



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

JANET T. MILLS
 GOVERNOR

KIM ESQUIBEL, PHD, M.S.N., R.N.
 EXECUTIVE DIRECTOR

IN RE: **PILAR BURMEISTER**)
 of ELLSWORTH, ME)
 License No. RN43261) **CONSENT AGREEMENT**
FOR
WARNING & FINE

Complaint No. 2019-143

INTRODUCTION

Pursuant to Title 32, Chapter 31, the Maine State Legislature endowed the Board with the power and duty to regulate the practice of nurses licensed by the Board, including issuing licenses and investigating complaints. Pursuant to 10 M.R.S. § 8008, the Legislature provided that the sole purpose of the Board is to “protect the public health and welfare” and that “other goals or objectives may not supersede this purpose.”

This document is a Consent Agreement (“Agreement”) regarding Ms. Pilar Burmeister’s license to practice nursing in the State of Maine. The parties to this Agreement are Pilar Burmeister (“Ms. Burmeister”), the Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S. § 2105-A and 10 M.R.S. § 8003(5) to resolve Complaint No. 2019-143.

FACTS

1. Pilar Burmeister’s license to practice nursing in the State of Maine expired on December 1, 2018.
2. On March 22, 2019, Ms. Burmeister sought reinstatement of her license and submitted the required filings.
3. Ms. Burmeister continued to practice nursing in the State of Maine after her license had expired. Specifically, on her reinstatement application dated March 22, 2019, she admitted that she has practiced as a nurse, held herself out as a nurse, required nursing credentials for her position, had her nursing credentials on her name tag, and/or signed her nursing credentials after her name since her license lapsed “since it expired.”
4. 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 Maine Revised Statutes, Title 32, Chapter 31. 32 M.R.S. §§ 2206, 2255.
5. Board staff initiated a complaint against Ms. Burmeister for continuing to work as a nurse without a license, and docketed the complaint as Complaint No. 2019-143.
6. Absent Ms. Burmeister’s acceptance of this Agreement by signing, dating, and returning it to the Maine State Board of Nursing, 158 State House Station, Augusta, Maine 04333-0158 **on or before August 15, 2019**, the Board may take further action. In the absence of an agreement, the Board could impose, subsequent to adjudicatory proceedings, greater adverse action in this matter.

AGREEMENT

7. Pilar Burmeister admits to the Facts as stated above and admits that such conduct constitutes grounds for the Board to impose discipline against her Maine nursing license under the following laws and regulations:

32 M.R.S. § 2105-A(2)(H) for violating Maine Revised Statutes, Title 32, Chapter 31 by practicing as a nurse during a time the individual’s license had lapsed in violation of 32 M.R.S. § 2206 (RN).
8. As discipline for the violations admitted to in paragraph 7 above, Ms. Burmeister agrees:
 - a. To accept a **WARNING**; and



PRINTED ON RECYCLED PAPER

OFFICES LOCATED AT: 161 CAPITOL ST., AUGUSTA, ME
<http://www.maine.gov/boardofnursing/>

- b. To pay a **CIVIL PENALTY of \$500.00** related to the above-stated conduct. Payment of the civil penalty is due by Ms. Burmeister at the time she returns a signed copy of this Agreement to the Board. Payment must be by bank check or money order, made payable to “Treasurer, State of Maine.”
9. This Agreement is not appealable and is effective until modified or rescinded by the parties to this Agreement. This Agreement cannot be modified orally. It can be modified only in writing and only if signed by all of the parties to the Agreement and approved by the Office of the Attorney General.
10. Ms. Burmeister waives her right to an adjudicatory hearing before the Board or any court regarding all facts, terms, and conditions of this Agreement. Ms. Burmeister agrees this Agreement is a final order resolving Complaint No. 2019-143.
11. The Board and Ms. Burmeister agree that no further agency or legal action will be initiated against her by the Board based upon the specific violations admitted to herein, except or unless she fails to comply with the terms and conditions of this Agreement. The Board may however consider the conduct described above as evidence of pattern of misconduct in the event that other allegations are brought against Ms. Burmeister. The Board may also consider the fact that discipline was imposed by this Agreement in determining appropriate discipline in any further complaints against Ms. Burmeister.
12. The Board and the Office of the Attorney General may communicate and cooperate regarding Ms. Burmeister’s practice or any other matter relating to this Agreement.
13. 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.
14. This Agreement constitutes adverse action and is reportable to the National Practitioner Data Bank (“NPDB”).
15. Nothing in this Agreement shall be construed to affect any right or interest of any person not a party hereto.
16. For the purposes of this Agreement, the term “execution” means that date on which the final signature is affixed to this Agreement.
17. Ms. Burmeister acknowledges by her signature hereto that she has read this Agreement, that she has had an opportunity to consult with an attorney before executing this Agreement, that she has executed this Agreement of her own free will, and that she agrees to abide by all the terms and conditions set forth in this Agreement.


DATED: 7/31/19



PILAR BURMEISTER, RN

FOR THE MAINE STATE BOARD OF NURSING

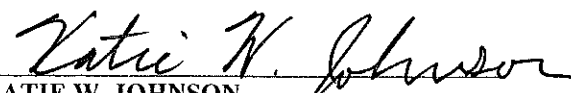
DATED: 8/6/2019



KIM ESQUIBEL, PhD, MSN, RN
Executive Director

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 8/12/19



KATIE W. JOHNSON
Assistant Attorney General