



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

2003

JOHN ELIAS BALDACCI
 GOVERNOR

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

IN RE: **JUDITH L. NEWMAN, R.N.**) **CONSENT AGREEMENT**
 of Warren, Maine) **FOR REINSTATEMENT**
 License #R036693) **AND PROBATION**

INTRODUCTION

This document is a Consent Agreement regarding Judith L. Newman'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)(4), 10 M.R.S.A. § 8003(5)(B) and 32 M.R.S.A. § 2105-A(1-A)(B). Judith Newman met with the Board on February 13, 2003 to request reinstatement of her license. The parties to this Consent Agreement are Judith L. Newman ("Licensee"), Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine.

FACTS

1. Judith L. Newman voluntarily surrendered her registered professional nursing license on March 27, 2002. Ms. Newman surrendered her license because of drug diversion and a history of substance abuse.
2. Judith L. Newman has been substance free for one year and is currently in after-care treatment for substance abuse.

REINSTATEMENT WITH CONDITIONS OF PROBATION

3. Judith L. Newman's license to practice registered professional nursing in the State of Maine is reinstated on a probationary status with conditions for three years. The period of probation will commence on Ms. Newman's return to nursing practice, either through employment or pursuant to an educational program. For purposes of this Agreement, nursing employment is any employment during which Ms. Newman performs nursing services. Ms. Newman's probation will be subject to the following conditions:
 - a. Judith L. Newman will remain substance free with the exception of prescribed medications by her physician who is aware of Ms. Newman's substance abuse history.
 - b. Judith L. Newman will continue in A.A. and an aftercare treatment program to such an extent and for as long as her treatment providers recommend.



PRINTED ON RECYCLED PAPER

OFFICES LOCATED AT: 24 STONE ST., AUGUSTA, ME.

TDD: (207) 287-1151

PHONE: (207) 287-1133

FAX: (207) 287-1149

<http://www.maine.gov/boardofnursing/>

2003

Judith L. Newman

Page 2

Consent Agreement for Reinstatement and Probation

- c. Judith L. Newman will arrange for and ensure the submission of quarterly reports to the Board by her treatment providers during the probationary period.
 - d. Judith L. Newman's employment is restricted during the period of probation to structured settings, which shall not include assignments from temporary employment agencies. Ms. Newman will immediately notify the Board in writing should she return to employment or an educational program in the field of nursing. Notice under this section shall include the place and position of employment or the educational program and any subsequent change in employment or educational program.
 - e. Judith L. Newman will notify any and all of her nursing employers and notify faculty involved in any clinical studies of the terms of this Consent Agreement and shall provide them with a copy of it.
 - f. Judith L. Newman will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer regarding her nursing practice.
 - g. Judith L. Newman agrees and understands that the Board and the Department of Attorney General shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her treatment for substance abuse which the Board deems necessary to evaluate Ms. Newman's compliance with the Consent Agreement and her continued recovery. Ms. Newman 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 her care, counseling and employment as may be requested by the Board for the purpose of evaluating Ms. Newman's compliance with the Consent Agreement and her continued recovery.
4. Judith L. Newman agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the three year probationary period, until and unless the Board, at Ms. Newman's written request, votes to terminate Ms. Newman's probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Newman has complied with the provisions of this Agreement.
 5. Judith L. Newman understands that this document is a Consent Agreement that affects her rights to practice nursing in Maine. Ms. Newman 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 the Consent Agreement.

Judith L. Newman

Page 3

Consent Agreement for Reinstatement and Probation

6. If Ms. Newman fails to meet any of the obligations of this Consent Agreement, the Board may take any disciplinary action, which it deems appropriate and impose any of the sanctions, including but not limited to that found in Title 10 M.R.S.A. § 8003 and Title 32 M.R.S.A. § 2105-A.
7. Judith L. Newman affirms that she executes this Consent Agreement of her own free will.
8. Modification of this Consent Agreement must be in writing and signed by all parties.
9. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
10. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, JUDITH L. NEWMAN, 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: 2/27/03

J. Newman RN
JUDITH L. NEWMAN, R.N.

FOR THE MAINE STATE
BOARD OF NURSING

DATED: Feb 27, 2003

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

FOR THE DEPARTMENT
OF ATTORNEY GENERAL

DATED: Feb. 28, 2003

John H. Richards
JOHN H. RICHARDS
Assistant Attorney General