



STATE OF MAINE
 BOARD OF NURSING
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 GOVERNOR

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

IN RE: JULIE-ANNE NOLIN, R.N.) **CONSENT AGREEMENT**
 of Lewiston, Maine) **FOR**
 License #R048559) **REPRIMAND**

INTRODUCTION

This document is a Consent Agreement (“Agreement”) regarding Julie-Anne Nolin’s license to practice registered professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S. § 2105-A (1-A) (A), 10 M.R.S. § 8003(5) (A-1) (1) and § 8003(5) (B); they met in an informal conference on July 8, 2010. The parties to this Agreement are Julie-Anne Nolin (“Licensee” or “Ms. Nolin”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The parties reached this Agreement on the basis of a 1) Board Notice of Complaint/Provider Report dated June 22, 2010 with information submitted by Montello Manor dated June 17, 2010; and 2) Androscoggin County Police Log from *The Lewiston Sun Journal* dated June 17, 2010.

FACTS

1. **License History:** Julie-Anne Nolin has been a registered professional nurse licensed to practice in Maine since May 2003. On June 11, 2009, she entered into a Consent Agreement with the Board placing her license on probation with conditions for a period of five years because of substance abuse and an August 2008 Operating Under the Influence (“OUI”) conviction. The June 2009 Agreement was amended on November 11, 2009 restricting her practice to structured settings [Exhibit A].
2. Julie-Anne Nolin has been employed as a per diem registered professional nurse at Montello Manor since May 11, 2009; she continues to work at this facility in a per diem capacity.
3. Julie-Anne Nolin was charged with an OUI on February 10, 2008 [Class D Misdemeanor crime]. She was subsequently charged with Violation of Condition of Release on March 14, 2008 as a result of violating a pre-conviction bail condition that she not use or possess alcohol. She was convicted of the February 2008 OUI charge on August 26, 2008.

On May 30, 2010, Ms. Nolin was charged with a second OUI. On June 23, 2010, she was again charged with violating a pre-conviction bail condition that she not use or possess alcohol. She was convicted of Violation of Condition of Release (Class E Misdemeanor crime) on October 1, 2010 and received a 24-hour jail sentence. On September 21, 2010, Ms. Nolin pled guilty to the May 2010 OUI; however, she entered into an agreement with the District Court for a deferred disposition [Exhibit B]. Ms. Nolin is scheduled to appear in court on March 22, 2011 at 1:00 PM to determine whether she has met the conditions of bail and the deferred disposition. If there is a violation of bail or the deferred disposition agreement, she will be subject to sentencing on her open plea of guilty to the second OUI offense.

4. Julie-Anne Nolin is currently enrolled in the Medical Professionals Health Program (“MPHP”). As of October 15, 2010 a MPHP Compliance Report indicated that she is a participant in good standing.



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5. The Board's offer of this Consent Agreement for Reprimand is a result of the May 2010 OUI and Violation of Condition of Release. It also includes a second amendment to Ms. Nolin's June 11, 2009 Consent Agreement for Probation regarding immediate license suspension if she fails to abstain completely from the use of alcohol or drugs as stated in Condition 7(a) of her June 2009 Agreement.
6. Julie-Anne Nolin takes responsibility for her actions and admits that her behavior failed to conform to legal and accepted standards of the nursing profession.
7. Julie-Anne Nolin has agreed to enter into this Agreement and waives her rights to a hearing in this matter.

AGREEMENT

8. Julie-Anne Nolin understands that her conduct in the above-stated facts constitutes grounds for discipline under Title 32 M.R.S. § 2105-A (2) (F), (2) (B) and Chapter 4.1.A.2. and 4.1.A.6. of the Rules and Regulations of the Maine State Board of Nursing. Julie-Anne Nolin is hereby **REPRIMANDED** for the above violations. Specifically, the violations are:

Title 32 M.R.S. §§:

- a. 2105-A (2) (F). Unprofessional Conduct. Ms. Nolin engaged in unprofessional conduct by failing to meet the conditions of her June 2009 Consent Agreement, specifically 7(a). (See also Chapter 4, Section 1.A.6.)
 - b. 2105-A (2) (B). Habitual substance abuse that has resulted or is foreseeably likely to result in Ms. Nolin performing services in a manner that endangers the health or safety of patients. (See also Rule Chapter 4, Section 1.A.2.)
9. The State of Maine is a "party state" that has adopted the Nurse Licensure Compact ("Compact"), which is set out in Chapter 11 of the Rules and Regulations of the Maine State Board of Nursing. The State of Maine is Ms. Nolin's "home state" of licensure and primary state of residence, which means that she has declared the State of Maine as her fixed permanent and principle home for legal purposes; her domicile. Other party states in the Compact are referred to as "remote states," which means party states other than the home state that have adopted the Compact. Ms. Nolin understands this Agreement is subject to the Compact.
 10. Julie-Anne Nolin understands and agrees that the following paragraph is incorporated as an additional amendment into the June 11, 2009 Consent Agreement:

8(b). Julie-Anne Nolin understands and agrees that if any member of the Board or the Board's Executive Director receives reasonably reliable information suggesting that she has not remained substance-free in accordance with the Consent Agreement, her license will be immediately and automatically suspended pending further review by the Board. In the event any member of the Board or its Executive Director receives such information, the information will be immediately forwarded to Ms. Nolin for response. Ms. Nolin understands and agrees that in such an event, her license shall remain suspended pending a hearing. The Board shall hold a hearing within 60 days of the automatic suspension unless both the Licensee and the Board agree to hold the hearing later, or the Executive Director and/or the Office of the Attorney General earlier determine that such information is without merit. If the information received

is proven to be inaccurate or incorrect, either through hearing or determination by the Executive Director and/or the Office of the Attorney General, Ms. Nolin's license will be immediately reinstated retroactive to the date of suspension.

11. Julie-Anne Nolin understands that she does not have to execute this Consent Agreement and has the right to consult with an attorney before entering into the Agreement.
12. Julie-Anne Nolin affirms that she executes this Agreement of her own free will.
13. Modification of this Agreement must be in writing and signed by all parties.
14. This Agreement is a public record within the meaning of 1 M.R.S. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S. § 408.
15. This Agreement is not subject to review or appeal by Ms. Nolin.
16. This Agreement becomes effective upon the date of the last necessary signature below.

I, JULIE-ANNE NOLIN, R.N., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY REGISTERED PROFESSIONAL NURSE LICENSE. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, KNOWINGLY, AND INTELLIGENTLY AND AGREE TO BE BOUND BY THIS AGREEMENT. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.


DATED: 12-16-10



JULIE-ANNE NOLIN, R.N.

FOR THE MAINE STATE
BOARD OF NURSING

DATED: 12/18/10



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

FOR THE OFFICE OF
THE ATTORNEY GENERAL

DATED: 12/21/10



JOHN H. RICHARDS
Assistant Attorney General