

**State of New Hampshire
Board of Nursing
Concord, New Hampshire 03301**

In the Matter of Brian Benson
LNA, Lic.: No.; 052171-24
(Reinstatement 11/13/2023)

SETTLEMENT AGREEMENT

Brian Benson (“Respondent”), having been licensed as a Licensed Nursing Assistant in the State of the New Hampshire and over whom the New Hampshire Board of Nursing (“Board”) has jurisdiction pursuant to RSA 326-B, stipulates and agrees to the following:

1. Practicing without a license, including but not limited to the situation where a license has lapsed, is unlawful under New Hampshire law, RSA 326-B:41, II; RSA 326-B:41-a. Pursuant to RSA 326-B:22:
 - II. “Any person licensed who intends to continue practicing as a nurse or nursing assistant shall: (a) By midnight on his or her date of birth in the renewal year submit a completed application and fees as established by the board.”
 - III. “Failure to renew the license shall result in forfeiture of the ability to practice nursing or nursing activities in the state of New Hampshire.”
2. The practice of nursing without a license is an act of misconduct for which the Board may impose disciplinary sanctions including, but not limited to, administrative fines. N.H. Admin. Rules, Nur 402.04 (b)(14); Nur 402.04(i).
3. Respondent is aware of and understands the right to have a formal disciplinary hearing pursuant to RSA 326-B:37, III and Nur 402.04(a) and hereby waives that right and requests that this Agreement be accepted with the same force and effect as an order entered as result of a hearing.
4. The Board would find at a hearing that on 11/07/2023, Respondent requested to reinstate his/her Registered Nursing license, which expired on 10/10/2023, after which Respondent continued to practice as a Licensed Nursing Assistant in the State of New Hampshire.
5. Pursuant to Nur 401.01 (g), Respondent shall pay an administrative fine of \$50.00 for every calendar month, or any part thereof, during which he/she practiced after his/her licensed lapsed.
6. Respondent is assessed an **ADMINISTRATIVE FINE** in the amount of **Fifty dollars (\$50)** Respondent shall **pay this fine in full within thirty (30) days of the Effective Date of this Settlement Agreement** by delivering a money order or bank check, made payable to “Treasurer, State of New Hampshire,” to the Board’s office at 7 Eagle Square, Concord, New Hampshire, 03301. No separate invoice shall issue. *Payment shall include a copy of this Settlement Agreement or a note including the matter name and indicating the payment is made in compliance with a settlement agreement with the Board.*

RECEIVED

DEC 28 2023

OPLC-FINANCE

Amount 50.00
Check 28247235467

N.H. Board of Nursing
In the matter of Brian Benson
License No.: 052171-24
Settlement Agreement

- 7. Respondent voluntarily enters into this agreement, after having the opportunity to consult with counsel, and with full understanding of the legal consequences of this Agreement.
- 8. This Agreement constitutes the entire agreement and understanding between the parties and supersedes all prior agreements and understandings.
- 9. This Agreement becomes a public record of discipline upon signature.
- 10. Please sign and date below and return to the Board of Nursing with the required fine of \$50 within thirty (30) days of receipt. Failure to do so will result in a hearing being held and may result in the imposition of additional discipline.

I have carefully read and fully understand the conditions of this Agreement:

FOR RESPONDENT

Brian Benson
Brian Benson

Date 12/26/23

FOR THE BOARD

Terese Barton
Board Administrator/OPLC

Date 1/8/2024