

**STATE OF NEW HAMPSHIRE  
OFFICE OF PROFESSIONAL  
LICENSURE AND CERTIFICATION**

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**BOARD OF NURSING**

**In Re: Marie Fletcher, LNA  
LNA Lic. # 039806-24**

Docket No.: 2022-NUR-043

**ORDER OF EMERGENCY  
SUSPENSION – 10/27/22**

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**I. CASE SUMMARY/PROCEDURAL HISTORY:**

The Office of Professional Licensure and Certification, Division of Enforcement (“OPLC Enforcement”), acting on behalf of the Board of Nursing (“Board”), received a letter dated 10/11/22 from Dr. Molly Rossignol of the New Hampshire Professionals Health Program (“NHPHP”) alleging that Marie Fletcher (“Licensee”) was out of compliance with her monitoring agreement, which she is subject to pursuant to the Findings of Fact, Rulings of Law and Sanctions order of the Board in *In re Marie Fletcher*, Docket No. 19-061 2-0594-NA (“Order”). At its 10/27/22 regular meeting, the Board reviewed the 10/11/22 letter, the Order, and the Licensee’s monitoring agreement and voted to suspend the Licensee’s license on an emergency basis pursuant RSA 541-A:30(III), RSA 310-A:1-m, RSA 326-B:37(IV), N.H. Code Admin. R., Title Nur 402.03(a) (“Rules”), and/or N.H. Code Admin. R., Title Plc 206.07 (“Plc”). This Notice of Emergency License Suspension Hearing follows.

**II. LEGAL STANDARD:**

“In cases involving imminent danger to public health, safety, or welfare, the board may order the immediate suspension of a license pending an adjudicative proceeding.” RSA 326-B:37, IV. The Board has further interpreted that to mean: “[w]hen the board receives information indicating that a licensee

has engaged misconduct that poses an immediate danger to public health, safety, or welfare, the board shall, pursuant to RSA 326-B:37, IV, immediately suspend such person’s license ...” Rule 402.03(a).

**II. EVIDENCE PRESENTED AND FINDINGS OF FACT:**

**A. Evidence Presented**

The Board was presented with and/or considered the following evidence: 1) 10/07/19 Findings of Fact, Rulings of Law and Sanctions Order, *In re Marie Fletcher*, Docket No. 19-061 2-0594-NA; 2) 02/13/20 NHPHP Monitoring Agreement- Board of Nursing Mandated; 3) 10/11/22 NHPHP Letter to the Board. The Board also took administrative notice of its file for *In re Marie Fletcher*, Docket No. 19-061 2-0594-NA. The Board additionally relied on its medical expertise and knowledge of the field of nursing. A review of the credible evidence presented, and the reasonable inferences taken therefrom, allows the Board to make the following findings of fact.

**B. Findings of Fact**

The Licensee is actively licensed in New Hampshire as a Licensed Nursing Assistant (“LNA”) with license number 039806-24 and remains subject to a monitoring agreement with NHPHP pursuant to the Findings of Fact, Rulings of Law and Sanctions order of the Board in *In re Marie Fletcher*, Docket No. 19-061 2-0594-NA. Among other things, the NHPHP monitoring agreement requires that the Licensee meet with a counselor, attend facilitated meetings, provide reports from health care providers, and participate in drug screening. On 10/11/22 the Board received information from NHPHP that the Licensee was out of compliance with the aforementioned expectations set by her monitoring agreement. The letter further informed the Board that NHPHP has made multiple attempts to reach out to her via various modes of communication to remind her of these responsibilities and activities, but the Licensee has still not come into compliance. The letter further notes that NHPHP still holds her accountable under

the monitoring agreement, even though the Licensee is not currently working in a position that requires her license.

**IV. DISCUSSION AND CONCLUSIONS OF LAW:**

The Board finds there is a reasonable basis to suspend the Licensee’s LNA New Hampshire license on an emergency basis. The central facts are straightforward— Licensee has a substance use history, has recently failed to abide by her monitoring agreement, is apparently therefore not following the recommendations of her substance use treatment providers, and is actively licensed in the state of New Hampshire. These facts indicate that the Licensee poses an imminent threat to the public health, safety, or welfare. The Licensee's conduct, on its face, therefore, warrants immediate emergency suspension of her license pursuant to RSA 541-A:30(III) and RSA 326-B:37(IV), pending a follow-up emergency suspension hearing. Pursuant to the requirements of Rule 402.03(a), such conduct also appears, on its face, that it may be misconduct as defined at RSA 326-B:37, II(o), (p)(1), and/or (q)(2).

**IV. ORDERS:**

Pursuant to RSA 541-A:30(III), RSA 310-A:1-m, and 326-B:37(IV), the Board hereby orders the immediate emergency suspension of Marie Fletcher’s license as an LNA, pending a follow up emergency hearing in this matter. A Notice of Emergency Hearing with an appropriate date/time shall follow forthwith.

DATED: 10/31/2022

\_\_\_\_\_/s/ Nikolas Frye, Esq.\_\_\_\_\_  
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