



Paul R. LePage
GOVERNOR

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

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

IN RE: COLLEEN F. LONGMUIR, RN)
of Newport, ME) **AGREEMENT TO TERMINATE**
) **CONSENT AGREEMENT**
License No. RN38924)

INTRODUCTION

The purpose of this Agreement ("Agreement") is to terminate Colleen F. Longmuir's Consent Agreement dated June 1, 2009 (the "2009 Agreement") and thereby terminate her period of probation and all terms and conditions imposed by the 2009 Agreement. The parties to this Agreement are Colleen Longmuir ("Ms. Longmuir"), the Maine State Board of Nursing ("the Board"), and the Office of the Attorney General, State of Maine.

FACTS

1. Colleen Longmuir was licensed by the Board to practice as a registered professional nurse ("RN") in Maine on July 7, 1995. Her Maine licensed practical nurse licensed expired on September 5, 1996.
2. Disciplinary History:
 - September 1987 - September 1990: Consent Agreement for Probation for drug diversion and substance abuse
 - May 2004: Consent Agreement for Reprimand for unprofessional conduct and failure to follow policies/procedures designed to safeguard the patient
 - February 2005 - June 2009: Letter of Agreement to submit quarterly reports to Maine Board from her Oregon Monitoring Program for chemical dependence
 - June 2009 - March 2010: Consent Agreement for Probation for history of substance abuse
 - March 2010 - March 2011: Decision & Order for Suspension for noncompliance [relapse] of June09 Consent Agreement
3. On March 3, 2011, the Board approved Ms. Longmuir's license reinstatement under the June 2009 probationary conditions.
4. By e-mail dated August 16, 2013, Ms. Longmuir petitioned the Board to modify/amend her 2009 Agreement. She appeared before the Board on December 4, 2013 and requested early termination of her probation.
5. The Board considered the following information pertaining to Ms. Longmuir's request:
 - a. Ms. Longmuir's participation in the Medical Professionals Health Program ("MPHP") since March 2010 and correspondence dated November 20, 2013 from Lani Graham, MD, Director



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of MPHP, supporting the Licensee's request and following graduation from MPHP, Ms. Longmuir's plan to enter its Senior Monitoring Program;

- b. The Licensee's consistent and appropriate compliance with all requirements of her probationary licensure;
- c. Correspondence dated October 11, 2013 from Sheri Wheelock, PsyD, CCS at Northeast Occupational Exchange regarding Ms. Longmuir's sustained treatment progress, active involvement in her recovery program, and Ms. Wheelock's plan to end individual therapy; and
- d. Correspondence dated November 12, 2013 from Janet Babcock, RN/Nurse Manager regarding Ms. Longmuir's current employment and professional growth at Acadia Hospital.

AGREEMENT

- 6. The Board voted to grant Ms. Longmuir's request to modify the 2009 Agreement and thereby terminates the probation imposed in Paragraph No. 4 of the 2009 Agreement and all other terms and conditions under the 2009 Agreement.
- 7. 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-A.
- 8. This Agreement becomes effective upon the date of the last necessary signature below.
- 9. Ms. Longmuir acknowledges that she has read and understands this Agreement and has had an opportunity to consult with legal counsel prior to signing it.

Dated: 12/31/13

Colleen Longmuir RN-BC
LICENSEE COLLEEN LONGMUIR, RN

FOR THE MAINE STATE BOARD OF NURSING

Dated: Jan 2, 2014

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

FOR THE OFFICE OF THE ATTORNEY GENERAL

Dated: 1/3/14

Ronald O. Guay
RONALD O. GUAY
Assistant Attorney General



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JOHN ELIAS BALDACCI
 GOVERNOR

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

IN RE: COLLEEN F. EMERTON LONGMUIR, R.N.)
 of Newport, Maine)
 License #R038924)
 License #P009006)

**CONSENT AGREEMENT
 FOR
 PROBATION
 WITH CONDITIONS**

INTRODUCTION

This document is a Consent Agreement (“Agreement”) regarding Colleen F. Longmuir’s license to practice registered professional nursing and practical nursing in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S. § 2105-A (1-A) (B) and 10 M.R.S. § 8003(5) (B). The parties to this Agreement are Colleen F. Longmuir (“Licensee” or “Ms. Longmuir”), Maine State Board of Nursing (“Board” or “ME Board”) and the Office of the Attorney General, State of Maine. The Board met with Ms. Longmuir on March 19, 2009 regarding a report of non-compliance with her Consent Agreement with the Oregon Board of Nursing (“OR Agreement”).

FACTS

1. Colleen F. Longmuir has been licensed as a registered professional nurse to practice in Maine since July 1995; her licensed practical nurse license lapsed in September 1996. She currently resides and practices as a nurse in Maine.
2. Colleen F. Longmuir is also licensed as a registered professional nurse in the State of Oregon. She voluntarily entered into the Nurse Monitoring Program (“NMP”) in Oregon in February 2005 to resolve a concern related to chemical dependency issues. Ms. Longmuir remains enrolled in the Oregon NMP and the ME Board receives regular reports regarding her compliance. On January 27, 2009, the OR Board notified the ME Board that Ms. Longmuir had a positive urine drug screen taken on January 15, 2009. Ms. Longmuir admitted to drinking alcohol on a day off prior to the drug testing. The Oregon Program reports that since January 15, 2009, Ms. Longmuir has had two negative drug screens. She remains in AA and has otherwise been compliant with the Oregon NMP.

AGREEMENT WITH CONDITIONS OF PROBATION

3. Colleen F. Longmuir understands that based upon the above-stated facts, this document imposes discipline regarding her license to practice registered professional nursing in the State of Maine. The grounds for discipline for violations are under 32 M.R.S. § 2105-A (2) (F), (2) (H) and Chapter 4, sections 1(A) (6) and 1(A) (8) of the Rules and Regulations of the Maine State Board of Nursing. Specifically, the violations are:



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- a. M.R.S. § 2105-A (2) (F). Unprofessional Conduct. Ms. Longmuir engaged in unprofessional conduct because she violated a standard of professional behavior that has been established in the practice for which she is licensed. (See also Rule Chapter 4, Section 1.A.6.)
 - b. M.R.S. § 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.)
4. Colleen F. Longmuir’s license as a registered professional nurse in the State of Maine is placed on probationary status with conditions. The period of probation will be for five years, effective only while she is employed in nursing practice and/or enrolled in a clinical nursing education program. For purposes of this Agreement, nursing employment is any employment during which Ms. Longmuir performs nursing services. Her probationary license will be subject to the following conditions:
- a. Colleen F. Longmuir will abstain completely from the use of alcohol or drugs, with the exception of substances used in accordance with a valid prescription from a treatment provider who is aware of her substance abuse history.
 - b. Colleen F. Longmuir shall fully cooperate with the representatives of the Board in its monitoring and investigation of the Licensee’s compliance with the ME Board probation and the Oregon NMP. She shall inform the Board in writing within 15 days of any address change.
 - c. Colleen F. Longmuir will continue in her treatment program to such an extent and for as long as her treatment provider(s) recommend and she will arrange for and ensure the submission of quarterly reports to the Board by her treatment provider(s) until her probation is terminated. If her treatment is terminated during her probation, she shall notify the Board and provide written documentation.
 - d. Colleen F. Longmuir will notify the Board in writing within five business days after she obtains any new nursing employment and/or an educational program in the field of nursing. Notice under this section shall include the place and position of employment or the nursing educational program. If during the period of probation, Ms. Longmuir’s employment as a nurse or her educational program in the field of nursing terminates, she shall notify the Board in writing within five business days after she is terminated or separated, regardless of cause, with a full explanation of the circumstances surrounding the termination or separation.
 - e. Colleen F. Longmuir will notify any and all of her nursing employers and faculty involved in any clinical studies of the terms of this Consent Agreement and provide them with a copy of it.
 - f. Colleen F. Longmuir will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer and/or clinical faculty regarding her general

nursing practice, which is to include clinical competency, ability to follow policies and procedures relative to standards of practice, and clinical documentation.

g. Colleen F. Longmuir understands and agrees that her license will remain on probationary status and subject to the terms of this Agreement beyond the five-year probationary period until and unless the Board, at her written request, votes to terminate her probation. When considering whether to terminate the probation, the Board will consider the extent to which she has complied with the provisions of this Agreement.

h. Colleen F. Longmuir's employment is restricted during the period of probation to structured settings with on-site supervision by another registered professional nurse. Structured settings shall not include assignments from temporary employment agencies, home health, school nursing, work as a travel nurse or within the correctional system.

i. Colleen F. Longmuir agrees and understands that the Board and the Office of the Attorney General shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her treatment for chemical dependency which the Board deems necessary to evaluate her compliance with this Agreement, the Oregon Program and her continued recovery. Ms. Longmuir 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.

5. If Ms. Longmuir violates the conditions of her probation, the Board will give written notice to the Licensee regarding her failure to comply. Notice will be sent by certified mail, return receipt requested, to the last known address of the Licensee that is on file with the Board. The Licensee has 30 days from receipt of this notification to respond to the Board, in writing, regarding the alleged violation. The Board will review the Licensee's timely response to determine what action, if any, the Board determines to take. If the Licensee fails to timely respond to the Board's notification regarding her failure to comply, her license will be immediately suspended pending a hearing at the next regularly scheduled Board meeting. If after notice and a hearing, the Board finds that the Licensee has failed to meet the conditions of probation, 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. § 8003 and Title 32 M.R.S. § 2105-A.
6. Colleen F. Longmuir 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. Longmuir for response. Ms. Longmuir agrees and understands 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 Department 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 Department of the Attorney General, Ms. Longmuir's license will be immediately reinstated retroactive to the date of suspension.

7. 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. Longmuir'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. Longmuir understands this Agreement is subject to the Compact. She agrees that during the pendency of this Agreement, her nursing practice may be limited to the State of Maine as it pertains to the Compact. If Ms. Longmuir wishes to practice in any other party state within the Compact, she shall arrange to have the party state in which she intends to practice provide the Board with written authorization that she has been approved to practice in that state.
8. 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.
9. Colleen F. Longmuir 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. Colleen F. Longmuir affirms that she executes this Consent Agreement of her own free will.
11. Modification of this Consent Agreement must be in writing and signed by all parties.
12. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
13. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, COLLEEN F. LONGMUIR, R.N., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY REGISTERED PROFESSIONAL AND LICENSED PRACTICAL NURSE LICENSES. 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: 5/21/09

Colleen F. Longmuir R.N.
COLLEEN F. LONGMUIR, R.N.

FOR THE MAINE STATE
BOARD OF NURSING

DATED: 5/28/09

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

FOR THE DEPARTMENT OF
ATTORNEY GENERAL

DATED: 6/1/09

John H. Richards
JOHN H. RICHARDS
Assistant Attorney General