



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

JOHN ELIAS BALDACCI  
 GOVERNOR

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

IN RE: **SAMUEL P. BROPHY** ) **CONSENT AGREEMENT FOR**  
 of Biddeford, Maine ) **VOLUNTARY SURRENDER**  
 License # R041032 ) **OF LICENSE**

**INTRODUCTION**

This document is a Consent Agreement regarding Samuel P. Brophy'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)(B) and 32 M.R.S.A. § 2105-A(1-A)(C). The parties to this Consent Agreement are Samuel P. Brophy ("Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. The parties met in an informal conference on June 4, 2003. The parties reached this Agreement on the basis of information submitted by Southern Maine Medical Center by letter dated January 20, 2003 with attachment and Samuel P. Brophy's response dated February 14, 2003, both are attached and marked as Exhibit A.

**FACTS**

1. Samuel P. Brophy has been a registered professional nurse licensed in Maine since 1997.
2. Samuel P. Brophy requested the Board to accept a voluntary surrender of his registered professional nursing license because of an admitted drug diversion of Fentanyl and substance abuse problem.
3. Samuel P. Brophy is currently involved in a substance abuse rehabilitation program.

**AGREEMENT**

4. The Maine State Board of Nursing will accept Samuel P. Brophy's voluntary surrender of his license.
5. Samuel P. Brophy shall not work or volunteer, in any capacity, for a health care provider as defined by Title 24 M.R.S.A. § 2502 (2) or in any position holding himself out as a registered professional nurse or with the designation, R.N. while his nursing license is surrendered. In addition, Mr. Brophy is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.



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

TDD: (207) 287-1151

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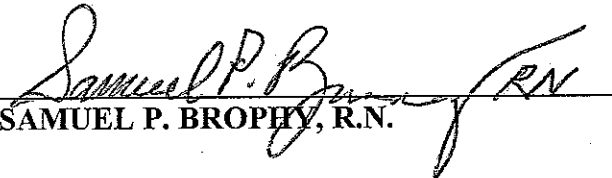
FAX: (207) 287-1149

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

6. Samuel P. Brophy may petition the Board for reinstatement of his license. Mr. Brophy agrees and understands that his license will not be reinstated until and unless the Board, upon Mr. Brophy's written request, votes to reinstate Mr. Brophy's license.
7. Samuel P. Brophy understands that this document imposes discipline regarding his license to practice registered professional nursing in the State of Maine for violations under 32 M.R.S.A. § 2105-A(2)(B), A(2)(F) and A(2)(H) and Chapter 4.1.A.2., 4.1.A.6., 4.3.K., 4.3.P. and 4.3.Q. of the Rules and Regulations of the Maine State Board of Nursing.
8. Samuel P. Brophy understands that he does not have to execute this Consent Agreement and that he has the right to consult with an attorney before entering into this Consent Agreement.
9. Samuel P. Brophy affirms that he executes this Consent Agreement of his own free will.
10. Modification of this Consent Agreement must be in writing and signed by all parties.
11. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
12. This Consent Agreement becomes effective upon the date of the last necessary signature below.


**I, SAMUEL P. BROPHY, 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: 6/30/03

  
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SAMUEL P. BROPHY, R.N.

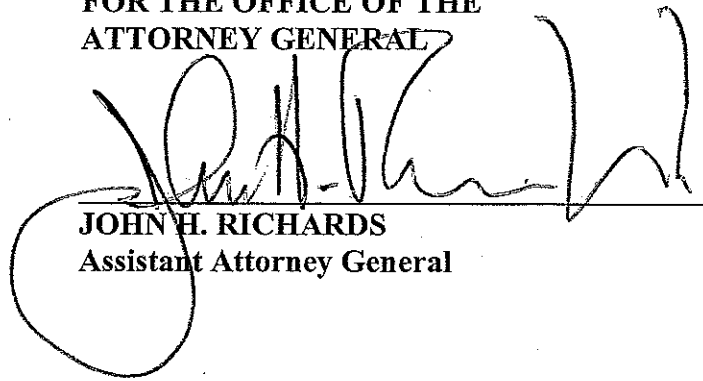
**FOR THE MAINE STATE  
BOARD OF NURSING**

DATED: July 3, 2004

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

FOR THE OFFICE OF THE  
ATTORNEY GENERAL

DATED: 7/7/03



A handwritten signature in black ink, appearing to read 'John H. Richards', is written over a horizontal line. The signature is stylized and cursive.

JOHN H. RICHARDS  
Assistant Attorney General