



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

PAUL R. LePAGE
 GOVERNOR

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

IN RE: BETSY A. PLUMMER, LPN) **CONSENT AGREEMENT**
 of Norway, ME) **FOR VOLUNTARY**
 Licenses #P009456) **SURRENDER OF LICENSE**

INTRODUCTION

This document is a Consent Agreement (“Agreement”) regarding Betsy A. Plummer’s license as a licensed practical nurse in the State of Maine. The parties to this Agreement are Betsy A. Plummer (“Licensee” or “Ms. Plummer”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S. § 2105-A (1-A) (C), 10 M.R.S. §§ 8003 (A-1) (4), 8003 (5) (B) and 8003 (5) (D). The Board met with Ms. Plummer in an informal conference via telephone conference call on March 2, 2011 and reached this Agreement on the basis of a 1) Board Notice of Complaint dated July 1, 2009 with a Provider Report from Brentwood Rehabilitation & Nursing Center (“Brentwood”) dated June 23, 2009; 2) Department of Health & Human Services, Licensing & Certification Division Investigative Report dated June 21, 2010; 3) Maine State Board of Nursing Licensed Practical Nurse Renewal Application dated January 11, 2011; and 4) Ms. Plummer’s responses dated July 27, 2009; July 26, 2010; and February 16, 2011, respectively.

FACTS

1. Licensing History. Betsy A. Plummer has been licensed as a licensed practical nurse to practice in Maine since November 1987. The Board issued a Decision and Order of Suspension on December 16, 2008 as a result of a November 14, 2008 conviction concerning the Licensee’s no contest plea to Unlawful Possession of Scheduled W Drugs, a Class D misdemeanor. Ms. Plummer received a \$500 fine and was sentenced to 30 days imprisonment, all suspended with six months of administrative release. Her nursing license was reinstated March 16, 2009 with an expiration date of November 22, 2010. However, Ms. Plummer did not renew her license and it lapsed on November 22, 2010.
2. Betsy A. Plummer submitted her 2010-2012 Maine License Renewal Application on January 11, 2011. She failed to disclose an August 2009 conviction for Operating Under the Influence and a November 2009 conviction for Driving While License Suspended. In addition, she responded “NO” to the questions: 2) *Has any board of nursing taken disciplinary action against your license in that state(s) or jurisdiction(s) since the last renewal of your Maine license?* and 3) *Is there any complaint pending against your license in any state or jurisdiction?*
3. Betsy A. Plummer fully acknowledges her responsibility for truthfully completing her renewal application. She states she has not worked as a nurse for the past 18 months.
4. Betsy A. Plummer states she has received treatment for her alcohol abuse in the past, but is not currently active in an aftercare program. She did provide documentation of a Maine Driver Education and Evaluation Program (DEEP) evaluation/assessment completed by Community Healthcare in Paris, TX which indicates dates of treatment service as eight group sessions (total of 12 hours) from “1/20/11 to 3/10/11” and a diagnosis of “alcohol dependence in early (2 month) full remission.”
5. Betsy A. Plummer has offered to surrender her licensed practical nursing license until she returns to Maine from Texas and can meet with the Board to address these issues further. She thereby waives her right to an adjudicatory hearing on the above-stated facts.



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AGREEMENT

6. The Maine State Board of Nursing will accept Betsy A. Plummer's offer to voluntarily surrender her licensed practical nursing license. Ms. Plummer understands and agrees that should this matter go to hearing before the Board on the above-stated facts and the underlying information to support those facts, it is more likely than not they would support the Board's findings in this Agreement. Further, she understands and agrees that this document imposes discipline regarding her nursing practice in the State of Maine. The grounds for discipline are found under Title 32 M.R.S. § 2105-A (2) (A), (2) (F) and (2) (H) and Chapter 4, Sections 1(A) (1), 1(A) (2), 1(A) (6), and 1(A) (8) of the Rules and Regulations of the Maine State Board of Nursing. Specifically, the violations are:

Title 32 M.R.S. §§:
 - a. 2105-A (2) (A). Ms. Plummer engaged in the practice of fraud or deceit in connection with a service rendered within the scope of her license. (See also Chapter 4, Section 1.A.1.)
 - b. 2105-A (2) (F). Unprofessional Conduct. Ms. Plummer has engaged in unprofessional conduct by violating standards of professional behavior that have been established in the practice for which she is licensed. (See also Rule Chapter 4, Section 1.A.6.)
 - c. 2105-A (2) (H). A violation of this chapter or a rule adopted by the Board. (See also Rule Chapter 4, Section 1.A.8.)
7. Betsy A. Plummer understands and agrees that her nursing license will remain on surrender status and subject to the terms of this Agreement indefinitely until and unless the Board, at her written request, votes to reinstate her license. Ms. Plummer understands and agrees that if the Board reinstates her license, it will be for a probationary period.
8. 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. Plummer'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. Plummer understands this Agreement is subject to the Compact.
9. Betsy A. Plummer 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.
10. Betsy A. Plummer shall not work or volunteer in any capacity for a health care provider as defined by Title 24 M.R.S. § 2502 (2) or in any position holding herself out as a licensed practical nurse or with the designation "LPN" while her nursing license is surrendered.
11. 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.
12. Modification of this Agreement must be in writing and signed by all parties.
13. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
14. Betsy A. Plummer affirms that she executes this Agreement of her own free will.
15. This Agreement becomes effective upon the date of the last necessary signature below.

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I, BETSY A. PLUMMER, LPN, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. 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: 3/21/11


BETSY A. PLUMMER, LPN

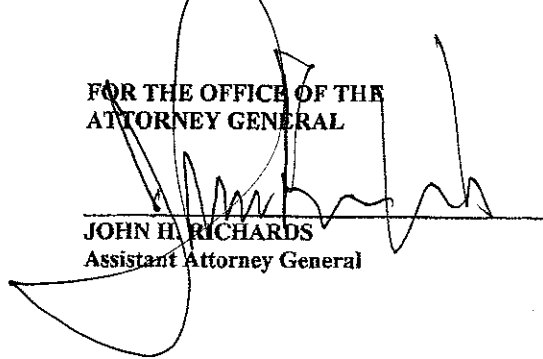
FOR THE MAINE STATE
BOARD OF NURSING

DATED: 3/21/11


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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: 3/23/11


JOHN H. RICHARDS
Assistant Attorney General