



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

PAUL R. LEPAGE

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

GOVERNOR  
**In Re: ANNETTE F. THOMAS, RN** )  
 of Sebago, ME )  
 License No. RN31652 )

EXECUTIVE DIRECTOR  
**CONSENT AGREEMENT**  
**REINSTATEMENT OF LICENSE**  
**AND FINE**

INTRODUCTION

This document is a Consent Agreement (“Agreement”) regarding Annette F. Thomas’s license to practice Registered Professional Nursing (“RN”) in the State of Maine. The parties to this Agreement are Annette F. Thomas (“Ms. Thomas” or “Licensee”), the Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The Parties met in an informal conference on November 28, 2011 and reached this Agreement on the basis of: 1) a Board Complaint dated October 8, 2009, which includes a Provider Report from Androscoggin Home Care & Hospice (“AHCH”) dated October 2, 2009; and 2) a Board Complaint for “Failure to Respond” dated January 4, 2010. This Agreement is entered into pursuant to 10 M.R.S. Section 8003(5) (B) and 5 M.R.S. Section 9053(2).

STATEMENT OF FACTS

- Annette F. Thomas was originally licensed in the State of Maine as an RN on June 23, 1988. On June 19, 2010, her RN license to practice nursing in the State of Maine expired.
- Annette F. Thomas continued to <sup>in a teaching position</sup> practice nursing in the State of Maine after her license expired on June 19, 2010; her license was reinstated on November 23, 2011.
- An individual practicing nursing during the time the individual’s license has lapsed is considered an illegal practitioner and is subject to the penalties provided for violations of Title 32, Chapter 31. See 32 M.R.S. § 2206.
- The <sup>teaching</sup> practice of nursing by Annette F. Thomas after her license expired is in violation of Maine Revised Statute, Title 32, Chapter 31.
- Annette F. Thomas acknowledges that she continued to <sup>teach nursing</sup> practice nursing in the State of Maine without a valid license. *She had been unaware of the requirement to be “registered” to teach.*
- Annette F. Thomas acknowledges that she failed to respond to the Board Notices of Complaint dated October 2, 2009 and January 4, 2010 within the required 30 days.
- Annette F. Thomas acknowledges that she failed to provide change of address.

AGREEMENT

- Annette F. Thomas understands and agrees that the Board has evidence from which it could conclude there is a violation of Title 32 M.R.S. §§ 2105-A (1-A) and (2) (H), Chapter 4.1.B.3. and 4.1.A.8, and Chapter 3, Section 1 of the Rules and Regulations of the Maine State Board of Nursing (“Board Rules”). Ms. Thomas understands and agrees that this conduct in the above-stated facts constitutes grounds for discipline. Specifically, the violations are:
  - 32 M.R.S. §2105-A (1-A). Ms. Thomas failed to respond to two Board Notices of Complaint within the required 30 days. See also: Board Rule Chapter 4, Section 1.B.3.
  - 32 M.R.S. § 2105-A (2) (H). Ms. Thomas violated a Maine Revised Statute in Title 32, Chapter 31 and rules adopted by the Board. See also: Board Rule Chapter 4, Section 1.A.8.



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- c. Board Rule: Chapter 3, Section 1. Ms. Thomas failed to promptly notify the Board of her change of address.
9. The parties agree that Annette F. Thomas's request for reinstatement of license shall be granted with the following conditions:
  - a. Annette F. Thomas shall pay a FINE in the amount of Five Hundred Dollars (\$500.00). *paid*
  - b. Annette F. Thomas shall pay a reinstatement fee of \$10.00 in addition to the renewal fee of \$75.00. *paid*
10. In addition, Ms. Thomas shall pay a fine in the amount of Two Hundred and Fifty Dollars (\$250.00) for failing to promptly notify the Board of her change of address, which shall be paid 30 days from the effective date of this Agreement.
11. On the basis that no violation of the LAW REGULATING THE PRACTICE OF NURSING was found, the Board voted to dismiss the October 2009 Complaint from Androscoggin Home Care & Hospice and considers the matter closed.
12. Annette F. Thomas understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Agreement.
13. Modification of this Agreement must be in writing and signed by all the 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. Thomas, but may be enforced by an action in the Superior Court.
16. This Agreement becomes effective upon the date of the last necessary signature below.

I, ANNETTE F. THOMAS, RN, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY REGISTERED PROFESSIONAL NURSE'S 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: 30 March 2012

  
ANNETTE F. THOMAS, RN

FOR THE MAINE STATE BOARD OF NURSING

DATED: April 10, 2012

  
MYRA A. BROADWAY, JD, MS, RN  
Executive Director

FOR THE OFFICE OF ATTORNEY GENERAL

DATED: 7/13/12

  
JOHN H. RICHARDS  
Assistant Attorney General