

STATE OF MAINE  
BOARD OF LICENSURE IN MEDICINE

In re:	)	CONSENT
George M. Jones, M.D.	)	AGREEMENT
Complaint CR06-223	)	

This document is a Consent Agreement, effective when signed by all parties, regarding disciplinary action against and conditions imposed upon the license to practice medicine in the State of Maine held by George M. Jones, M.D. The parties to the Consent Agreement are: George M. Jones, M.D. ("Dr. Jones"), the State of Maine Board of Licensure in Medicine ("the Board") and the State of Maine Department of the Attorney General ("the Attorney General"). This Consent Agreement is entered into pursuant to 10 M.R.S.A. § 8003(5)(B) and 32 M.R.S.A. § 3282-A.

STATEMENT OF FACTS

1. Dr. Jones has held a license to practice medicine in the State of Maine since May 15, 1991. Dr. Jones specializes in Internal Medicine.
2. On July 11, 2006, the Board initiated a complaint against the Maine medical license of Dr. Jones. The Board docketed the complaint as CR06-223.
3. On October 5, 2006, the Board received a response from Dr. Jones to Complaint CR06-223. Following its review of the complaint, Dr. Jones' response, and investigative materials, the Board voted to schedule an informal conference with Dr. Jones.
4. On June 12, 2007, the Board held an informal conference with Dr. Jones. Following the informal conference, the Board voted to schedule

Complaint CR06-223 for an adjudicatory hearing and authorized its legal counsel to pursue a Consent Agreement with Dr. Jones to resolve Complaint CR06-223.

5. This Consent Agreement has been negotiated by counsel for Dr. Jones and counsel for the Board in order to resolve Complaint CR06-319 without an additional adjudicatory hearing. Absent Dr. Jones' acceptance of this proposed Consent Agreement by signing and dating it in front of a notary and returning it to Maureen Lathrop, Investigative Secretary, Maine Board of Licensure in Medicine, 137 State House Station, Augusta, Maine 04333-0137 on or before September 11, 2007, the Board shall resolve Complaint 06-223 by scheduling an adjudicatory hearing. Absent ratification of this proposed Consent Agreement by a majority vote of the Board, the matter will proceed to an adjudicatory hearing.

6. By signing this Consent Agreement, Dr. Jones waives any and all objections to, and hereby consents to the presentation of this proposed Consent Agreement to the Board for possible ratification. Dr. Jones waives forever any arguments of bias or otherwise against any of the Board members in the event that the Board fails to ratify this proposed Consent Agreement.

#### COVENANTS

7. Dr. Jones concedes that there is sufficient basis for the Board to conclude that he failed to provide appropriate medical supervision and oversight to physician assistant Richard Brackett, P.A. as required by Board Rules, Chapter 2, Section 7. Dr. Jones admits that such conduct constitutes

grounds for discipline of his Maine medical license pursuant to 32 M.R.S. § 3282-A.

8. In order to avoid the necessity of an additional adjudicatory hearing concerning this matter, and to impose discipline upon Dr. Jones' Maine medical license for the violation cited in paragraph 7 above, Dr. Jones agrees to:

- a. Accept a WARNING; and
- b. Within thirty (30) days following the execution<sup>1</sup> of this Consent Agreement, reimburse the Board in the amount of Three Hundred Seventy Dollars and Zero Cents (\$370.00) as the actual costs incurred for the investigation of this matter. Payment shall be by certified check or money order made payable to the Maine Board of Licensure in Medicine and remitted to Maria MacDonald, Board Investigator, 137 State House Station, Augusta, Maine 04333-0137.

In agreeing to the foregoing discipline, Dr. Jones acknowledges that this Consent Agreement, as well as the facts underlying it, constitutes sufficient legal grounds for the Board to deny any future application by Dr. Jones to supervise any physician assistant(s) in the State of Maine.

9. Dr. Jones waives his right to a hearing before the Board or any court regarding all facts, terms and conditions of this Consent Agreement. Dr. Jones agrees that this Consent Agreement is a final order resolving complaint

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<sup>1</sup> For the purposes of this Consent Agreement, "execution" means the date on which the final signature is affixed to this Consent Agreement.

CR06-223. This Consent Agreement is not appealable and is effective until modified or rescinded by the parties hereto. This Consent Agreement cannot be amended orally. It can only be amended by a writing signed by the parties hereto and approved by the Office of Attorney General. Requests for amendments by Dr. Jones shall be made in writing and submitted to the Board. Dr. Jones may, at reasonable intervals, petition the Board for amendment of the terms and conditions of this Consent Agreement. Upon making such a petition, Dr. Jones shall bear the burden of demonstrating that the Board should amend the Consent Agreement. The Board shall have the discretion to: (a) deny Dr. Jones's petition; (b) grant Dr. Jones's petition; and/or (c) grant Dr. Jones's petition in part as it deems appropriate to ensure the protection of the public. Any decision by the Board as a result of Dr. Jones's request to modify this Consent Agreement need not be made pursuant to a hearing and is not appealable to any court.

10. Dr. Jones acknowledges that, pursuant to Title 10 M.R.S. § 8003(5)(B), his failure to comply with any of the terms or conditions of this Consent Agreement or of her probation shall constitute grounds for additional disciplinary action against his Maine medical license, including but not limited to an order, after hearing, modifying, suspending, or revoking his license.

11. The Board and the Office of the Attorney General may communicate and cooperate regarding Dr. Jones or any other matter relating to this Consent Agreement.

12. This Consent Agreement is a public record within the meaning of

1 M.R.S.A. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S.A. § 408.

13. Nothing in this Consent Agreement shall be construed to affect any right or interest of any person not a party hereto.

14. The Board and Dr. Jones agree that no further agency or legal action will be initiated against him by the Board based upon the facts described herein, except or unless he fails to comply with the terms and conditions of this Consent Agreement.

15. Dr. Jones acknowledges by his signature hereto that he has read this Consent Agreement, that he has had an opportunity to consult with an attorney before executing this Consent Agreement, that he executed this Consent Agreement of his own free will and that he agrees to abide by all terms and conditions set forth herein.

16. Dr. Jones has been represented by Roger J. Katz, Esq., who has participated in the negotiation of the terms of this Consent Agreement.

**I, GEORGE M. JONES, M.D., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT AND AGREE WITH ITS CONTENTS AND TERMS. I FURTHER UNDERSTAND THAT BY SIGNING THIS AGREEMENT, I WAIVE CERTAIN RIGHTS, INCLUDING THE RIGHT TO A HEARING BEFORE THE BOARD. I SIGN THIS CONSENT AGREEMENT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.**

DATED: 9/4/07

  
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GEORGE M. JONES, M.D.

STATE OF Maine

Kennebec, S.S.

Personally appeared before me the above-named George M. Jones, M.D., and swore to the truth of the foregoing based upon her own personal knowledge, or upon information and belief, and so far as upon information and belief, she believes it to be true.

DATED: 9/4/07

Anne Danforth  
NOTARY PUBLIC/ATTORNEY  
MY COMMISSION ENDS: 9/6/2012

DATED: 9/7/07

R. Katz  
ROGER J. KATZ, ESQ.

STATE OF MAINE  
BOARD OF LICENSURE IN MEDICINE

DATED: 9/11/07

Sheridan R. Oldham, M.D.  
Sheridan R. Oldham, M.D., Chairman

STATE OF MAINE DEPARTMENT  
OF THE ATTORNEY GENERAL

DATED: 9/11/07

Dennis E. Smith  
DENNIS E. SMITH  
Assistant Attorney General

Effective Date: