



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

JOHN ELIAS BALDACCI  
 GOVERNOR

MYRAA. BROADWAY, J.D., M.S., R.N.  
 EXECUTIVE DIRECTOR

BEFORE THE MAINE STATE BOARD OF NURSING

IN THE MATTER OF LICENSE NO.  
 R048039 ISSUED TO:

LORI A. FITZSIMMONS

To practice registered professional  
 nursing in the State of Maine

ORDER TERMINATING  
 PROBATION

WHEREAS, on October 3, 2002, License No. R048039 issued to Lori A. Fitzsimmons was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and

WHEREAS, on June 10, 2004, the Board of Nursing duly considered all evidence presented to it concerning Lori A. Fitzsimmons' compliance with the conditions of said probation; and

WHEREAS, the Board found that Lori A. Fitzsimmons has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation executed on October 29, 2002 is hereby terminated.

DATED this 16th day of June 2004.

MAINE STATE BOARD OF NURSING

BY:   
 Myra A. Broadway, J.D., M.S., R.N.  
 Executive Director



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ANGUS S. KING, JR.  
 GOVERNOR

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

IN RE: LORI A. FITZSIMMONS )  
 of Dover, New Hampshire )

CONSENT AGREEMENT  
 FOR LICENSE PROBATION  
 WITH CONDITIONS

**INTRODUCTION**

This document is a Consent Agreement regarding Lori A. Fitzsimmons's license to practice registered professional nursing in the State of Maine. The parties enter into this Consent Agreement pursuant to 32 M.R.S.A. § 2101, *et seq.* 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 Lori A. Fitzsimmons ("Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine.

**FACTS**

1. Lori A. Fitzsimmons has applied for licensure as a registered professional nurse by endorsement. She is currently licensed in the State of Massachusetts under a probationary license. The terms and conditions of her probationary license are memorialized in a "Consent Agreement For Probation," which is attached to and incorporated within this Consent Agreement and Marked as Exhibit A.

**AGREEMENT WITH CONDITIONS OF PROBATION**

2. Lori A. Fitzsimmons agrees and understands that endorsement of her State of Massachusetts license to be licensed in State of Maine is approved on a probationary status with conditions.
3. Lori A. Fitzsimmons's probationary license in the State of Maine will be subject to the following conditions:
  - a. Lori A. Fitzsimmons will comply with the terms and conditions imposed in the Consent Agreement with the Board of Registration in Nursing in the Commonwealth of Massachusetts.
  - b. Lori A. Fitzsimmons will abstain completely from the use of alcohol or drugs, with the exception of substances used in accordance with a valid prescription from a physician who is aware of Ms. Fitzsimmons's substance abuse history.
  - c. Lori A. Fitzsimmons will continue in her aftercare treatment program to such an extent and for as long as her treatment providers recommend.



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- d. Lori A. Fitzsimmons will arrange for and ensure the submission of quarterly reports to the Board by her therapist that substantiates her continued rehabilitation.
- e. Lori A. Fitzsimmons will immediately notify the Board in writing regarding any change in her nursing employment or entry into an educational program in the field of nursing. Notification under this section shall include the place and position of employment or the educational program and the same notification shall apply to any subsequent change in employment or change in educational program.
- f. Lori A. Fitzsimmons 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 the terms of the Consent Agreement from Massachusetts (Exhibit A) and, shall provide them with a copies of each Consent Agreement.
- g. Lori A. Fitzsimmons will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer or clinical faculty regarding her nursing practice.
- h. Lori A. Fitzsimmons agrees and understands that the Board and the Office of the Attorney General shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her treatment for substance abuse which the Board deems necessary to evaluate Ms. Fitzsimmons's compliance with the Consent Agreement and her continued recovery. Ms. Fitzsimmons shall provide such information, shall authorize the release of such records and information, and shall authorize any such discussions and communications with any and all persons involved in her care, counseling and employment as may be requested by the Board for the purpose of evaluating Ms. Fitzsimmons's compliance with the Consent Agreement and her continued recovery.


Ms. Fitzsimmons 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. Fitzsimmon's compliance with this Consent Agreement.

- 4. Lori A. Fitzsimmons agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the probationary period imposed in the Massachusetts Consent Agreement, until and unless the Board, at Ms. Fitzsimmons's written request, votes to terminate Ms. Fitzsimmons's probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Fitzsimmons has complied with the provisions of this Consent Agreement.
- 5. Lori A. Fitzsimmons understands that this document is a Consent Agreement that affects her rights to practice nursing in Maine. Ms. Fitzsimmons 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.

6. If Ms. Fitzsimmons 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.
7. Lori A. Fitzsimmons affirms that she executes this Consent Agreement of her own free will.
8. Modification of this Consent Agreement must in writing and signed by all the parties.
9. This Consent Agreement is not subject to appeal or review by the Licensee but may be enforced by an action in the Superior Court.
10. This Consent Agreement becomes effective upon the date of the last necessary signature below.


**I, LORI A. FITZSIMMONS 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: Oct 23, 2002

  
LORI A. FITZSIMMONS

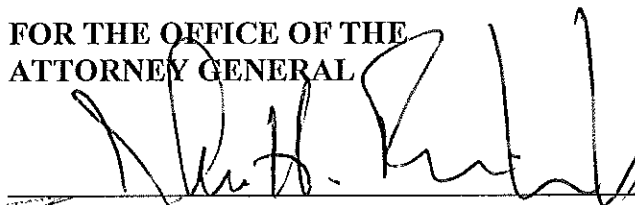
**FOR THE MAINE STATE  
BOARD OF NURSING**

DATED: Oct 28, 2002

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

**FOR THE OFFICE OF THE  
ATTORNEY GENERAL**

DATED: Oct. 29, 2002

  
JOHN H. RICHARDS  
Assistant Attorney General