



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: SUSAN L. COLE, R.N.)
 of Kennebunk, Maine)
 License #R018688)

**DECISION AND ORDER
 OF REVOCATION**

INTRODUCTION

On March 2, 2006, the Maine State Board of Nursing ("Board") met at the Board's offices located at 161 Capitol Street, Augusta, Maine. The Board reviewed the Judgment and Commitment dated December 9, 2005 in the matter of State of Maine v. Susan L. Cole, York County Superior Court, Alfred, Maine, Docket No. Cr 04-1473. A copy of that Judgment and Commitment is attached hereto and marked as Exhibit 1.

FACTS

1. Susan L. Cole has been licensed as a licensed practical nurse since 1975.
2. On December 9, 2005, Susan L. Cole was convicted by a jury verdict of 1 Count of Stealing Drugs, a Class C felony (17-A M.R.S.A. § 1109). Ms. Cole was sentenced to 9 months imprisonment. The sentence was suspended and Ms. Cole was placed on probation for a period of 2 years. Exhibit 1.
3. Pursuant to 5 M.R.S.A. § 5302 the Board concludes, based upon the recent convictions and serious nature of the underlying criminal conduct and Ms. Cole's disregard for the same underlying conduct in the complaint pending before the Board, that Ms. Cole "has not been sufficiently rehabilitated to warrant the public trust."

APPLICABLE LAW

1. Pursuant to 32 M.R.S.A. § 2105-A (2), "The Board may suspend or revoke a license pursuant to Title 5, section 10004."
2. Pursuant to 32 M.R.S.A. § 2105-A (2)(G), the Board may suspend or revoke an individual's nurse license when the ground for discipline is a "conviction of a crime that involves dishonesty or false statement or that relates directly to the practice for which the licensee is licensed or conviction of a crime for which incarceration for one year or more may be imposed."
3. Pursuant to 5 M.R.S.A. § 10004(1), "an agency may revoke, suspend or refuse to renew any license without proceedings in conformity with subchapters IV or VI, when the decision to take that action rests solely upon a finding or conviction in a court of any violation which by statute is expressly made grounds for revocation."



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CONCLUSIONS OF LAW

The Board has the authority to suspend or revoke Susan L. Cole's registered professional nurse license Pursuant to 5 M.R.S.A. § 10004 (1) and 32 M.R.S.A. § 2105-A (2) (G). The criminal convictions described in the above-stated facts are grounds for discipline because Ms. Cole was convicted of a crime that involves dishonesty, and the crimes relate directly to the practice for which she is licensed. In addition, the Class C felony count of "Stealing Drugs" is a criminal conviction for which incarceration for one year or more could have been imposed.

DECISION AND ORDER

A motion was made and seconded to immediately revoke Susan L. Cole's practical nurse license. By a unanimous vote of the Board, Susan L. Cole's practical nurse license is revoked effective immediately.

RECORD VOTE

THERESE B. SHIPPS	Affirmative
KAREN L. TRIPP	Affirmative
BETTY A. KENT-CONANT	Affirmative
RICHARD L. SHEEHAN	Affirmative
DOROTHY MELANSON	Affirmative
SUSAN L. BRUME	Affirmative
ROBIN BROOKS	Affirmative

DATED: 3-14-06



THERESE B. SHIPPS, Chair
FOR THE MAINE STATE
BOARD OF NURSING

NOTICE OF APPEAL RIGHTS

Susan L. Cole may appeal this Decision and Order summarily revoking her license by filing a petition for review of final agency action in the Superior Court pursuant to 5 M.R.S.A. §§ 11001, *et seq.* within thirty (30) days after receipt of notice of this Decision and Order. Any other person aggrieved by this Decision and Order may seek judicial review in like manner by filing a petition for review in Superior Court within forty (40) days after the date of this Decision and Order.