



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: LAURIER A. PEPIN, L.P.N.)
 of Lewiston, Maine)
 License No. P009714)

**CONSENT AGREEMENT
 FOR REINSTATEMENT AND
 PROBATION WITH CONDITIONS**

INTRODUCTION

This document is a Consent Agreement regarding Laurier A. Pepin’s license to practice licensed practical nursing in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A (1-A) (B) and 10 M.R.S.A. § 8003(5) (B). The parties to this Consent Agreement are Laurier A. Pepin (“Mr. Pepin”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. On March 12, 2008, Mr. Pepin met with the Board regarding his request for reinstatement of his license. The Parties reached this Consent Agreement based upon the below-stated facts.

FACTS

1. Laurier A. Pepin was initially licensed as a licensed practical nurse in Maine on November 11, 1988. He has not practiced as a licensed practical nurse since his termination from Montello Manor, Lewiston, Maine on August 18, 1998 for substance abuse.
2. Laurier A. Pepin entered into a Consent Agreement with the Board, surrendering his license on November 22, 1999 because of habitual substance abuse [Exhibit A.]
3. Laurier A. Pepin received substance abuse counseling at Tri-County Mental Health Services in Lewiston, Maine from August 17, 2005 to February 27, 2006. This was to support his recovery and the anticipation of a liver transplant.
4. Laurier A. Pepin petitioned the Board on November 20, 2007 for reinstatement of his practical nursing license. Mr. Pepin has been in recovery for a period of four years and currently attends AA. In April of 2006, Mr. Pepin underwent a liver transplant. His treating physician at the Lahey Clinic in Massachusetts provided correspondence to the Board dated November 29, 2007, stating: “Prior to his surgery as well as post operatively he has been followed closely by our transplant team. He continues to be negative on all drug and alcohol screening, which is done on a regular basis.”



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AGREEMENT AND CONDITIONS OF PROBATION

5. Laurier A. Pepin's license as a licensed practical nurse is reinstated in the State of Maine. Mr. Pepin understands and agrees that his license is placed on a probationary status with conditions. The period of probation will commence on Mr. Pepin's return to nursing practice, either through employment and/or pursuant to an educational program. The period of probation will be for a period of three years, to be effective only while he is employed in nursing practice and/or enrolled in a nursing education program. For purposes of this Agreement, nursing employment is any employment during which Mr. Pepin performs nursing services. Mr. Pepin's probationary license will be subject to the following conditions:
- a. Laurier A. Pepin 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 Mr. Pepin's substance abuse history.
 - b. Laurier A. Pepin will continue in his aftercare treatment program to such an extent and for as long as his treatment providers recommend.
 - c. Laurier A. Pepin will arrange for and ensure the submission of quarterly reports to the Board by his treatment providers, and such reports shall continue until his probation is terminated. If Mr. Pepin's treatment is terminated, he shall notify the Board.
 - d. Laurier A. Pepin will immediately notify the Board in writing should he return to 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 educational program and any subsequent change in employment or educational programs.
 - e. Laurier A. Pepin will notify any and all of his 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. Laurier A. Pepin will arrange for and ensure the submission to the Board of quarterly reports from his nursing employer and/or clinical faculty regarding his general nursing practice. If during the period of probation, Mr. Pepin's employment as a nurse terminates or should his educational program in the field of nursing terminate, he shall notify the Board of this change to ensure that he remains in compliance with his employment and/or educational quarterly reports.

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- g. Laurier A. Pepin agrees and understands that the Board and the Office of Attorney General shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to his treatment for substance abuse which the Board deems necessary to evaluate Mr. Pepin's compliance with the Consent Agreement and his continued recovery. Mr. Pepin 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 his care, counseling and employment as may be requested by the Board for the purpose of evaluating Mr. Pepin's compliance with the Consent Agreement and his continued recovery.
5. Laurier A. Pepin understands and agrees that his license will remain on probationary status and subject to the terms of this Agreement beyond the three-year probationary period, until and unless the Board, at Mr. Pepin's written request, votes to terminate Mr. Pepin's probation. When considering whether to terminate the probation, the Board will consider the extent to which Mr. Pepin has complied with the provisions of this Agreement.
 6. 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 Mr. Pepin's "home state" of licensure and primary state of residence, which means that Mr. Pepin has declared that the State of Maine is his fixed permanent and principle home for legal purposes; his domicile. Other party states that are in the Compact are referred to as "remote states," which means a party state, other than the home state, that has adopted the Compact. Mr. Pepin understands that this document is a Consent Agreement that is subject to the Compact.
 7. Laurier A. Pepin understands and agrees that if he fails to comply with the terms and conditions 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.
 8. This Consent Agreement is a public record within the meaning of 1 M.R.S.A. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S.A. § 408.
 9. Laurier A. Pepin 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 the Consent Agreement.

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10. Laurier A. Pepin affirms that he executes this Consent Agreement of his own free will.
11. Modification of this Consent Agreement must in writing and signed by all the parties.
12. This Consent Agreement is not subject to review or appeal by Mr. Pepin, 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, LAURIER A. PEPIN, L.P.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: 4/22/08
ju
per Laurier
Pepin


LAURIER A. PEPIN, L.P.N.

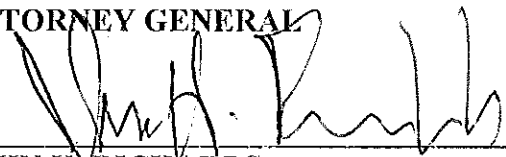
FOR THE MAINE STATE
BOARD OF NURSING

DATED: 4/24/08


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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: 4/29/08


JOHN H. RICHARDS
Assistant Attorney General