



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

PAUL B. LEPAGE
 GOVERNOR

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

IN RE: EMILY J.V. SIPPRELL)
 a/k/a Emily Jane Victoria Sipprell)
 of Holmesville, New Brunswick, Canada)
 License No. RN49212

CONSENT AGREEMENT
 FOR
 PROBATION

INTRODUCTION

This document is a Consent Agreement (“Agreement”) regarding Emily J.V. Sipprell’s license as a registered professional nurse (“RN”) in the State of Maine. The parties to this Agreement are Emily J.V. Sipprell (“Licensee” or “Ms. Sipprell”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The parties met in an informal conference on January 11, 2012 and reached this Agreement on the basis of: 1) a Board Complaint dated February 1, 2011 with an attached Decision from the Nurses Association of New Brunswick (“NANB”) dated December 20, 2010, suspending Ms. Sipprell’s registration as a nurse in New Brunswick, Canada; and 2) a NANB Decision and Order dated December 7, 2011, with Ms. Sipprell’s attached “Submission” dated July 11, 2011 (“Decision and Order”). The NANB Decision dated December 20, 2010 [Exhibit A] and the NANB Decision and Order dated December 7, 2011, with Submission dated July 27, 2011 [Exhibit B], are attached hereto and incorporated herein. The parties enter into this Agreement pursuant to 32 M.R.S. §§ 2105-A (1-A) (B), and 10 M.R.S.A. § 8003 (5) (B).

FACTS

1. Emily J.V. Sipprell was originally licensed as a registered professional nurse to practice in Maine on October 2, 2003; her license is due to expire October 2, 2012. Her Registration Number with the NANB in New Brunswick is 026149.
2. The NANB is the regulatory authority that oversees nurses in New Brunswick, Canada. Ms. Sipprell’s registration as a nurse was suspended by the NANB on December 20, 2010, the NANB “being of the opinion that a danger to the public could result from not suspending [Ms. Sipprell’s] registration, under paragraph 29 (9) (d) of the *Nurses Act* . . . pending completion of the proceedings before the Review Committee.” See: Exhibit A.
3. On December 7, 2011, the NANB issued its final Decision and Order, which suspends Ms. Sipprell’s registration for a period of three (3) months from the date of the Decision and Order, and thereafter placing her registration on probation with conditions. See: Exhibit B.
4. Emily J.V. Sipprell waives her right to a hearing before the Board and has agreed to resolve this matter by entering into this Agreement.

AGREEMENT

5. Emily J.V. Sipprell understands and agrees that based upon the NANB Decision and Order, the Board is adopting the NANB’s “Findings” and is taking reciprocal disciplinary action on her State of Maine RN license. However, the Board’s period of probation will be for a period of two (2) years, effective only while she is employed in nursing practice in the State of Maine. Her term



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of probation will resume upon her registration reinstatement by the NANB and upon her return to active nursing practice in the State of Maine.

IT IS FURTHER AGREED that while Ms. Sipprell's license is subject to this Agreement, she may not work outside the State of Maine pursuant to a multi-state privilege and that the Board is issuing her a single state license for the State of Maine.

6. Emily J.V. Sipprell acknowledges that her conduct as described in the December 7, 2011 NANB Decision and Order constitutes grounds for discipline in the State of Maine. Further, she understands and agrees that this document imposes discipline regarding her nursing practice in the State of Maine. Based upon the above-stated facts, the grounds for discipline are found under Title 32 M.R.S. § 2105-A (2) (A), (2) (C), (2) (F), (2) (H) and Chapter 4.1.A.1., 4.1.A.3., 4.1.A.6., 4.1.A.8., 4.3.F., 4.3.K., 4.3.N. and 4.3.P of the Rules and Regulations of the Maine State Board of Nursing ("Board Rule"). Specifically, the violations are:

Specifically, the violations are:

- a. M.R.S.A. § 2105-A (2) (A). The practice of fraud and deceit in connection with service rendered within the scope of the license issued to Ms. Sipprell by diverting scheduled drugs. See also: Board Rule Chapter 4, Section 1.A.1
- b. 32 M.R.S. § 2105-A (2) (C). A professional diagnosis of a mental or physical condition that has resulted or is foreseeably likely to result in the licensee performing the licensee's duties in a manner that endangers the health or safety of the licensee's patients. See also: Board Rule Chapter 4, Section 1.A.3.
- c. 32 M.R.S. § 2105-A (2) (F). Unprofessional Conduct. Ms. Sipprell engaged in unprofessional conduct which violates a standard of professional behavior that has been established in the practice for which she is licensed. See also: Board Rule Chapter 4, Section 1.A.6.
- d. 32 M.R.S. § 2105-A (2) (H). Ms. Sipprell violated a Maine Revised Statute in Title 32, Chapter 31 and rules adopted by the Board. See also: Board Rule Chapter 4, Section 1.A.8.
- e. Board Rule: Chapter 4, Section 3. Defines "Unprofessional Conduct" as *Nursing behavior which fails to conform to legal standards and accepted standards of the nursing profession, and which could reflect adversely on the health and welfare of the public*, which includes:

Chapter 4, Section 3(F). Ms. Sipprell failed to follow policies and procedures designed to safeguard a patient in that she failed to follow appropriate standards of nursing practice for medication administration and documentation.

Chapter 4, Section 3(K). Ms. Sipprell inaccurately recorded a patient or health care provider record.

Chapter 4, Section 3(N). Ms. Sipprell practiced nursing when she was unfit to perform procedures and make decisions in accordance with the license held because of a physical, psychological or mental impediment.

Chapter 4, Section 3(P). Ms. Sipprell diverted drugs, supplies or property of patients or a health care provider.

7. Emily J.V. Sipprell's license as a RN is placed on probationary status with conditions. The period of probation will be for a period of two (2) years, effective only while she is employed in nursing practice in the State of Maine. Her probationary license will be subject to the following conditions:
 - a. Emily J.V. Sipprell shall fully cooperate with the representatives of the Board in its monitoring and investigation of her compliance with probation. She shall inform the Board in writing within 15 days of any address change.
 - b. Emily J.V. Sipprell will notify the Board in writing within five business days after she obtains or changes any 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. Sipprell'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.
 - d. Emily J.V. Sipprell will notify any and all of her nursing employers of the terms of this Agreement and provide them with a copy of it.
 - e. Emily J.V. Sipprell will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer regarding her general nursing practice including adherence to policies and procedures and documentation of medication administration.
 - f. Emily J.V. Sipprell will continue in her treatment programs to such an extent and for as long as her treatment providers recommend. She will arrange for and ensure the submission of quarterly reports to the Board by her treatment providers and such reports shall continue until her probation is terminated. If Ms. Sipprell's treatment is terminated during her probation, she shall notify the Board and provide written documentation.
8. Emily J.V. Sipprell agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement beyond the above-referenced 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 Ms. Sipprell has complied with the provisions of this Agreement.
9. Emily J.V. Sipprell 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 medical treatment which the Board deems necessary to evaluate Ms. Sipprell's compliance with this Agreement. Ms. Sipprell shall provide such information, authorize the release of such records and information, and 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 for the purpose of evaluating her compliance with this Agreement.
10. If Ms. Sipprell violates any other condition of her probation, the Board will give written notice to the Licensee regarding her failure to comply. She 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 response to determine what action, if any, it 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.

11. Emily J.V. Sipprell understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Agreement.
12. Modification of this Agreement must be in writing and signed by all parties.
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.
14. This Agreement is not subject to review or appeal by Ms. Sipprell, but may be enforced by an action in the Superior Court.
15. This Agreement becomes effective upon the date of the last necessary signature below.

I, EMILY J.V. SIPPRELL, RN, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY REGISTERED PROFESSIONAL NURSE LICENSE. 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: Feb. 1, 2012

Emily J. V. Sipprell, RN
EMILY J.V. SIPPRELL, RN

FOR THE MAINE STATE
BOARD OF NURSING

DATED: Feb 2, 2012

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

FOR THE OFFICE
OF THE ATTORNEY GENERAL

DATED: 2/3/12

John H. Richards
JOHN H. RICHARDS
Assistant Attorney General