



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

JOHN ELIAS BALDACC
 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.)
 R017718 ISSUED TO:)

MAXINE F. NICHOLSON)

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

**ORDER TERMINATING
 PROBATION**

WHEREAS, on **April 26, 2004**, License No. **R017718** issued to **MAXINE F. NICHOLSON** was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and

WHEREAS, on **September 29, 2005**, the Board of Nursing duly considered all evidence presented to it concerning **MAXINE F. NICHOLSON'S**) compliance with the conditions of said probation; and

WHEREAS, the Board found that **MAXINE F. NICHOLSON** has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation executed on **April 26, 2004** is hereby terminated.

DATED this **5th day of October 2005**.

MAINE STATE BOARD OF NURSING

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



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

IN RE: MAXINE F. NICHOLSON, R.N.) CONSENT AGREEMENT
 of Princeton, Maine) **FOR CENSURE AND**
 License #R017718) **PROBATION**

INTRODUCTION

This document is a Consent Agreement regarding Maxine F. Nicholson’s license to practice registered professional 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), § 8003(5)(B) and 32 M.R.S.A. § 2105-A(1-A)(A) and (B). The parties to this Consent Agreement are Maxine F. Nicholson (“Licensee”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. An informal conference was held on February 27, 2004. The parties reached this Agreement on the basis of information submitted by Seaside Rehabilitation & Health Care Center, Portland, Maine, by report dated October 19, 2003.

FACTS

1. Maxine F. Nicholson has been a registered professional nurse since 1964 and licensed to practice in Maine since 1971.
2. Maxine F. Nicholson admits that she drank a beer at lunch while on duty and admits this was a lapse in judgment.

AGREEMENT

3. Maxine F. Nicholson agrees and understands that based upon the above stated facts her conduct constitutes grounds for discipline under Title 32 M.R.S.A. § 2105-A(2)(F), (2)(H) and Chapter 4.1.A.6., 4.3.F. and 4.3.O. Maxine F. Nicholson is hereby **CENSURED** for unprofessional conduct and practicing nursing when her physical or mental ability to practice may have been impaired by alcohol.
4. Maxine F. Nicholson’s license to practice registered professional nursing in the State of Maine is placed on a probationary status with conditions. The period of probation will be for a period of one year. Ms. Nicholson’s probationary license will be subject to the following conditions:
 - a. Maxine F. Nicholson will arrange for and undergo a comprehensive substance abuse evaluation by a licensed substance abuse counselor.



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Maxine F. Nicholson, R.N.

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- b. Maxine F. Nicholson will arrange for and provide a report of the evaluation to the Board within one year for the Board's review and agrees that she will abide by any recommendations, if any, that the substance abuse evaluation provides. In the event that Ms. Nicholson undergoes any recommended treatment for substance abuse, she will arrange for and ensure that the Board receives a report prior to her termination from probation.
5. Maxine F. Nicholson understands that this Consent Agreement imposes discipline regarding her license to practice registered professional nursing in the State of Maine. Ms. Nicholson 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.
6. Maxine F. Nicholson affirms that she executes this Consent Agreement of her own free will.
7. Modification of this Consent Agreement must be in writing and signed by all the parties.
8. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
9. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, MAXINE F. NICHOLSON, R.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: 4-22-04



MAXINE F. NICHOLSON, R.N.

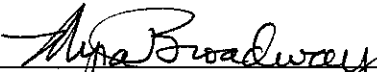
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**FOR THE MAINE STATE
BOARD OF NURSING**

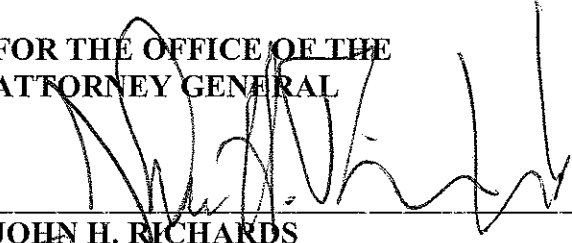
DATED: 4/26/04



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

**FOR THE OFFICE OF THE
ATTORNEY GENERAL**

DATED: 4/26/04



JOHN H. RICHARDS
Assistant Attorney General