, effective July 1, 1993, pursuant to which Ms. Tommasino agreed to remain substance-free, and to see a Licensed Substance Abuse Counselor for an evaluation and arrange for a report of that evaluation to be sent to the Board. She did that, and the informal conference was reconvened on October 20, 1993. Ms. Tommasino was present at the conference and was not represented by counsel.

FINDINGS OF FACT

As a result of the informal conference, the Board made the following findings of fact:

1. Ms. Tommasino admits that she was probably impaired on duty as a result of alcohol use, and further admits that she has recently been terminated from employment at two health care facilities due to alcohol use.
2. Ms. Tommasino did inaccurately record nurses' notes as a result of her impairment on duty.
3. Ms. Tommasino states that she has been alcohol-free since April 11, 1993.
4. Ms. Tommasino has consulted with her personal physician, who prescribed Xanax for her for a brief period of time.
5. Ms. Tommasino was not participating in any substance abuse treatment program at the time of the continued informal conference on October 20, 1993.
6. Representatives of the Camden Health Care Center state that she was a good nurse during her employment there.
7. Representatives of the Camden Health Care Center also state that there was no patient involvement or harm as a result of Ms. Tommasino's conduct.
8. Ms. Tommasino was employed at the Shore Village Nursing Center for 8 years without incident prior to her termination.
9. Ms. Tommasino has complied with the terms of the Temporary Consent Agreement.
10. The assessment of the L.S.A.C. evaluator is that she is in the early stages of alcohol dependence, and the evaluator recommends that Ms. Tommasino enter treatment and that she be subject to random urine screens if she is permitted to resume nursing.
11. Ms. Tommasino states that she plans to enter treatment in November, when her insurance will cover the treatment.

COVENANTS

Based on the above findings of fact, the Board voted to accept the voluntary surrender of Ms. Tommasino's license to practice practical nursing in Maine until such time as she has completed a formal substance abuse treatment program and has reappeared before this Board, subject to the following conditions:

1. Ms. Tommasino will remain substance-free.
2. Ms. Tommasino will enter a substance-abuse treatment program.
3. Ms. Tommasino will arrange for her substance abuse counselor to submit two progress reports to the Board regarding her treatment.
4. Ms. Tommasino will notify the Board when she enters treatment and will arrange for her counselor to send a broad treatment plan to the Board.
5. Ms. Tommasino agrees to undertake no employment in the field of health care while this Consent Agreement is in effect.

Ms. Tommasino 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. Tommasino affirms that she executes this Consent Agreement of her own free will.

DATED: 11/30/93

Sharon E. Tommasino
SHARON E. TOMMASINO

DATED: 12/6/93

FOR THE MAINE STATE BOARD OF NURSING:

Jean C. Caron
JEAN C. CARON, R.N., M.S.
Executive Director

DATED: 12/8/93

FOR THE DEPARTMENT OF ATTORNEY GENERAL:

Timothy W. Collier
TIMOTHY W. COLLIER
Assistant Attorney General
Counsel to the Board