

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

In re:)	CONSENT
Florello S.E. Quianzon, M.D.)	AGREEMENT
Complaint No. CR12-179)	

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

STATEMENT OF FACTS

1. The Board first issued Dr. Quianzon a license to practice as a physician in the State of Maine on July 12, 2007. At all times relevant to this complaint, Dr. Quianzon was licensed as a physician by the Board.
2. On September 11, 2012, the Board reviewed information regarding an investigation conducted by the Maine Department of Health and Human Services (DHHS) Licensing and Regulatory Services regarding the death of a patient who had been treated at a Maine hospital in February 2012. Following its review of this information, the Board voted to initiate a complaint against Dr. Quianzon's physician license pursuant to 32 M.R.S. § 3282-A alleging incompetence and unprofessional conduct based upon Dr. Quianzon's failure to reconcile the medications when he co-signed the patient's discharge summary, which discharge summary included an incorrect medication and excessive dosage that was subsequently administered to the patient. The Board docketed the complaint as CR12-179 and sent it to Dr. Quianzon for a written response.

3. On or about November 20, 2012, the Board received a response from Dr. Quianzon to complaint CR12-179. In his response, Dr. Quianzon indicated that the discharge summary, which included an incorrect medication and excessive dosage, for the patient was prepared by a physician assistant who was a "mid-level" provider at the hospital. According to Dr. Quianzon, mid-level providers are not permitted to discharge patients without physician review, including review of medications. To the best of Dr. Quianzon's knowledge, the physician assistant made a dictation error in the discharge summary by including an incorrect medication and excessive dosage. According to Dr. Quianzon, neither the physician assistant nor the discharge nurse caught the medication error in the discharge summary. Dr. Quianzon admitted that he also did not catch the medication error because he did not perform a medication reconciliation when he reviewed and signed the discharge summary. Dr. Quianzon acknowledged the risk of harm that can occur from any medication error, apologized for his role in this particular medication error, and outlined changes to the hospital's medication discharge policy to prevent future similar incidents.

4. On December 11, 2012, the Board reviewed complaint CR12-179, including Dr. Quianzon's response to the complaint and the relevant medical records and voted to offer Dr. Quianzon this Consent Agreement in order to resolve complaint CR12-179 without further proceedings.

5. This Consent Agreement has been negotiated by legal counsel for Dr. Quianzon and legal counsel for the Board in order to resolve complaint CR12-179 without further proceedings, including an adjudicatory hearing. Absent Dr. Quianzon's acceptance of this Consent Agreement by signing and dating it in front of a notary and mailing it to Maureen Lathrop, Investigative Secretary, Maine Board of Licensure in Medicine, 137 State House

Station, Augusta, Maine 04333-0137 on or before February 11, 2013, the matter will be presented to the Board for further action.

6. By signing this Consent Agreement, Dr. Quianzon waives any and all objections to, and hereby consents to allow the legal counsel to the Board to present this Consent Agreement to the Board for possible ratification.

COVENANTS

In lieu of proceeding to an adjudicatory hearing in this matter, Dr. Quianzon and the Board agree to the following :

7. Dr. Quianzon admits that with regard to complaint CR12-179 the Board has sufficient evidence from which it could reasonably conclude that he co-signed a discharge summary for the patient that included an incorrect medication and dosage, which incorrect medication was subsequently administered to the patient in the incorrect and excessive dosage. Dr. Quianzon admits that such conduct constitutes unprofessional conduct and incompetence and grounds for discipline pursuant to 32 M.R.S. § 3286(2)(F) and (E).

8. As discipline for the conduct described in paragraphs 1-7 above pertaining to complaint CR12-179, Dr. Quianzon agrees to accept, and the Board agrees to issue, the following discipline:

a. A REPRIMAND. In this case, by failing to perform a medication reconciliation of the discharge summary prepared by a mid-level provider and then co-signing the discharge summary, Dr. Quianzon effectively prescribed a new drug to the patient in an excessive dosage (i.e. five times the appropriate level). This new medication at such a high dosage was contraindicated not only because of its potential harm to the patient due to the excessive dosage, but because of its potential to adversely interact with the medications that the

patient was already receiving. Although Dr. Quianzon acknowledged the importance of accurate discharge information, the Board urges him to ensure that this type of error does not occur again.

b. A MONETARY FINE of One Thousand Dollars and Zero Cents (\$1,000.00). Dr. Quianzon shall ensure that he pays the monetary penalty within thirty (30) days following the execution¹ of this Consent Agreement. Payment shall be made by certified check or money order made payable to "Treasurer, State of Maine," and be remitted to Maureen Lathrop, Investigative Secretary, Maine Board of Licensure in Medicine, 137 State House Station, Augusta, Maine 04333-0137.

9. Violation by Dr. Quianzon of any of the terms or conditions of this Consent Agreement shall constitute grounds for discipline, including but not limited to modification, suspension, or revocation of licensure or the denial of re-licensure.

10. Pursuant to 10 M.R.S. § 8003(5) the Board and Dr. Quianzon agree that the Board has the authority to issue an order, following notice and hearing, imposing further discipline, including revocation or suspension of his license, in the event that he fails to comply with any of the terms or conditions of this Consent Agreement.

11. Dr. Quianzon waives his right to a hearing before the Board or any court regarding all findings, terms and conditions of this Consent Agreement. Dr. Quianzon agrees that this Consent Agreement and Order is a final order resolving complaint CR12-179. This Consent Agreement is not appealable and is effective until modified or rescinded by agreement of all of the parties hereto.

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

¹ For the purposes of this Consent Agreement, "execution" shall mean the date on which the final signature is affixed to this Consent Agreement.

13. This 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.

14. This Consent Agreement constitutes discipline and is an adverse licensing action that is reportable to the National Practitioner Data Bank (NPDB), the Healthcare Integrity and Protection Data Bank (HIPDB), and the Federation of State Medical Boards (FSMB).


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

16. The Board and Dr. Quianzon 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. The Board may however consider the conduct described above as evidence of a pattern of misconduct in the event that similar true allegations are brought against Dr. Quianzon in the future. The Board may also consider the fact that discipline was imposed by this Consent Agreement in determining appropriate discipline in any further complaints against Dr. Quianzon's Maine physician license.

17. Dr. Quianzon has been represented by Jennifer A.W. Rush, Esq., who has participated in the negotiation of this Consent Agreement on his behalf.

18. Dr. Quianzon 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.

I, FLORELLO QUIANZON, 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: 29 Jan 2013 
FLORELLO S.E. QUIANZON, M.D.

STATE OF Maine
Florello S.E. Quianzon, S.S.


Personally appeared before me the above-named Florello S.E. Quianzon, M.D., and swore to the truth of the foregoing based upon his own personal knowledge, or upon information and belief, and so far as upon information and belief, he believes it to be true.

DATED: 1/29/13 
NOTARY PUBLIC/ATTORNEY

MY COMMISSION ENDS: 4/4/2015

DATED: 1/30/13 
JENNIFER A. W. RUSH, ESQ.
ATTORNEY FOR DR. QUIANZON

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

DATED: 2/12/13 
GARY R. HATFIELD, M.D., Chairman

STATE OF MAINE DEPARTMENT
OF THE ATTORNEY GENERAL

DATED:

2/12/13



DENNIS E. SMITH
Assistant Attorney General

Effective Date:

2/12/13