



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

February 14, 2003

James R. Sirois  
76 Third Street  
Bangor, ME 04401

**NOTICE OF HEARING**

Dear Mr. Sirois:

This is to notify you that the Maine State Board of Nursing suspended your registered professional nurse license and practical nurse license February 13, 2003 pursuant to 5 M.R.S.A. Section 10004.

This is to notify you that the Maine State Board of Nursing ("the Board") will conduct a hearing under the authority of 32 M.R.S.A. Section 2105-A(1-A)(D) and 10 M.R.S.A. Section 8003(5) to determine whether grounds exist for the Board to take disciplinary action against your license to practice registered professional nursing and practical nursing. The hearing is scheduled for Tuesday, March 11, 2003 at 1:00 p.m. at the Board office at 24 Stone Street, in Augusta, Maine in the conference room.

The hearing will concern whether you have violated 32 M.R.S.A. Section 2105-A(2)(A), (2)(B), (2)(E), (2)(F), (2)(G) and (2)(H), and the Rules and Regulations of the Maine State Board of Nursing, Chapter 4 Disciplinary Action and Violations of Law, Section 1. A. (5), (6), (7) and (8) and Section 3.(A) and (B). The specific issues to be decided are (1) whether you engaged in fraud or deceit in connection with service rendered within the scope of the license issued; (2) whether you are incompetent in the practice for which you are licensed; (3) whether you have violated a standard of professional behavior that has been established in the practice for which you are licensed; and (4) whether these actions, if substantiated, constitute fraud or deceit, incompetence and/or unprofessional conduct. The factual allegations are contained in the information enclosed:

1. Information dated May 22, 2002 from Spectrum Medical Group.
2. Information dated July 30, 2002 from Benefit Integrity Support Center.

The hearing will be held in accordance with applicable provisions of the Maine Administrative Procedure Act, 5 M.R.S.A. Section 9051 and 9064. You have the right to be represented by an attorney. You may present evidence, call witnesses and present oral or written testimony and arguments to the Board. Applications for intervention pursuant to 5 M.R.S.A. Section 9054 will be accepted until the commencement of the hearing.



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OFFICES LOCATED AT: 24 STONE ST., AUGUSTA, ME.

PHONE: (207) 287-1133

FAX: (207) 287-1149

TDD: (207) 287-1151

<http://www.maine.gov/boardofnursing/>

Failure to appear at the scheduled hearing may result in a disposition by default, and information obtained during the hearing may be used in subsequent legal proceedings. Violations of the above cited statutory and regulatory provisions may result in sanctions ranging from a letter of guidance or concern to suspension or revocation of your license. A fine of up to \$1,500 for each violation may be imposed. Also, please be advised that pursuant to 10 M.R.S.A. Section 8003-D, if there is a finding of violation, the Board may assess actual expenses of investigation and hearing in addition to other penalties provided by law. Such expenses include, but are not limited to, travel expenses and the proportionate part of the salaries and other expenses of investigators or inspectors; hourly costs of hearing officers, costs associated with record retrieval and the costs of transcribing or reproducing the administrative record.

If you have any questions concerning the conduct of the hearing, please do not hesitate to contact me.

Sincerely,

Myra A. Broadway, J.D., M.S., R.N.  
Executive Director

MAB:vlc

Enclosures

pc: James E. Smith, Esq., Presiding Officer and Counsel for the Board  
John H. Richards, Assistant Attorney General

**CERTIFIED MAIL RETURN RECEIPT REQUESTED 7000 1670 0009 2397 5194**

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1. Article Addressed to: <b>JAMES R SIROIS</b> <b>76 THIRD ST</b> <b>BANGOR ME 04401</b>	B. Received by (Printed Name) 	C. Date of Delivery <b>1/5/03</b>
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