



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: CAROL E. WEST, L.P.N.)
 of Lewiston, Maine)
 License #P009597)

**CONSENT AGREEMENT
 FOR LICENSE PROBATION
 WITH CONDITIONS**

INTRODUCTION

This document is a Consent Agreement regarding Carol E. West's license to practice practical nursing in the State of Maine. The parties enter into this Agreement pursuant to 10 M.R.S.A. § 8003(5)(A-1) (1) and (4), 10 M.R.S.A. § 8003(5)(B), and 32 M.R.S.A. § 2105-A(1-A) (A) and (B). The parties to this Consent Agreement are Carol E. West ("Licensee"), Maine State Board of Nursing ("Board") and the Office of Attorney General, State of Maine. The parties reached this Agreement in lieu of an adjudicatory hearing scheduled for July 27, 2004.

FACTS

1. Carol E. West has been a licensed practical nurse licensed to practice in Maine since 1988.
2. Carol E. West's licensed practical nurse license was summarily suspended by the Board on October 1, 2003, pursuant to 5 M.R.S.A. § 10004(3), based upon an initial finding that her continued practice as a nurse placed the public in immediate jeopardy. An adjudicatory hearing was scheduled within 30 days of the immediate suspension. The hearing was continued at the request of the Licensee so she could attend to personal medical issues relative to the Board's action to summarily suspend Ms. West's license.
3. Carol E. West admits that she made errors in the documentation of the administration of medication and that she was practicing nursing with an undiagnosed medical condition, which has since been diagnosed and is being treated.
4. Carol E. West obtained medical treatment for her medical condition and is currently under the care of a physician who reports that she is medically cleared.



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AGREEMENT

5. Carol E. West's license to practice practical nursing is placed on a probationary status with conditions for a period of 2-two years of nursing employment. The conditions of probation are as follows:
 - a. Carol E. West 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 any employment during which Ms. West performs nursing services or holds herself out as a nurse such as through the designation "L.P.N."
 - b. Carol E. West will immediately notify the Board in writing of any employment in the field of nursing, including the place and position of employment and of any subsequent change in nursing employment.
 - c. Carol E. West will practice under the on site supervision of a licensed nurse in a structured setting.
 - d. Carol E. West will arrange for and ensure the submission to the Board of quarterly reports addressing her job performance from her nursing employer(s) regarding medication administration practices and general nursing practice.
 - e. Carol E. West will arrange for and ensure the board that the Board receives quarterly reports from her treating physician regarding the status of her health and on-going treatment.
6. Carol E. West understands and agrees that her license will remain on probationary status and subject to the terms of this Agreement until and unless the Board, at Ms. West's request, votes to terminate Ms. West's probation.
7. If, at the conclusion of the 2-two-year period of probation, Ms. West demonstrates that she has complied with the terms and conditions of this Consent Agreement, the Board will vote to terminate the period of probation. If Ms. West 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.
8. Carol E. West understands that this Consent Agreement affects her rights to practice nursing in the State of Maine. Ms. West 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 this Consent Agreement.

9. Carol E. West affirms that she executes this Consent Agreement of her own free will.
10. Modification of this Consent Agreement must in writing and signed by all the parties.
11. This Consent Agreement is not subject to appeal or review 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, CAROL E. WEST, L.P.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: 7/27/04

Carol E. West
CAROL E. WEST, L.P.N.

DATED: 7.27.2004

Kewler
KENNETH W. LEHMAN, ESQ.
Attorney for Carol E. West

FOR THE MAINE STATE
BOARD OF NURSING

DATED: 7-27-04

Richard L. Sheehan
RICHARD L. SHEEHAN, M.S., R.N.
Acting Chair

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: 7/27/04

John M. Richards
JOHN M. RICHARDS
Assistant Attorney General