



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

April 3, 2009

Betsy A. Plummer, LPN
166 Watson Road
Norway, ME 04268

Dear Ms. Plummer:

Pursuant to and based upon Mr. Richards' conversation with Mr. Griffin today, this letter will confirm that your practical nurse license has been reinstated, effective March 16, 2009. It will be due for renewal November 22, 2010.

Sincerely,

A handwritten signature in cursive script that reads 'Myra Broadway'.

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

MAB/jcw

pc: Henry Griffin, Esq.

John H. Richards, Assistant Attorney General



PRINTED ON RECYCLED PAPER



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 EXECUTIVE DIRECTOR

IN RE: BETSY A. PLUMMER, L.P.N.) **DECISION AND ORDER**
 of Norway, Maine) **OF**
 License #P009456) **SUSPENSION**

INTRODUCTION

On December 4, 2008, the Maine State Board of Nursing (“Board”) met at the Board’s office located at 161 Capital Street, Augusta, Maine. The Board reviewed the Judgment and Commitment dated November 14, 2008 in the matter of State of Maine v. Betsy Plummer, Oxford County Superior Court, Docket No. CR 08-314. A copy of that Judgment and Commitment is attached hereto [Exhibit 1].

FACTS

1. Betsy A. Plummer has been licensed as a licensed practical nurse to practice in Maine since November 1987.
2. On November 14, 2008, Betsy Plummer pled no contest to Unlawful Possession of Scheduled W Drugs, a Class D misdemeanor. Ms. Plummer received a \$500 fine and was sentenced to 30 days imprisonment, all suspended with six months of administrative release [Exhibit 2].

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.”



PRINTED ON RECYCLED PAPER

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

PHONE: (207) 287-1133

FAX: (207) 287-1149

CONCLUSIONS OF LAW

The Board has the authority to suspend or revoke Betsy Plummer's licensed practical nurse license pursuant to 5 M.R.S.A. § 10004 (1). The criminal conviction described in the above-stated facts is grounds for discipline because Ms. Plummer was convicted of a crime that involves dishonesty, which relates directly to the practice for which she is licensed.


DECISION AND ORDER

A motion was made and seconded to immediately suspend Betsy Plummer's licensed practical nurse license. By a unanimous vote of the Board, Betsy Plummer's licensed practical nurse license is suspended effective immediately.

RECORD VOTE

BRUCE R. O'DONNELL	Affirmative
MARGARET HOURIGAN	Affirmative
ROBIN BROOKS	Affirmative
DOROTHY MELANSON	Affirmative
SUSAN BALTRUS	Affirmative

DATED: 12/16/2008



BRUCE R. O'DONNELL, Chair
MAINE STATE BOARD OF NURSING

NOTICE OF APPEAL RIGHTS

Betsy A. Plummer may appeal this Decision and Order summarily suspending 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.

STATE OF MAINE SUPERIOR COURT DISTRICT COURT JUDGMENT AND COMM

Docket No. CR 08-314

County/Location Oxford / South Paris

Date 11/14/08

State of Maine v. Defendant's Name Betsy Plummer

Residence Norway ME

Offense(s) charged:

- C1. Stealing Drugs, Class C, 17-A MRSA § 1109
- C2. Unlawful Possession of Scheduled Drugs, Class C, 17-A MRSA § 1107-A

Charged by:

- indictment
- information
- complaint

Plea(s): Guilty Nolo Not Guilty

Date of Violation(s): between 5/10/06 & 9/9/06

Offense(s) convicted:

C3 Unlaw Poss. 2 Drugs Case

Convicted on:

- plea *Nolo*
- jury verdict
- court finding

IT IS ADJUDGED THAT THE DEFENDANT IS GUILTY OF THE OFFENSES AS SHOWN ABOVE AND CONVICTED.

IT IS ADJUDGED THAT THE DEFENDANT BE HEREBY COMMITTED TO THE SHERIFF OF THE WITHIN NAMED COUNTY OR HIS AUTHORIZED REPRESENTATIVE WHO SHALL WITHOUT NEEDLESS DELAY REMOVE THE DEFENDANT TO:

The custody of the Commissioner of the Department of Corrections, at a facility designated by the Commissioner, to be punished by imprisonment for a term of _____

The County jail to be punished by imprisonment for a term of *30 days*

This sentence to be served (consecutively to) (concurrently with) _____

Execution stayed to on or before: _____ at _____ (a.m.) (p.m.)

IT IS ORDERED THAT ALL (BUT) _____ OF THE SENTENCE (AS IT RELATES TO CONFINEMENT) (AS IT RELATES TO THE _____) BE SUSPENDED AND THE DEFENDANT BE PLACED ON A PERIOD OF PROBATION ADMINISTRATIVE RELEASE FOR A TERM OF *6* (YEARS) (MONTHS) UPON CONDITIONS ATTACHED HERETO AND INCORPORATED BY REFERENCE HEREIN. SAID PROBATION TO COMMENCE (_____) (UPON COMPLETION OF THE UNSUSPENDED TERM OF IMPRISONMENT). SAID ADMINISTRATIVE RELEASE TO COMMENCE IMMEDIATELY. THE DEFENDANT SHALL SERVE THE INITIAL PORTION OF THE FOREGOING SENTENCE AT _____

IT IS ORDERED THAT THE DEFENDANT, HAVING BEEN CONVICTED OF AN OFFENSE THAT REQUIRES COMPLIANCE WITH THE SEX OFFENDER REGISTRATION AND NOTIFICATION ACT AS A 10-YEAR REGISTRANT OR A LIFE-TIME REGISTRANT, MUST SATISFY ALL REQUIREMENTS IN THE SEX OFFENDER REGISTRATION & NOTIFICATION ACT. (34-A MRSA Ch. 15) THE DEFENDANT MUST SUBMIT TO THE TAKING OF FINGERPRINTS AND A PHOTOGRAPH AS SPECIFIED IN THE NOTICE OF DUTY TO REGISTER.

IT IS ORDERED THAT THE DEFENDANT FORFEIT AND PAY THE SUM OF \$ *500* AS A FINE TO THE CLERK OF THE COURT, PLUS APPLICABLE SURCHARGES AND ASSESSMENTS OF:

- 10% 12% (Eff. 7/4/96) 14% (Eff. 9/18/99) 15% SURCHARGE (Eff. 08/01/02) 20% (Eff. 07/30/04)
- \$30.00 \$125.00 SURCHARGE (29-A M.R.S.A. §2411) \$10. (7 M.R.S.A.) 10% (17 M.R.S.A.)
- \$10 ASSESSMENT(S) plus \$25 ASSESSMENT(S) totalling \$ *10* (5 M.R.S.A. § 3360-I)
- All but \$ _____

Execution/payment stayed to pay in full by _____

To pay \$ _____ per week / month beginning _____

TOTAL DUE: \$ _____

(OVER)

Handwritten signature and stamp: CLERK OF COURTS

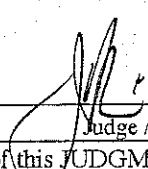
- IT IS ORDERED THAT THE DEFENDANT FORFEIT AND PAY THE SUM OF \$ _____ AS RESTITUTION, THROUGH THE (DEPARTMENT OF CORRECTIONS) (DISTRICT ATTORNEY'S OFFICE) FOR THE BENEFIT OF _____ (17-A M.R.S.A. § 1152-2-A)
- Execution/payment stayed to pay in full by _____ or warrant to issue.
- IT IS ORDERED PURSUANT TO APPLICABLE STATUTES, THAT THE DEFENDANT'S MOTOR VEHICLE OPERATOR'S LICENSE OR PERMIT TO OPERATE, RIGHT TO OPERATE A MOTOR VEHICLE AND RIGHT TO APPLY FOR AND OBTAIN A LICENSE AND/OR THE DEFENDANT'S RIGHT TO REGISTER A MOTOR VEHICLE IS SUSPENDED IN ACCORDANCE WITH NOTICE OF SUSPENSION INCORPORATED HEREIN.
- IT IS ORDERED THAT THE DEFENDANT PERFORM _____ HOURS OF COMMUNITY SERVICE WORK WITHIN _____ (WEEKS) (MONTHS) FOR THE BENEFIT OF _____
- IT IS ORDERED THAT THE DEFENDANT PAY \$ _____ FOR EACH DAY SERVED IN THE COUNTY JAIL, TO THE TREASURER OF THE ABOVE NAMED COUNTY. (UP TO \$80./DAY) (17-A M.R.S.A. § 1341)
- Execution/payment stayed to pay in full by _____ or warrant to issue.
- IT IS ORDERED THAT THE DEFENDANT SHALL PARTICIPATE IN ALCOHOL AND OTHER DRUG EDUCATION, EVALUATION AND TREATMENT PROGRAMS FOR MULTIPLE OFFENDERS ADMINISTERED BY THE OFFICE OF SUBSTANCE ABUSE. (29 M.R.S.A. § 1312-B (2)(D-1), 29-A M.R.S.A. § 2411 (5)(F))
- IT IS ORDERED THAT THE DEFENDANT FORFEIT TO THE STATE THE FIREARM USED BY THE DEFENDANT DURING THE COMMISSION OF THE OFFENSE(S) SHOWN ABOVE. (17-A M.R.S.A. § 1158)
- IT IS ORDERED THAT THE DEFENDANT BE UNCONDITIONALLY DISCHARGED. (17-A M.R.S.A. § 1201)

If the defendant has been convicted of an applicable offense listed in 25 MRSA § 1574, then the defendant shall submit to having a DNA sample drawn at any time following the commencement of any term of imprisonment or at any time following commencement of the probation period as directed by the probation officer.

IT IS FURTHER ORDERED THAT THE CLERK DELIVER A CERTIFIED COPY OF THIS JUDGMENT AND COMMITMENT TO THE SHERIFF OF THE ABOVE NAMED COUNTY OR HIS AUTHORIZED REPRESENTATIVE AND THAT THE COPY SERVE AS THE COMMITMENT OF THE DEFENDANT. REASONS FOR IMPOSING CONSECUTIVE SENTENCES ARE CONTAINED IN THE COURT RECORD OR IN ATTACHMENTS HERETO.

A TRUE COPY, ATTEST: _____

Clerk


Judge / Justice

I understand the sentence imposed herein and acknowledge receipt of a copy of this JUDGMENT AND COMMITMENT. I hereby acknowledge that the disclosure of my Social Security number on this form is mandatory under 36 M.R.S.A. § 5276-A. My Social Security number will be used to facilitate the collection of any fine that has been imposed upon me in this action if that fine remains unpaid as of the time I am due a State of Maine income tax refund. My Social Security number also may be used to facilitate the collection of money I may owe the State of Maine as a result of having had an attorney appointed to represent me. Collection of any fine or reimbursement of money which I owe to the State of Maine will be accomplished by offsetting money I owe to the State against my State of Maine income tax refund.

Social Security Number _____

Date: X 11/17/08

Defendant
Address

X Robert L. ...
116 Leighton Rd
Norway, ME 04068

RETURN

By virtue of the within JUDGMENT AND COMMITMENT I have this day delivered the within-named Defendant to the _____

Date: _____

Deputy _____

By virtue of this warrant, the within-named Defendant has been removed to and received at the _____ on this day.

Date: _____

Authorized Officer: Supt., M.C.C./Warden M.S.P.

STATE OF MAINE
OXFORD, ss

SUPERIOR COURT
CRIMINAL ACTION
DOCKET NO. CR-08-314

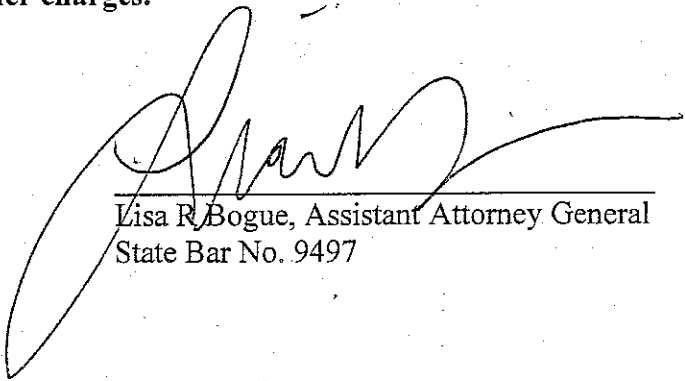
STATE OF MAINE)
)
 V.)
)
 BETSY A. PLUMMER)
)
)
)

Notice of Dismissal
M.R. Crim. P. 48(a)

Pursuant to Rule 48(a) of the Maine Rules of Criminal Procedure, the Attorney for the State of Maine hereby dismisses Counts I and II of the Indictment, against the Defendant for the following reason:

Defendant has plead to other charges.

Dated: November 17, 2008

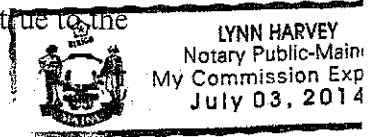


Lisa R. Bogue, Assistant Attorney General
State Bar No. 9497

OXFORD COUNTY SUPERIOR COURT
A TRUE ATTEST COPY
Anna L. Howe
CLERK OF COURTS

STATE OF MAINE
OXFORD ,ss.

The above-named Lisa R. Bogue, Assistant Attorney General, personally appeared before me and made oath that the above information signed by her is true to the best of her information and belief.



Dated: 11-14-08, before me,

Lynn C. Harvey
Notary Public

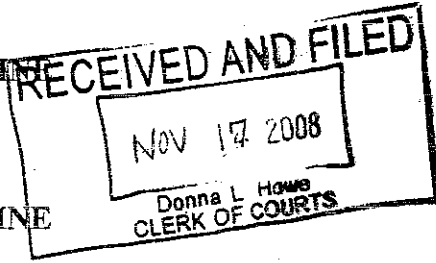
Leave to proceed by way of Information on the above misdemeanor crime(s) is hereby granted pursuant to Rule 7 of the Maine Rules of Criminal Procedure.

Dated: 11/17/08

[Signature]
Justice, Superior Court

OXFORD COUNTY SUPERIOR COURT
A TRUE ATTEST COPY
[Signature]
CLERK OF COURTS

STATE OF MAINE
OXFORD, ss.



SUPERIOR COURT
CRIMINAL ACTION
DOCKET NO. CR-08-314

STATE OF MAINE

v.

INFORMATION

BETSY A. PLUMMER
DOB: 11/22/1961
W/F, Hair BR/ Eyes BR, 5'05", 140lbs
Address: 166 Watson Rd.,
Norway, ME 04268

**COUNT III: UNLAWFUL
POSSESSION OF
SCHEDULED DRUGS**

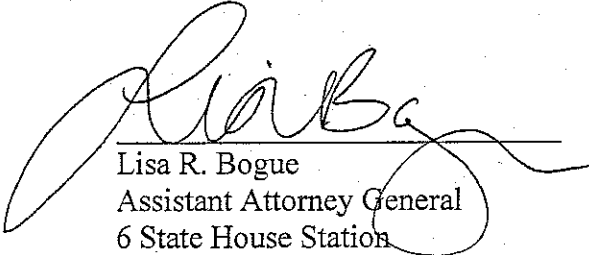
THE ATTORNEY FOR THE STATE CHARGES:

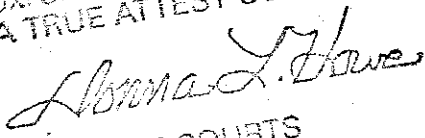
COUNT III

**17-A M.R.S. §1107-A(1)(C)
UNLAWFUL POSSESSION OF
SCHEDULED DRUGS
CLASS D
SEQ. NO.
ATN:**

Between on or about May 10, 2006 and on or about September 9, 2006 in Oxford County, State of Maine, **BETSY A. PLUMMER**, did intentionally or knowingly possess a schedule W drug, which **BETSY A. PLUMMER**, knew or believed to be a schedule W drug, which is in fact a schedule W drug, all in violation of 17-A M.R.S. § 1107-A(C)(2006)(Class D).

Date: 11/14/08


Lisa R. Bogue
Assistant Attorney General
6 State House Station
Augusta, ME 04333-0006
Maine Bar Registration No. 9497

OXFORD COUNTY SUPERIOR COURT
A TRUE ATTEST COPY

CLERK OF COURTS

STATE OF MAINE
OXFORD, ss.

SUPERIOR COURT
CRIMINAL ACTION
DOCKET NO. CR-08-314

STATE OF MAINE)

v.)

BETSY A. PLUMMER,)

Defendant)

CONDITIONS OF
ADMINISTRATIVE RELEASE

The Court has placed you on administrative release and committed you to the supervision of the Maine Office of Attorney General for the term of six months and on the conditions specified below:

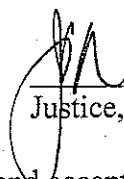
1. You shall refrain from all criminal conduct and violation of federal, state and local laws.
2. You shall notify in writing the Healthcare Crimes Unit at the Office of the Attorney General of any address change within 96 hours of the change.
3. You shall pay the fine of \$500.
4. You shall refrain from the use of illegal drugs and be subject to random search and test for illegal drugs. You shall pay the cost of any drug testing done as part of this condition.
5. You shall abide by the following Pharmacy Conditions;
 - a. If prescribed any medication by a physician, the medication must be taken in the manner and quantities directed by the physician and/or pharmacist and must be only possessed in the bottle they were dispensed in.
 - b. Must keep proof of all properly prescribed narcotics on his/her person at all times.
6. You shall have a substance abuse evaluation and provide proof of that evaluation to the Healthcare Crimes Unit at the Office of the Attorney General by February 15, 2009. If treatment is recommended in that evaluation, you shall follow that treatment plan and provide proof of treatment to the Healthcare Crimes Unit on March 15, 2009, April 15, 2009, and May 15, 2009.

OXFORD COUNTY SUPERIOR COURT
A TRUE ATTEST COPY

Alanna L. Howe
CLERK OF COURTS

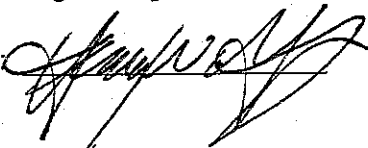

If you violate or fail to fulfill any of the above conditions, the State may file a motion to revoke administrative release and you may be required to serve all or part of the 30 day suspended sentence.

Dated : 11/17/07



Justice, Superior Court

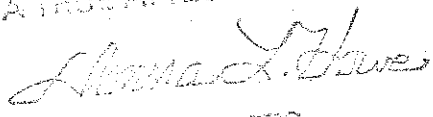
I acknowledge receipt of these conditions and accept them as written.

Witness:  

Betsy Plummer

A true copy, Attest:

Clerk

OXFORD COUNTY SUPERIOR COURT
A TRUE ATTEST COPY

CLERK OF COURTS

PHARMACY CONDITIONS

- If prescribed any medication by a physician, the medication must be taken in the manner and quantities directed by the physician and/or pharmacist and must be only possessed in the bottle they were dispensed in.
- Must keep proof of all properly prescribed narcotics on his/her person at all times.

DATED: 7/18/08

Betsy Sumner
Defendant

*These pharmacy conditions are incorporated in the bail conditions and are made a part thereof.

OXFORD COUNTY SUPERIOR COURT
A TRUE ATTEST COPY

Anna L. Davis

CLERK OF COURTS