



Paul R. LePage
GOVERNOR

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

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

IN RE: DORIS SOLMITZ, CNP81382

INTERIM CONSENT AGREEMENT

COMPLAINT NOS. 2013-54, 2013-55, 2013-56, 2013-57, 2013-58, 2013-59, 2013-60, 2013-97 and 2013-107

PARTIES

This document is an Interim Consent Agreement, effective when signed by all parties, pertaining to multiple complaints filed against Doris Solmitz's license to practice as a nurse practitioner in the State of Maine. The parties to this Interim Consent Agreement are Doris Solmitz ("Licensee"), the Maine State Board of Nursing ("the Board") and the Maine Office of the Attorney General ("the Attorney General"). This Consent Agreement is entered into pursuant to 10 M.R.S. § 8003(5-A).

FACTS

1. Licensee is licensed by the Board as an Advanced Practice Registered Nurse – Certified Nurse Practitioner ("APRN-CNP").
2. The Board has received numerous complaints related to the practice of the Licensee involving her prescription of scheduled drugs to her patients.
3. As a result of these complaints, the Board obtained an expert consultant review of several of the Licensee's patient treatment records. The review indicated potential violations of Board rules and noted that the Licensee was prescribing high levels of scheduled drugs to her patients.
4. Licensee continued to prescribe scheduled drugs subsequent to the Board's initiation of the complaints despite a lengthy March 2013 interview with the Board's investigator related to her prescribing practice.
5. On September 5, 2013 the Board voted to suspend the Licensee's APRN-CNP License, effective 12:01 AM on September 6, 2013, without hearing pursuant to 5 MRS §10004(3) finding that immediate jeopardy existed and that acting in accordance with subchapter IV or VI of Title 5 of the Maine Revised Statutes would fail to adequately respond to a known risk to the public safety.
6. Licensee's license suspension will terminate on October 5, 2013.
7. An adjudicatory hearing on the license suspension has been scheduled for October 2, 2013.
8. The Board and the Licensee wish to explore a long term consent agreement in lieu of formal adjudication of the license suspension.



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9. The Licensee moves a continuance of the hearing cited in paragraph 7. The Licensee has agreed that her APRN-CNP license will remain suspended during the continuance pending final disposition of these matters or other order of the Board.
10. The State of Maine agrees to the continuance provided that the license suspension shall continue beyond the 30-day limitation contained in 5 MRS §10004(3).
11. A hearing continuance order is insufficient to extend the suspension of the license beyond October 5, 2013 and absent execution of this Agreement, the hearing scheduled on October 2, 2013 must proceed as scheduled in order to continue the suspension.
12. By signing this Interim Consent Agreement, Licensee waives, in her personal capacity and through legal counsel, any and all objections to, and hereby consents to the continuation of her suspension beyond the 30-day limitation.

COVENANTS

13. Licensee acknowledges the facts as stated above and agrees to the **CONTINUED SUSPENSION** of her license as an **Advanced Practice Registered Nurse – Certified Nurse Practitioner**. Licensee understands and agrees that she will not provide nurse practitioner treatment to any person in the State of Maine during the term of this Interim Consent Agreement.
14. Upon the request of any party to this Interim Consent Agreement and notice to the other parties, the Board shall set this matter for an adjudicatory hearing. The Board will not set the matter for adjudication less than thirty (30) days after notice to the other parties of the request for hearing. The Board shall make reasonable efforts to ensure that the hearing occurs within sixty (60) days after notice to the other parties.
15. This Interim Consent Agreement is not appealable and is effective until modified or rescinded by the parties hereto or until the Board takes final action regarding the suspension.
16. The Board and the Office of the Attorney General may communicate and cooperate regarding any matter related to this Interim Consent Agreement.
17. Nothing in this Interim Consent Agreement shall restrict in any way the Board's or the Attorney General's authority or ability to investigate this matter further.
18. This Interim Consent 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.
19. The license suspension imposed pursuant to this Interim Consent Agreement constitutes adverse licensing action that will be reported to the National Practitioner Data Bank.
20. Nothing in this Interim Consent Agreement shall be construed to affect any right or interest of any person not a party hereto.
21. Licensee acknowledges by her signature hereto that she has read this Interim Consent Agreement, that she has had an opportunity to consult with an attorney before executing this

Interim Consent Agreement, that she executed this Interim Consent Agreement of her own free will, and that she agrees to abide by all terms and conditions set forth herein.


DATED: 9/18/13


DORIS SOLMITZ, LICENSEE

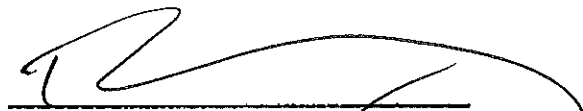
DATED: _____

MELISSA O'DEA, Attorney for Doris Solmitz

DATED: 9/23/13


MYRA A. BROADWAY, JD, MS, RN
Executive Director, Board of Nursing

DATED: 9/24/13


RONALD O. GUAY
Assistant Attorney General

Interim Consent Agreement, that she executed this Interim Consent Agreement of her own free will, and that she agrees to abide by all terms and conditions set forth herein.

DATED: _____

DORIS SOLMITZ, LICENSEE

DATED: 9/17/2013

Melissa R. O'Dea
MELISSA O'DEA, Attorney for Doris Solmitz

DATED: 9/23/13

Myra A. Broadway
MYRA A. BROADWAY, JD, MS, RN
Executive Director, Board of Nursing

DATED: 9/24/13

Ronald O. Guay
RONALD O. GUAY
Assistant Attorney General

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