



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

ANGUS S. KING, JR.
GOVERNOR

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

BEFORE THE MAINE STATE BOARD OF NURSING

IN THE MATTER OF LICENSE NO.)
R026797 ISSUED TO:)

TIMOTHY J. NELSON)

To practice registered professional nursing)
in the State of Maine)

**ORDER TERMINATING
PROBATION**

WHEREAS, on April 10, 1997, License No. R026797 issued to Timothy J. Nelson was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and

WHEREAS, on August 28, 2002, the Board of Nursing duly considered all evidence presented to it concerning Timothy J. Nelson's compliance with the conditions of said probation; and

WHEREAS, the Board found that Timothy J. Nelson has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation executed on May 6, 1997 is hereby terminated.

DATED this 29th day of August 2002.

MAINE STATE BOARD OF NURSING

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



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JEAN C. CARON, M.S., R.N.
 EXECUTIVE DIRECTOR

IN RE:) **CONSENT AGREEMENT**
TIMOTHY J. NELSON) **FOR REINSTATEMENT**
of East Waterboro, Maine) **OF LICENSE**
License #R026797)

INTRODUCTION

This document is a Consent Agreement regarding Timothy J. Nelson’s license to practice professional nursing in the State of Maine, entered into pursuant to 32 M.R.S.A. § 2105-A(1-A)(B) and 10 M.R.S.A. § 8003(5)(B). The parties to this Consent Agreement are Timothy J. Nelson, the Maine State Board of Nursing (“Board”) and the Department of Attorney General, State of Maine.

Pursuant to a 1996 Consent Agreement, the Board accepted the voluntary surrender of Timothy J. Nelson’s license for a minimum one-year period subject to conditions relating to Mr. Nelson’s continued sobriety. By letter dated February 10, 1997, Mr. Nelson requested the Board to consider reinstatement of his nursing license. Pursuant to this request, Mr. Nelson met with the Board at the Board’s meeting on April 10, 1997. As a result of that meeting, the parties agreed to enter into this Consent Agreement allowing for the reinstatement on probation with conditions of Mr. Nelson’s license.

**AGREEMENT FOR REINSTATEMENT OF
 LICENSE WITH CONDITIONS OF PROBATION**

Timothy Nelson’s license to practice professional nursing in the State of Maine is reinstated on a probationary status. The period of probation will continue a minimum of two years from the date that Mr. Nelson resumes employment in the field of nursing in Maine. Mr. Nelson’s probationary license is subject to the following conditions:

1. **Substance Free:** Timothy Nelson 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 Mr. Nelson’s substance abuse history.
2. **Counselor’s Quarterly Reports:** Timothy Nelson will be seen and evaluated quarterly (every three months) by a licensed alcohol and drug counselor and will arrange for his counselor to submit to the Board quarterly reports regarding these evaluations.
3. **Notice to Employer:** Timothy Nelson will notify any and all of his 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 Mr. Nelson performs nursing services or holds himself out as a nurse, such as through use of the designation “R.N.”

4. **Employer Quarterly Reports:** Timothy Nelson will arrange for and ensure the submission to the Board of quarterly reports from his nursing employer(s) addressing his job performance.
5. **Notice of Employment Status:** Timothy Nelson will immediately notify the Board in writing of any employment in the field of nursing, including the date that employment will begin, the place and position of employment, and of any change in nursing employment.
6. **Confidentiality in Release of Records:** Timothy Nelson agrees that the Board and the Department of Attorney General shall have access to any and all medical records and all otherwise confidential medically-privileged information pertaining to his substance abuse and chemical dependency which the Board or the Department of Attorney General deem necessary to evaluate Mr. Nelson's compliance with this Consent Agreement and his continued recovery. Mr. Nelson 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 his care, counseling and employment as may be requested by the Board for the purpose of evaluating Mr. Nelson's compliance with this Consent Agreement and his continued recovery.
7. **Automatic Suspension:** Timothy Nelson agrees and understands that if any member of the Board or the Board's Executive Director receives reasonably reliable information suggesting that Mr. Nelson has not remained substance free in accordance with this Consent Agreement, Mr. Nelson's license will be immediately and automatically suspended pending further review by the Board. In the event such information is received by any member of the Board or its Executive Director, the information will be forwarded to Mr. Nelson for a response. Mr. Nelson agrees and understands that his license will remain suspended unless and until the Board is satisfied that Mr. Nelson's license may be reinstated consistent with the public health and welfare in the area of nursing service.
8. **Term of Probationary Status:** Mr. Nelson agrees and understands that his license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the minimum two-year period, until and unless the Board, at Mr. Nelson's request, votes to terminate Mr. Nelson's probation. When considering whether to terminate the probation, the Board will consider the degree to which Mr. Nelson has complied with the provisions of this Agreement.
9. **Miscellaneous Provisions:** This Consent Agreement modifies and replaces the 1996 Consent Agreement entered into by and between Timothy Nelson, the Board and the Department of Attorney General. Mr. Nelson understands that this document is a Consent Agreement which affects his rights to practice nursing in Maine. This Consent Agreement may be amended only in writing, signed by all the parties. Mr. Nelson understands that he does not have to execute this Consent Agreement and that he has the right to consult with an attorney before entering into this Consent Agreement. Mr. Nelson affirms that he executes this Consent Agreement of his own free will.

10. **Effective date:** This Consent Agreement becomes effective upon the last necessary signature below.

DATED: 4-25-97


TIMOTHY J. NELSON


MAINE STATE BOARD OF NURSING

DATED: 5/5/97


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

DEPARTMENT OF ATTORNEY GENERAL

DATED: 5/6/97


SUSAN A. SPARACO
Assistant Attorney General
Counsel to the Board