



MAINE STATE BOARD OF NURSING

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In re: )  
Paul L. Noftell, R.N. ) CONSENT AGREEMENT  
of Carmel, Maine ) AND WARNING  
License #R021628 )

INTRODUCTION

This document is a Consent Agreement and Warning regarding Paul L. Noftell's license to practice professional 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: Paul L. Noftell, R.N., the Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine.

Mr. Noftell was advised by the Board that it had received a letter dated June 2, 1993 from Lynda Finley, Registrar of the Nurses Association of New Brunswick, and a copy of a Decision dated November 26, 1992 from the discipline committee of the Nurses Association of New Brunswick. This information, together with Mr. Noftell's most recent application for license renewal, suggested that Mr. Noftell may be in violation of 32 M.R.S.A. Section 2105-A(2)(E), (2)(F) or (2)(H). Mr. Noftell responded by letter dated September 2, 1993. The Board subsequently requested that Mr. Noftell attend an informal conference pursuant to 32 M.R.S.A. Section 2105-A(1-A). The informal conference was held on February 16, 1994. Mr. Noftell was present 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. Mr. Noftell answered incorrectly in the negative to question no. 3 on his 1992 license renewal, which asked: "Is there any disciplinary action pending against your license in any state or jurisdiction?"
2. Mr. Noftell has been licensed in Maine since 1979.

3. At the time that Mr. Noftell filled out and submitted his 1992 license renewal application there was one pending complaint against his license in the Canadian province of New Brunswick.
4. Mr. Noftell knew at the time that he answered the questions on his renewal application form that there was a pending complaint in New Brunswick.
5. Mr. Noftell has been employed and promoted at the Bangor Mental Health Institute during the last year.
6. Mr. Noftell states that he told the Bangor Mental Health Institute of the pending complaint in New Brunswick prior to his employment at that facility.

COVENANTS AND WARNING

Based on the above findings of fact, the Board voted to enter into an agreement with Mr. Noftell under which he will be, and he hereby is, WARNED for his actions in this matter. This Warning does not relate to the merits of the underlying disciplinary action in New Brunswick, but is based solely on the incorrect answer in Mr. Noftell's 1992 license renewal application to the Maine State Board of Nursing. Mr. Noftell is advised to conform his future conduct accordingly. The Board agrees to take no further disciplinary action upon these facts.

Mr. Noftell understands that this document is a Consent Agreement which affects his rights to practice nursing in Maine. Mr. Noftell understands that he does not have to execute this Consent Agreement and that he has the right to consult with an attorney before entering this Consent Agreement. Mr. Noftell affirms that he executes this Consent Agreement of his own free will.

DATED: 10-13-94

Paul L. Noftell R.N.  
PAUL L. NOFTELL, R.N.

FOR THE MAINE STATE BOARD OF NURSING:

DATED: 10/17/94

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

FOR THE DEPARTMENT OF ATTORNEY GENERAL:

DATED: 10/18/94

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