

**STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE**

IN RE:	)	TERMINATION OF
Karl F. Sitterly, M.D.	)	CONSENT AGREEMENT
CR06-127	)	FOR CONDITIONAL
	)	LICENSURE

This document terminates a Consent Agreement effective April 10, 2007, as amended, regarding the issuance of a conditional active license to practice medicine in the State of Maine to Karl F. Sitterly, M.D. The parties to that Consent Agreement, as amended, were: Karl F. Sitterly, M.D. (“Dr. Sitterly”), the State of Maine Board of Licensure in Medicine (“the Board”), and the Office of the Attorney General (the “Attorney General”).

BACKGROUND

1. On April 10, 2007, the parties entered into a Consent Agreement For Conditional Licensure.
2. On or about August 10, 2011, the Board received a written request from Dr. Sitterly to terminate the Consent Agreement For Conditional Licensure based upon his compliance to date. The Board also received correspondence from the Maine Medical Professionals Health Program indicating that Dr. Sitterly has been fully compliant with the requirements of that program, and is scheduled to “graduate” from the program in August 2011.
3. On September 13, 2011, the Board reviewed Dr. Sitterly’s written request to terminate the Consent Agreement For Conditional

Licensure, his prior compliance with its terms and conditions, his successful practice of medicine thereunder, and the correspondence from the Maine Medical Professionals Health Program, which supported his request. Following its review, the Board voted to grant Dr. Sitterly's request to terminate the Consent Agreement For Conditional Licensure, as amended.

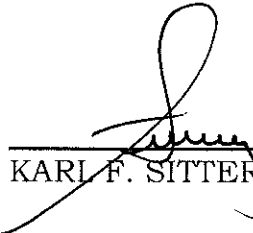
COVENANT

4. Dr. Sitterly, the Board, and the Office of Attorney General hereby agree to terminate the Consent Agreement For Conditional Licensure dated April 10, 2007, as amended.

I, KARL F. SITTERLY, M.D., HAVE READ AND UNDERSTAND THE FOREGOING TERMINATION TO THE CONSENT AGREEMENT AND AGREE WITH ITS CONTENTS AND TERMS. I ACKNOWLEDGE THAT I HAVE HAD THE OPPORTUNITY TO DISCUSS THIS AGREEMENT WITH LEGAL COUNSEL PRIOR TO SIGNING IT.

Dated:

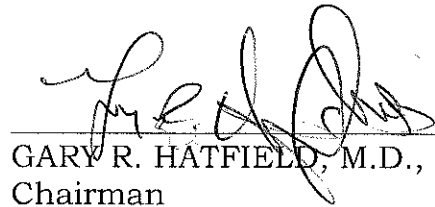
11/14/11


KARL F. SITTERLY, M.D.

STATE OF MAINE
BOARD OF LICENSURE IN
MEDICINE

DATED:

11/17/11


GARY R. HATFIELD, M.D.,
Chairman

STATE OF MAINE OFFICE

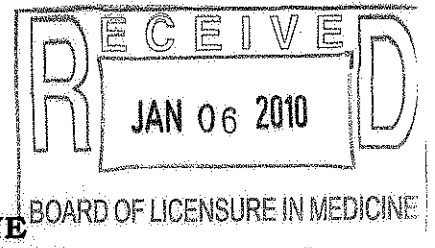
OF THE ATTORNEY GENERAL

DATED: 12/1/11



DENNIS E. SMITH
Assistant Attorney General

Effective Date: 12/1/11



**STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE**

IN RE:) **SECOND AMENDMENT TO**
) **CONSENT AGREEMENT**
Karl F. Sitterly, M.D.) **FOR**
CR06-127) **CONDITIONAL LICENSURE**

This document is a Second Amendment to a Consent Agreement For Conditional Licensure effective April 10, 2007, regarding the issuance of a conditional active license to practice medicine in the State of Maine to Karl F. Sitterly, M.D. The parties to this Second Amendment of that Consent Agreement are: Karl F. Sitterly, M.D. ("Dr. Sitterly"), the State of Maine Board of Licensure in Medicine ("the Board"), and the Office of the Attorney General (the "Attorney General").

BACKGROUND

1. On April 10, 2007, the parties entered into a Consent Agreement For Conditional License.
2. On June 10, 2008, the parties entered into a First Amendment to the Consent Agreement For Conditional License, which reduced the frequency of the random urine testing from "once a week" to "once every other week." The Board agreed to this amendment following a request from Dr. Sitterly to reduce the frequency of the urine testing, and based upon his successful compliance with the consent agreement.
3. On November 10, 2009, the Board reviewed a request from Dr. Sitterly to amend the Consent Agreement For Conditional Licensure by reducing the number of random urine tests from "once every other

week” as required by the First Amendment to paragraph 14(c)(iii)(b) of the “CONDITIONS OF LICENSURE” to “once a month.” Following its review, the Board voted to grant Dr. Sitterly’ request to amend the Consent Agreement For Conditional Licensure based upon his compliance to date with the terms and conditions of the Consent Agreement, and with the understanding that all other terms and conditions of the Consent Agreement For Conditional Licensure remain in full force and effect.

SECOND AMENDMENT

4. Dr. Sitterly, the Board, and the Office of Attorney General hereby agree to the following Second Amendment to paragraph 14(c)(iii)(b) of the “CONDITIONS OF LICENSURE” of the Consent Agreement For Conditional License effective April 10, 2007:

(b). For the period following Dr. Sitterly’s return to the active practice of medicine and for one year thereafter, urine samples shall be provided once a month. In complying with this provision, Dr. Sitterly shall notify the Board, his Supervising Physician, and his Treatment Provider(s) immediately upon his return to the active practice of medicine;

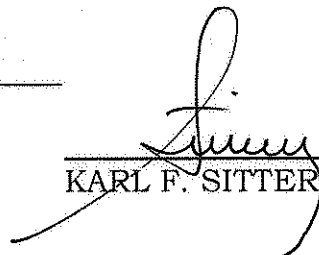
5. Dr. Sitterly acknowledges by his signature hereto that all other terms and conditions of the Consent Agreement For Conditional License effective April 10, 2007, remain in full force and effect.

6. Dr. Sitterly acknowledges by his signature hereto that he has read this Second Amendment to the Consent Agreement For Conditional License, that he has had an opportunity to consult with an attorney before executing this First Amendment, that he executed this Second Amendment of his own free will and that he agrees to abide by all terms

and conditions set forth herein.

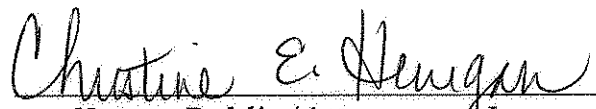
I, KARL F. SITTERLY, M.D., HAVE READ AND UNDERSTAND THE FOREGOING SECOND AMENDMENT TO CONSENT AGREEMENT FOR CONDITIONAL LICENSURE AND AGREE WITH ITS CONTENTS AND TERMS. I FURTHER UNDERSTAND THAT BY SIGNING I WAIVE CERTAIN RIGHTS INCLUDING THE RIGHT TO FURTHER HEARINGS REGARDING THIS SECOND AMENDMENT. I ALSO WAIVE THE RIGHT TO APPEAL TO THE COURT REGARDING THIS SECOND AMENDMENT. KNOWING THIS, I SIGN IT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS SECOND AMENDMENT, TOGETHER WITH THE CONSENT AGREEMENT FOR CONDITIONAL LICENSURE, CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN, OR OTHERWISE. I ACKNOWLEDGE THAT I HAVE HAD THE OPPORTUNITY TO DISCUSS THIS SECOND AMENDMENT WITH LEGAL COUNSEL PRIOR TO SIGNING IT.

Dated: 1/4/10


KARL F. SITTERLY, M.D.

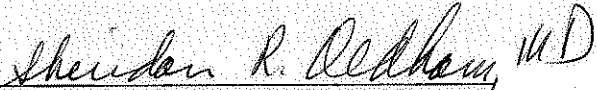
STATE OF MAINE
Penobscot, SS.

Before me this 4th day of January, 20 10, personally appeared Karl F. Sitterly, M.D., who after first being duly sworn, signed the foregoing Second Amendment to Consent Agreement For Conditional Licensure in my presence or affirmed that the signature above is his own.


Notary Public/Attorney at Law
My commission expires: 1/18/16


STATE OF MAINE
BOARD OF LICENSURE IN
MEDICINE

DATED: 1/12/10


SHERIDAN R. OLDHAM, M.D.,
Chairman

STATE OF MAINE OFFICE
OF THE ATTORNEY GENERAL

DATED: 1/12/10


DENNIS E. SMITH
Assistant Attorney General

Effective Date:

**STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE**

IN RE:	)	FIRST AMENDMENT TO
Karl F. Sitterly, M.D.	)	CONSENT AGREEMENT
CR06-127	)	FOR
	)	CONDITIONAL LICENSURE

This document is a First Amendment to a Consent Agreement effective April 10, 2007, regarding the issuance of a conditional active license to practice medicine in the State of Maine to Karl F. Sitterly, M.D. The parties to this first amendment of that Consent Agreement are: Karl F. Sitterly, M.D. ("Dr. Sitterly"), the State of Maine Board of Licensure in Medicine ("the Board"), and the Office of the Attorney General (the "Attorney General").

BACKGROUND

1. On April 10, 2007, the parties entered into a Consent Agreement For Conditional License.
2. On May 9, 2008, the Board reviewed a request from Dr. Sitterly to amend the Consent Agreement For Conditional Licensure by reducing the number of random urine tests from "once a week" as required by paragraph 14(c)(iii)(b) of the "CONDITIONS OF LICENSURE" to "once every other week." Following its review, the Board voted to grant Dr. Sitterly' request to amend the Consent Agreement For Conditional Licensure based upon his compliance to date with the terms and conditions of the Consent Agreement, and with the understanding that all other terms and conditions of the Consent Agreement For Conditional

Licensure remain in full force and effect.

AMENDMENT

3. Dr. Sitterly, the Board, and the Office of Attorney General hereby agree to the following amendment to paragraph 14(c)(iii)(b) of the “CONDITIONS OF LICENSURE” of the Consent Agreement For Conditional License effective April 10, 2007:

(b). For the period following Dr. Sitterly’s return to the active practice of medicine and for one year thereafter, urine samples shall be provided once every other week. In complying with this provision, Dr. Sitterly shall notify the Board, his Supervising Physician, and his Treatment Provider(s) immediately upon his return to the active practice of medicine;

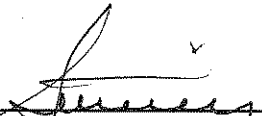
4. Dr. Sitterly acknowledges by his signature hereto that all other terms and conditions of the Consent Agreement For Conditional License effective April 10, 2007, remain in full force and effect.

5. Dr. Sitterly acknowledges by his signature hereto that he has read this First Amendment to the Consent Agreement For Conditional License, that he has had an opportunity to consult with an attorney before executing this First Amendment, that he executed this First Amendment of his own free will and that he agrees to abide by all terms and conditions set forth herein.

I, KARL F. SITTERLY, M.D., HAVE READ AND UNDERSTAND THE FOREGOING FIRST AMENDMENT TO CONSENT AGREEMENT AND AGREE WITH ITS CONTENTS AND TERMS. I FURTHER UNDERSTAND THAT BY SIGNING I WAIVE CERTAIN RIGHTS INCLUDING THE RIGHT TO FURTHER HEARINGS REGARDING THIS AMENDMENT. I ALSO WAIVE THE RIGHT TO APPEAL TO THE COURT REGARDING THIS AMENDMENT. KNOWING THIS, I SIGN IT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS FIRST AMENDMENT, TOGETHER WITH

THE CONSENT AGREEMENT, CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN, OR OTHERWISE. I ACKNOWLEDGE THAT I HAVE HAD THE OPPORTUNITY TO DISCUSS THIS AGREEMENT WITH LEGAL COUNSEL PRIOR TO SIGNING IT.

Dated: 5/30/08


KARL F. SITTERLY, M.D.

STATE OF MAINE
Penobscot, SS.

Before me this 30th day of May, 2008, personally appeared Karl F. Sitterly, M.D., who after first being duly sworn, signed the foregoing First Amendment to Consent Agreement in my presence or affirmed that the signature above is his own.


Notary Public/Attorney at Law
My commission expires: January 15, 2009


STATE OF MAINE
BOARD OF LICENSURE IN
MEDICINE

DATED: 6/10/2008
Chairman


SHERIDAN R. OLDHAM, M.D.,

STATE OF MAINE OFFICE
OF THE ATTORNEY GENERAL

DATED: 6/10/08


DENNIS E. SMITH
Assistant Attorney General

Effective Date:

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

In re:	)	CONSENT
Karl F. Sitterly, M.D.	)	AGREEMENT
Complaint No. CR06-127)	

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 Karl F. Sitterly, M.D. The parties to the Consent Agreement are: Karl F. Sitterly, M.D. (“Dr. Sitterly”), 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. Sitterly has held a license to practice medicine in the State of Maine since July 14, 1999. Dr. Sitterly specializes in Family Practice.

2. On January 31, 2006, the Board reviewed information indicating that Dr. Sitterly had been abusing diphenhydramine (benadryl). Following its review, the Board voted to summarily suspend Dr. Sitterly’s Maine medical license for thirty (30) days pursuant to Title 5 M.R.S.A. § 10004 based upon the imminent threat that his continued practice of medicine posed to the public. In addition, the Board ordered Dr. Sitterly to undergo a physical and mental evaluation by a Board-approved physician pursuant to Title 32 M.R.S.A. § 3286, and scheduled the matter for an adjudicatory hearing on February 21, 2006.

3. On February 14, 2006, the Board, Dr. Sitterly, and the Office of Attorney General entered into a Consent Agreement that continued the summary suspension of Dr. Sitterly’s Maine medical license as well as the adjudicatory hearing scheduled for February 21, 2006, until such time as the Board had received the results of the mental and physical evaluation of Dr. Sitterly ordered by the Board pursuant to Title 32 M.R.S.A. § 3286. A copy of that Consent Agreement is attached to and incorporated into this Consent Agreement as “Exhibit A.”

4. On May 15, 2006, the Board sent Dr. Sitterly a complaint that it initiated concerning this matter. The Board docketed the complaint as CR06-127.

5. On November 29, 2006, the Board received a response from Dr. Sitterly to complaint CR06-127. In his response, Dr. Sitterly admitted: that he

consumed alcohol nightly; that in 2002 he began consistently ingesting diphenhydramine (benadryl) nightly in an effort to deal with great stress and difficulty falling asleep; that he subsequently began injecting diphenhydramine (benadryl) in 2005; and that he realized that his abuse of diphenhydramine (benadryl) put his health at risk and could possibly have put his patient's health at risk.

6. On January 23, 2007, the Board received information pertinent to the mental and physical evaluation that it ordered pursuant to Title 32 M.R.S.A. § 3286.

7. On January 29, 2007, the Board received information pertinent to the mental and physical evaluation that it ordered pursuant to Title 32 M.R.S.A. § 3286.

8. On February 8, 2007, the Board received information pertinent to the mental and physical evaluation that it ordered pursuant to Title 32 M.R.S.A. § 3286. That information indicated that, at the highest point in his addiction, Dr. Sitterly consumed up to 200 ml of diphenhydramine (benadryl) per night. In addition, that information indicated that Dr. Sitterly was probably being more liberal in prescribing narcotics to patients due to his own emerging addiction.

9. On April 3, 2007, the Board received information from Dr. Dirk B. Vandersloot, M.D. regarding Dr. Sitterly. According to that information, Dr. Vandersloot has been treating Dr. Sitterly on a monthly basis since November 2006. According to Dr. Vandersloot, Dr. Sitterly is well grounded in his recovery, has clear cognitive functioning, and is fit to return to the practice of medicine.

10. On April 9, 2007, the Board received information from Dr. David J. Simmons, M.D. concerning Dr. Sitterly. According to Dr. Simmons, Dr. Sitterly began submitting to random urine screens in March of 2007, and has successfully completed two urine screens (both were negative for a broad range of compounds including benedryl).

11. This Consent Agreement has been negotiated by counsel for Dr. Sitterly and counsel for the Board in order to resolve all pending matters before the Board, including complaint CR06-127 without an adjudicatory hearing. Absent ratification of this proposed Consent Agreement by a majority vote of the Board on April 10, 2007, the matter will proceed to an adjudicatory hearing.

12. By signing this Consent Agreement, Dr. Sitterly waives, in his personal capacity and through legal counsel, any and all objections to, and hereby consent to the presentation of this proposed Consent Agreement to the

Board for possible ratification. Dr. Sitterly waives, in his personal capacity and through legal counsel, 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

13. Dr. Sitterly admits that with regard to complaint CR06-127 the Board has sufficient evidence from which it could reasonably conclude that he engaged in habitual substance abuse that was “foreseeably likely to result in his performing services in a manner that endangers the health or safety of patients.” Dr. Sitterly admits that such conduct constitutes habitual substance abuse and unprofessional conduct and grounds for discipline of his Maine medical license pursuant to 32 M.R.S.A. § 3282-A(2)(B) & (F).

CONDITIONS OF LICENSURE

14. As discipline for the conduct admitted in paragraph 13 above, Dr. Sitterly agrees to accept modifications¹ to and conditions imposed on his Maine medical license. Based on Dr. Sitterly’s acceptance of responsibility for his actions, his continuing treatment of his substance abuse problems, as well as the understanding and agreement between Dr. Sitterly and the Board, that any future use of any prohibited substance by Dr. Sitterly may result in revocation of his license, the Board agrees to issue and Dr. Sitterly agrees to accept the following conditions imposed upon his Maine medical license:

a. ABSTINENCE. Dr. Sitterly agrees that, following the execution² of this Consent Agreement he shall completely abstain from the use of any and all Prohibited Substances. “Prohibited Substances” as used throughout this Consent Agreement shall mean: diphenhydramine (benedryl) or a similar drug; opiates; alcohol; cocaine; fentanyl; mood, consciousness or mind-altering substances, whether illicit or not; and all drugs which are dispensed to or prescribed for him by anyone other than a single primary care physician approved by the Board who is knowledgeable of Dr. Sitterly’s history of substance abuse, unless the circumstances constitute a genuine medical or surgical emergency.

i. Prescription Medication. If any controlled drug is dispensed or prescribed for Dr. Sitterly for a personal medical condition, Dr.

¹ Title 32 M.R.S.A. § 3282-A(2) gives the Board the authority to “modify” Dr. Sitterly’s Maine medical license by imposing conditions upon it. The “modifications” to Dr. Sitterly’s Maine medical license are the conditions imposed upon it pursuant to this Consent Agreement.

² For purposes of this Consent Agreement the term “execution” means the date on which the final signature is affixed to the Consent Agreement.

Sitterly or the Supervising Physician shall notify the Board by telephone and in writing within 48 hours or as soon thereafter as possible. This notice shall be followed by a written summary of all pertinent circumstances. The Board shall be apprised of all continuing pertinent circumstances regarding continued use of the controlled drug, and a written report thereof shall be submitted to the Board.

ii. Future Use of Prohibited Substances Shall Result in Loss of Licensure. Dr. Sitterly agrees and understands that any reliable evidence of use at any time in the future, whether in Maine or elsewhere, of any Prohibited Substance, including diphenhydramine or a similar drug or alcohol, shall constitute a violation of this Consent Agreement, which SHALL RESULT IN THE IMMEDIATE, INDEFINITE AUTOMATIC SUSPENSION OF LICENSURE, AND PROOF OF USE MAY RESULT IN REVOCATION/NON-RENEWAL OF LICENSURE.

b. SINGLE PHYSICIAN. Dr. Sitterly agrees and understands that he shall only obtain his prescription medication(s) from a single primary care physician approved by the Board.

c. SUBSTANCE MONITORING. Dr. Sitterly understands and agrees that he may, for the remainder of his career as a Maine licensed physician, undergo some level of substance monitoring to test whether he has used a Prohibited Substance. The monitoring shall be through urinalysis testing and/or blood testing, and any other reliable method which may later be developed and approved by the Board. Dr. Sitterly irrevocably agrees that the Board and the Maine Department of Attorney General will have full access to all test data and reports. Dr. Sitterly shall execute any and all releases necessary for the Board and/or the Attorney General to have full access to all data and reports pertaining to his substance monitoring.

i. Supervising Physician. Dr. Sitterly shall propose a Supervising Physician (the "Supervising Physician"), who shall be approved by the Board who shall have Dr. Sitterly appear and provide urine samples for testing for the presence of Prohibited Substances. Under no circumstances shall Dr. Sitterly fail to appear and/or provide a urine sample for testing as required by this Consent Agreement.

ii. Process. All urine and/or blood samples shall be handled through legal chain of custody methods. All samples provided shall be analyzed by a certified laboratory, which regularly handles drug monitoring tests. All samples shall be tested for the presence of prohibited substances, specifically including but not limited to diphenhydramine or similar drugs and alcohol.

iii. Frequency of Urine Testing. It is Dr. Sitterly's obligation to ensure that all the samples are given and tests occur as specified in this Consent Agreement. Testing shall be randomly scheduled. The Board, the Supervising Physician, or the Board's agent may request a sample at any time. Failure to maintain this schedule or the random nature of the tests shall be cause for suspension, non-renewal or revocation of Dr. Sitterly's Maine medical license, unless proof of genuine emergent medical circumstances (for Dr. Sitterly or a patient) exist which warrant less serious disciplinary actions being taken by the Board.

(a). For the period following the execution of this Consent Agreement until Dr. Sitterly's return to the active practice of medicine, urine samples shall be provided once a month;

(b). For the period following Dr. Sitterly's return to the active practice of medicine and for one year thereafter, urine samples shall be provided once a week. In complying with this provision of the Consent Agreement, Dr. Sitterly shall notify the Board, his Supervising Physician, and his Treatment Provider(s) immediately upon his return to the active practice of medicine;

(c). For the remainder of the term of this Consent Agreement, urine samples will be provided at a minimum of once a month. The frequency of urine testing shall continue as outlined herein even while Dr. Sitterly is on vacation or on a leave of absence in the continental United States. Dr. Sitterly shall be responsible for making arrangements to ensure that the testing is carried out with the frequency and standards outlined in this Consent Agreement.

iv. Reporting Test Results. It is Dr. Sitterly's responsibility to ensure that all test results are reported promptly to the Board.

(a). Immediate Report of Positive Test Results. Any test result evidencing any level of a Prohibited Substance, whether by urine or other sample, shall be reported to the Board by telephone and in writing within 24 hours or as soon thereafter as possible.

(b). Reporting Negative Test Results. Written reports of all tests shall be sent to the Board monthly, together with an explanation of the dates and times samples were provided and tests made, the type(s) of tests made, and the substances tested for (together with detectable levels tested for), and the test results. Dr. Sitterly shall ensure that all reports are made to the Board in a timely fashion.

(c). Confidentiality Waived. With regard to the Board and its agents and any process to be pursued by the Board, Dr. Sitterly

hereby waives all claims of confidentiality and privilege with respect to all tests taken and test results pursuant to this Consent Agreement. Dr. Sitterly shall execute any and all releases in order for the Board to obtain access to and copies of all urine test results.

v. Rebuttable Presumption Raised by Positive Test. It is agreed and understood that a test evidencing the presence of any Prohibited Substance, when confirmed, shall raise a rebuttable presumption that such substance was in fact used by Dr. Sitterly. Such a positive test result shall alone be sufficient to prove the use of the Prohibited Substance by Dr. Sitterly. Dr. Sitterly further agrees that the result of the test may be admitted into evidence in any proceeding regarding his Maine medical license, whether before the Board or before a Court of competent jurisdiction. The confirmatory test shall be performed immediately upon any initial positive test result and it may also be admitted into evidence in any proceeding regarding Dr. Sitterly's Maine license

vi. Immediate, Indefinite, Automatic Suspension for Positive Test. If any urine or blood test is positive (i.e., in any manner evidences any use of any Prohibited Substance), then the result shall be the immediate, indefinite, automatic suspension of Dr. Sitterly's Maine medical license, which shall continue until the Board holds a hearing on the matter, unless the Board, or the Board Secretary and the Department of Attorney General, earlier determine that the report is without merit. The suspension shall begin the moment Dr. Sitterly first learns of a positive test or report of a positive test to the Board, whether from the Supervising Physician or his designee, from the Board or from any other source in writing, orally or by any other means. This shall include non-confirmed, positive tests.

vii. Board Hearing to Determine if Dr. Sitterly Used Any Prohibited Substance. After receiving a positive report evidencing use by Dr. Sitterly of any Prohibited Substance, the Board shall investigate the situation, including demanding a response from Dr. Sitterly. The Board will hold a hearing within 60 days of the automatic suspension or as soon thereafter as practicable (unless both Dr. Sitterly and the Board agree to hold the hearing later) and it shall be held pursuant to the Maine Administrative Procedure Act.

viii. Failure to Maintain Sampling Schedule or Failure to Appear or to Provide Sample. Failure by Dr. Sitterly: to maintain the sampling schedule; to appear when demanded to provide a sample; or to provide samples upon being demanded to do so shall be dealt with as follows:

(a). Report. If Dr. Sitterly fails to appear to provide a sample, fails to maintain the sampling/testing schedule, or fails to provide a urine sample, then the Supervising Physician and Dr. Sitterly must telephone

the Board as soon as possible and send to the Board a written report of such failure within 48 hours.

(b). Second Opportunity to Provide Urine Sample. If Dr. Sitterly appears when scheduled or ordered, but fails to provide an adequate sample, then with regard to urine, after accurate notation of any and all substances consumed (no substance shall be consumed which might affect the accuracy of the tests to be performed), a second opportunity to provide a urine sample shall be given after a reasonable time. A repeat failure or any refusal shall result in an immediate, indefinite suspension of medical licensure. The suspension shall begin the moment of the occurrence.

(c). Suspension. An immediate, indefinite suspension of licensure shall result from any failure by Dr. Sitterly to comply with the mandated schedule of samples, failing to appear to provide a sample, or failing to provide a urine sample after given a second opportunity. The suspension shall begin the moment Dr. Sitterly actually learns a report has been made or sent to the Board.

(d). Meeting with Board. Both Dr. Sitterly and the Supervising Physician shall, at the discretion of the Board, be required to appear before the Board regarding this situation at its next regularly scheduled Board meeting, unless the next meeting is to be held within 15 days of the suspension, in which case they may be scheduled to appear at the subsequent regularly scheduled Board meeting.

(e). Board Action. The Board may order Dr. Sitterly's Maine medical license reinstated or, if appropriate, may continue the suspension and may set the matter for hearing. The Board shall attempt to hold a hearing within 60 days of the automatic suspension, or as soon thereafter as practicable, at which time it may take such action as it deems appropriate, including without limitation, reinstatement, fines, probation, suspension, non-renewal and revocation.

ix. Amendment of Testing Provisions. Upon written application by Dr. Sitterly to the Board, the Board may amend the above agreed conditions for testing as long as such changes are otherwise consistent with the schedule set forth in this Consent Agreement. Amendment from the conditions shall be in the discretion of the Board and shall be based upon such information as the Board deems pertinent. A decision may be made by the Board, in its discretion, with or without providing a hearing. The Board can propose Amendment(s), which may or may not be agreed to by Dr. Sitterly.

x. Increasing Testing. For good cause shown (i.e., questionable reports or problems with providing samples), the Board can, in its discretion, without hearing, unilaterally increase the frequency of testing to the

highest levels contemplated by this Consent Agreement, and may also add an additional four random tests per month.

d. PROFESSIONAL MANAGEMENT.

i. Substance Abuse Treatment. Within sixty (60) days following the execution of this Consent Agreement, Dr. Sitterly shall submit for Board approval the name of a licensed individual or agency in the treatment of substance abuse with whom Dr. Sitterly shall consult and counsel for the purpose of working on all issues pertaining to his substance abuse issues, including Dr. Sitterly's compliance with this Consent Agreement, which consultations shall be at least monthly following the execution of this Consent Agreement.

ii. Mental Health Treatment. Within sixty (60) days following the execution of this Consent Agreement, Dr. Sitterly shall submit for Board approval the name of a licensed individual or agency in the treatment of mental health issues with whom Dr. Sitterly shall consult and counsel for the purpose of working on all issues pertaining to his mental health issues. Dr. Sitterly agrees to participate in psychotherapy with a Board approved therapist in order to address mental health issues identified by the Board-ordered evaluation(s). The Board in its discretion may approve the same individual approved by the Board to provide Dr. Sitterly with substance abuse treatment to provide him with mental health treatment pursuant to this paragraph. The therapy sessions shall occur at least monthly and continue until the therapist notifies the Board that treatment is no longer necessary or useful. The Board, in its sole discretion, will determine whether cessation of therapy is appropriate.

iii. Prior Evaluation and Treatment Records. The Board and Dr. Sitterly agree that the Board shall transmit/disclose all records received by it concerning Dr. Sitterly, including those records referenced in paragraphs 6-10 above, to the approved treatment provider(s).

iv. Amendment of Aftercare Treatment Requirements. After two years of successful compliance with the terms and conditions of this Consent Agreement, Dr. Sitterly may file a written application with the Board to amend the schedule of his substance abuse and/or mental health treatment. The Board shall retain the discretion to grant or deny such application without hearing. Dr. Sitterly acknowledges that any decision by the Board concerning this issue is not appealable.

v. Change of Treatment Provider(s). If Dr. Sitterly desires to change his treatment provider(s), then he shall make written application to the Board, including among other things a letter regarding his reasons for requesting such change(s) and separate letters from the current treatment

provider(s) and the proposed new treatment provider(s) relative to their understanding of the reasons for this request and, to the extent applicable, any concerns they may have. The Board shall retain the discretion to grant or deny such application without hearing. Dr. Sitterly acknowledges that any decision by the Board concerning this issue is not appealable. If the request is denied, nothing precludes Dr. Sitterly from proposing another treatment provider for approval. In requesting a change of treatment provider, Dr. Sitterly understands that the Board may inquire into any issues it deems pertinent with any person, including, without limitation, the current treatment provider(s).

vi. Reports from Treatment Providers. Commencing one month following the execution of this Consent Agreement, and continuing for one (1) year thereafter, within a month after every session, Dr. Sitterly shall ensure that the Board-approved treatment provider(s) submit(s) to the Board a written report regarding: Dr. Sitterly's compliance with his schedule of meetings; Dr. Sitterly's ability to continue practicing medicine; and the prognosis of Dr. Sitterly's continued recovery. Following one (1) year, Dr. Sitterly shall ensure that his treatment provider(s) submit(s) such reports to the Board quarterly.

vii. Board Investigation. At any time the Board may deem appropriate, the Board or its agent may contact Dr. Sitterly and/or the Board-approved treatment providers to obtain further information relative to Dr. Sitterly. In addition, if the Board deems it appropriate, it may directly contact the treatment providers regarding any issues concerning Dr. Sitterly's treatment. In complying with this requirement, Dr. Sitterly shall execute any and all releases necessary to enable the Board and/or the Attorney General to communicate directly with his treatment provider(s) and to obtain copies of any and all notes, records, and documentation concerning his treatment.

e. PROFESSIONAL OVERSIGHT.

i. Physician Monitor. Within thirty (30) days following the time that Dr. Sitterly returns to the active practice of medicine, Dr. Sitterly shall submit for Board approval the name of a licensed Maine physician who shall monitor his medical practice. In complying with this provision of the Consent Agreement, Dr. Sitterly shall notify the Board, his Supervising Physician, and his Treatment Provider(s) immediately upon his return to the active practice of medicine. The monitoring physician must be in direct contact with Dr. Sitterly and observe him within his medical practice at least once a week, and inform the Board if Dr. Sitterly demonstrates any issues with regard to isolation, inappropriate boundaries or decision-making, or any other concerns. The monitoring physician shall report such information by telephone and in writing within 24 hours or as soon thereafter as possible. Dr. Sitterly understands that the monitoring physician will be an agent of the

Board pursuant to Title 24 M.R.S.A. § 2511. Dr. Sitterly shall permit the monitoring physician full access to his medical practice, including but not limited to all patient information.

ii. Board Access to Medical Practice. Dr. Sitterly shall permit the Board or its agent(s) complete access to his office based medical practice, including but not limited to all patient records, employee records, office records, and office equipment. In addition, Dr. Sitterly shall permit the Board or its agent(s) to conduct random and/or announced inspections of his office based medical practice. Dr. Sitterly shall bear the cost of any such inspection(s) by the Board or its agent(s).

f. SELF-HELP GROUP MEETINGS.

i. Attendance at AA and NA. Dr. Sitterly agrees to attend Alcoholics Anonymous ("AA") and/or Narcotic Anonymous ("NA") a minimum of twice per month through one year from the effective date of this agreement and at least once each month through four years thereafter.

ii. Impaired Physicians Self-Help Group. Dr. Sitterly agrees that he shall attend self-help group meetings of an impaired medical professional group (*i.e.* Caduceus), on a regular basis for the term of this agreement. Meetings of the impaired professional self-help groups may be substituted on a one-for-one basis with meetings of AA or NA.

iii. Reports of Attendance. Dr. Sitterly shall submit a signed, written quarterly report of his attendance at AA, NA or impaired professional self-help group meetings to the Board beginning three months after the execution of this Consent Agreement. Any instances of failure to attend the required numbers of meetings shall be noted, together with specific explanation detailing reasons.

iv. Failure to Meet This Requirement. It is the parties' understanding that, periodically, reasonable explanations may exist for occasionally missing a meeting; however, unexcused continuous or repeated failures to comply with the requirements of this section of the Consent Agreement shall constitute a violation of the Consent Agreement which, after hearing before the Board, can result in licensure discipline, including without limitation a fine, suspension, non-renewal, probation or revocation of Dr. Sitterly's conditional Maine medical license.

g. MAINTENANCE OF OBLIGATIONS WHEN AWAY FROM MAINE OR HOME.

i. General. Dr. Sitterly agrees to maintain his obligations regarding substance monitoring and self-help group meetings at all times, including times when he is away from home but within the continental limits of the United States. Dr. Sitterly will notify the Director of the Physician's Health Program sufficiently in advance of travel to make whatever arrangements the Director deems appropriate for monitoring before he leaves. It shall be Dr. Sitterly's obligation to ensure that arrangements are made consistent with this Consent Agreement in such other location(s) to ensure the continuation and satisfaction of his obligations under this Consent Agreement. Any such occurrences shall be noted in writing sent to the Board by Dr. Sitterly explaining the arrangements made and how the arrangements were carried out.

ii. Failure to Comply. Any failure by Dr. Sitterly to meet the conditions of the Consent Agreement outside of Maine shall constitute a violation of this Consent Agreement, and may result in the immediate suspension by the Board of Dr. Sitterly's Maine medical license pending hearing, and, following hearing, other sanctions as permitted by law including but not limited to suspension, modification, or revocation of licensure.

h. INVOLVEMENT IN THE MAINE COMMITTEE ON PHYSICIANS' HEALTH.

Dr. Sitterly shall enter into a contract with the Maine Committee on Physicians' Health and fully participate in that program as long as this Consent Agreement remains in force.

i. MAINTAINENCE OF LICENSE.

Dr. Sitterly shall be required to maintain his Maine license to practice medicine for as long as this Consent Agreement is in effect. In the event that Dr. Sitterly applies for licensure in other jurisdictions during the term of this Consent Agreement, Dr. Sitterly shall notify said jurisdiction of the existence of this Consent Agreement.

j. WAIVER OF CONFIDENTIALITY AND RELEASE OF RECORDS.

Dr. Sitterly agrees and understands that the Board and the Department of Attorney General shall have complete access to his present and future personal medical and counseling records regarding chemical dependency and mental health issues and to all otherwise confidential data pertaining to treatment or monitoring of Dr. Sitterly for substance abuse and mental health issues.

15. SANCTION FOR VIOLATION OF LICENSE CONDITIONS.

a. Automatic Suspension. Any reliable oral or written report to the Board of violation(s) of the conditions of licensure as described above shall result in the immediate, indefinite and automatic suspension of Dr. Sitterly's Maine medical license. The automatic suspension of Dr. Sitterly's Maine medical license shall become effective at the time that he receives actual notice from the Board that a report of violation(s) has been made. Actual notice can be provided by telephone, in person, in writing, by another means or any combination of the above-referenced means. The indefinite, automatic suspension shall continue until the Board holds a hearing on the matter, unless the Board earlier determines that the report is without merit or decides that no further sanction is warranted.

b. Continued Suspension; Other Sanctions. Dr. Sitterly's indefinite automatic suspension shall continue for such time until the Board holds a hearing and reaches a decision. The Board will hold a hearing within 60 days of the automatic suspension or as soon thereafter as practicable (unless both Dr. Sitterly and the Board agree to hold the hearing later) and shall be held pursuant to the Maine Administrative Procedure Act. The Board may impose such other discipline, including without limitation, fines, further suspension, probation, non-renewal or revocation of licensure, as the Board after hearing deems appropriate.

c. General Acknowledgment. Dr. Sitterly acknowledges that, pursuant to Title 10 M.R.S.A. § 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.

16. DESIGNATED COPY OF CONSENT AGREEMENT.

Dr. Sitterly shall have his supervising physician, monitoring physician and all treatment providers read, date, and sign a copy of the Consent Agreement (the "Designated Copy"). Dr. Sitterly shall retain a copy of the Consent Agreement signed by all of the aforementioned individuals at his office and shall produce it upon request of the Board or its agent(s). A copy of the signature page shall be made and sent to the Board. Dr. Sitterly agrees that if new individuals assume the roles set forth in this Consent Agreement during the existence of this Consent Agreement, such individuals shall also read, date and sign the Consent Agreement.

17. BOARD'S JURISDICTION.

Dr. Sitterly acknowledges that the Board has jurisdiction over his license. Dr. Sitterly understands that, at the time the Board is agreeing to issue him this Conditional, Modified License, the Board has the statutory jurisdiction to revoke licenses. Pursuant to 10 M.R.S.A. § 8003(5)B, in consideration for the Board's issuing Dr. Sitterly his Maine medical license pursuant to this Consent Agreement, he agrees that, regarding any alleged violation of this Consent Agreement, the Board is granted jurisdiction to revoke his license or take such other disciplinary action as is available to the Courts, following an adjudicatory hearing conducted in accordance with the Maine Administrative Procedure Act. Such revocation by the Board shall be deemed final agency action appealable only to the Superior Court pursuant to 5 M.R.S.A. § 11001, and *not* be reviewable de novo in the District Court pursuant to 10 M.R.S.A. § 8003(5)F.

18. MISCELLANEOUS PROVISIONS.

a. Notice. Unless otherwise specified in this Consent Agreement, written notice shall be deemed served upon mailing by first class mail, postage prepaid.

(i). Notice to the Board:

State of Maine Board of Licensure in Medicine
Attention: Board Investigator
137 State House Station
Augusta, Maine 04333-0137
Telephone: (207) 287-3601

(ii). Notice to the Licensee:

Karl F. Sitterly
P.O. Box 238
South Thomaston, ME 04858

b. Address Change. If Dr. Sitterly changes jobs, moves his residence or practice, changes telephone numbers at work or at home, or secures privileges at a hospital, he shall provide notice to the Board

c. Costs. All costs incurred in performance of the Modifications and Conditions of this Consent Agreement shall be borne by Dr. Sitterly. If a violation of this Consent Agreement is proven to have occurred, regardless of

the sanctions imposed, the Board may require Dr. Sitterly to reimburse the Board for all costs and attorney's fees incurred in proving such violation.

d. Hearings. Unless otherwise specified, hearings shall be held consistent with the Maine Administrative Procedure Act.

e. Severance. If any clause of this Consent Agreement is deemed illegal or invalid, then that clause shall be deemed severed from this Consent Agreement.

19. AMENDMENT OF CONSENT AGREEMENT.

Dr. Sitterly waives his right to a hearing before the Board or any court regarding all findings, terms and conditions of this Consent Agreement. Dr. Sitterly agrees that this Consent Agreement is a final order resolving all outstanding matters, including complaint CR06-127. 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 to this Consent Agreement by Dr. Sitterly shall be made in writing and submitted to the Board. Dr. Sitterly may, at reasonable intervals, petition the Board for amendment of the terms and conditions of this Consent Agreement. Upon making such a petition, Dr. Sitterly shall bear the burden of demonstrating that the Board should amend the Consent Agreement. The Board shall have the discretion to: (a) deny Dr. Sitterly's petition; (b) grant Dr. Sitterly's petition; and/or (c) grant Dr. Sitterly'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. Sitterly's request to modify this Consent Agreement need not be made pursuant to a hearing and is not appealable to any court.

20. COMMUNICATIONS. The Board and the Attorney General may communicate and cooperate regarding Dr. Sitterly's practice or any other matter relating to this Consent Agreement.

21. PUBLIC RECORD. 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.

22. ADVICE OF COUNSEL. The Licensee has been represented by an attorney, Kenneth W. Lehman, Esq., who has participated in the negotiation of this Consent Agreement on his behalf.

23. WAIVER OF RIGHT TO APPEAL CONSENT AGREEMENT.

Dr. Sitterly waives his right to a hearing before the Board or any

court regarding all facts, terms and conditions of this Consent Agreement. Dr. Sitterly agrees that this Consent Agreement is a final order resolving all matters pending before the Board, including complaint CR06-127. This Consent Agreement is not appealable and is effective until modified or rescinded by the parties hereto. Nothing in this paragraph shall be deemed a waiver of Dr. Sitterly's rights under rule, statute or the Maine or United States Constitutions, to appeal a decision or action later taken by the Board except as Dr. Sitterly may have agreed herein, such as with discretionary decisions by the Board and which may occur with or without a hearing, and the increased jurisdiction of the Board to revoke his license for violation of this Consent Agreement. Dr. Sitterly agrees that this Consent Agreement resolves his pending complaint, and understands that no further legal action will be initiated against him by the Board based upon the facts described herein, except that in the event that he does not fully comply with the terms and conditions of this Consent Agreement, that Board may initiate whatever action it deems necessary. In addition, Dr. Sitterly agrees and understands that the Board may consider the conduct and facts described herein as evidence of a pattern of misconduct in the event that future allegations are brought against him, and that the Board may consider this Consent Agreement in determining appropriate future discipline should any future allegations be proven against him.

I, KARL F. SITTERLY, 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: 4/10/07


KARL F. SITTERLY, M.D.

STATE OF Maine

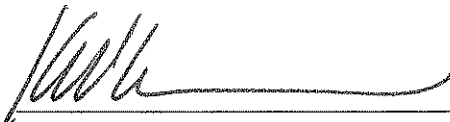
Kennebec, S.S.

Personally appeared before me the above-named Karl F. Sitterly, 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: April 10, 2007

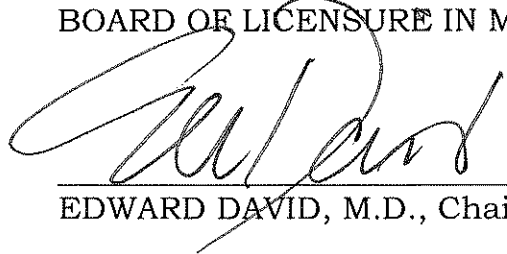

~~NOTARY PUBLIC~~ / ATTORNEY Mc Bar # 3283
MY COMMISSION ENDS: _____

DATED: April 10, 2007


KENNETH W. LEHMAN, ESQ.
Attorney for Karl F. Sitterly, M.D.

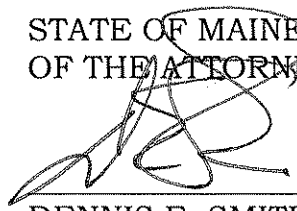
STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

DATED: April 10, 2007


EDWARD DAVID, M.D., Chairman

STATE OF MAINE DEPARTMENT
OF THE ATTORNEY GENERAL

DATED: 4/10/07


DENNIS E. SMITH
Assistant Attorney General

Effective Date:

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

In re:) CONSENT AGREEMENT
Karl F. Sitterly, M.D.) FOR CONTINUATION
AD06-017) OF SUMMARY SUSPENSION

This document is a Consent Agreement entered into by Karl F. Sitterly, M.D. ("Dr. Sitterly"), the State of Maine Board of Licensure in Medicine ("the Board"), and the Maine Department of 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. At its meeting on January 31, 2006, the Board voted to summarily suspend the medical license of Dr. Sitterly for thirty (30) days pursuant to 5 M.R.S.A. § 10004. The Board also voted to: (a) order Dr. Sitterly to undergo a physical and/or mental examination by a Board approved physician pursuant to 32 M.R.S.A. § 3286; and (b) schedule an adjudicatory hearing on the matters forming the basis for the summary suspension for February 21, 2006.

2. In light of the short time before the date of the scheduled hearing, it is unlikely that Dr. Sitterly will be able to complete the Board ordered examination required pursuant to 32 M.R.S.A. § 3286.

3. In lieu of proceeding to an adjudicatory hearing and final disposition of this matter without the benefit of the results of the Board ordered examination required pursuant to 32 M.R.S.A. § 3286, the Board is offering Dr.

Sitterly this Consent Agreement in order to continue the suspension of Dr. Sitterly's license to practice medicine pending final disposition of this matter.

4. Absent Dr. Sitterly's acceptance of this Consent Agreement by signing it, dating it, having it notarized, 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 February 13, 2006, the Board will resolve this matter by holding an adjudicatory hearing on February 21, 2006.

COVENANTS

5. The Board and Dr. Sitterly agree that it would be in Dr. Sitterly's best interest for him to undergo and complete the Board ordered examination required pursuant to 32 M.R.S.A. § 3286 prior to the Board's ultimate disposition of this matter.

6. Dr. Sitterly agrees, in lieu of proceeding to hearing on February 21, 2006 without the results of the 32 M.R.S.A. § 3286 examination, to the continued suspension of his license to practice medicine until such time as this matter is fully and finally resolved by the Board. In this regard, Dr. Sitterly understands and agrees that he will not practice medicine or render any professional health care services to any person in the State of Maine or in any other location under his Maine medical license. In the meantime, Dr. Sitterly shall return his Maine medical license to the Board.

7. The Board agrees that it may hold an adjudicatory hearing regarding the matters underlying the Board's decision to summarily suspend Dr. Sitterly's license to practice medicine at the earliest of the following:

a. Within sixty (60) days of the Board's receipt of the results of the examination ordered by the Board pursuant to 32 M.R.S.A. § 3286; or

b. Within sixty (60) days of the Board's receipt of notification that Dr. Sitterly has refused to undergo the examination ordered by the Board pursuant to 32 M.R.S.A. § 3286.

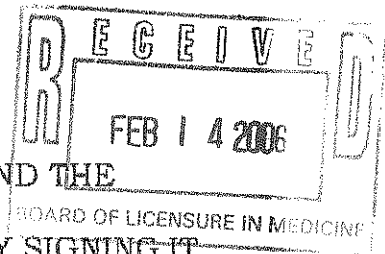
8. The Board agrees that it shall hold an adjudicatory hearing regarding the matters underlying the Board's decision to summarily suspend Dr. Sitterly's license to practice medicine within sixty (60) days of a request from Dr. Sitterly for a hearing.

9. Dr. Sitterly has been represented by legal counsel, Kenneth W. Lehman, Esq. with respect to the terms of this Consent Agreement.

10. This Consent Agreement is not appealable and is effective until the Board holds an adjudicatory hearing and/or fully and finally resolves this matter with a final Consent Agreement.

11. 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.

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



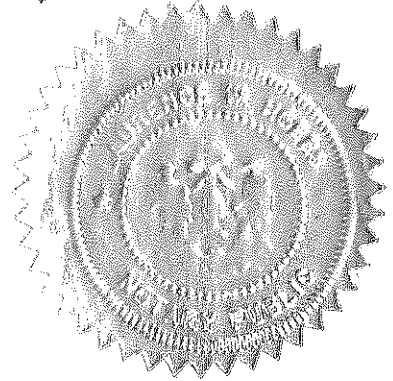
I, KARL F. SITTERLY, M.D., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN THIS CONSENT AGREEMENT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

DATED: 2/9/06
STATE OF MAINE
KNOX, S.S.
[Signature]
KARL F. SITTERLY, M.D.

Personally appeared before me the above-named Karl F. Sitterly, 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: 2/9/06
Lawrence W. Hobbs
NOTARY PUBLIC
LAURENCE W. HOBBS

DATED: February 13, 2006
K. Lehman
KENNETH W. LEHMAN, ESQ.
Attorney for Dr. Sitterly



STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE


DATED: 2/14/06



EDWARD DAVID, M.D., Chairman

STATE OF MAINE DEPARTMENT
OF THE ATTORNEY GENERAL

DATED: 2/14/06



DENNIS E. SMITH
Assistant Attorney General

APPROVED
EFFECTIVE:



STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE
137 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0137

EDWARD DAVID, M.D.J.D.
CHAIRMAN

RANDAL C. MANNING
EXECUTIVE DIRECTOR

JOHN ELIAS BALDACCI
GOVERNOR

February 2, 2006

CERTIFIED MAIL 7003 3110 0004 1523 0507
RESTRICTED DELIVERY, RETURN RECEIPT REQUESTED

Karl F. Sitterly, M.D.
45 Park Street
Camden, ME 04843

RE: NOTICE OF IMMEDIATE SUSPENSION OF LICENSE

Dear Dr. Sitterly:

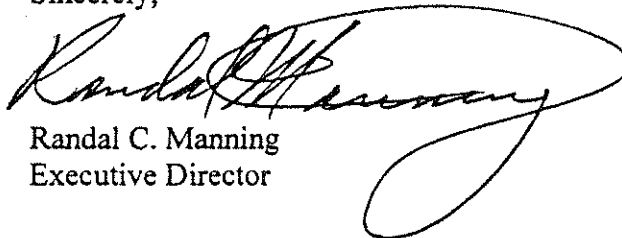
During its emergency meeting on January 31, 2006, the Maine Board of Licensure in Medicine reviewed a report from Dr. David Simmons from the Committee on Physician Health, together with other materials, which indicated that you have been abusing Benedryl intravenously for the past five years, and that your judgment is impaired.

Based upon this evidence, the Board voted to suspend your license to practice medicine effective immediately pursuant to 5 M.R.S.A. § 10004 (3) because of the immediate jeopardy your continued practice of medicine poses to your health or physical safety and the health and physical safety of the public. Your license is suspended for thirty (30) days pending an adjudicatory hearing before the Board on February 21, 2006 at 4:00 pm at the Board offices at 161 Capitol Street, Augusta, Maine. A notice of hearing for that adjudicatory hearing will be sent to you forthwith.

You must forward your medical license to the Board office immediately. Failure to do so constitutes grounds for further discipline of your license.

In addition, the Board voted to require that you undergo an examination, pursuant to Title 32 M.R.S.A. § 3286, by a physician/practitioner designated by the Board. A notice of that requirement, together with the identity of the designated physician/practitioner will be sent to you forthwith.

Sincerely,



Randal C. Manning
Executive Director

RCM/msl
AD 06-017

cc: Dennis Smith, Assistant Attorney General
Kenneth Lehman, Esq. (7003 3110 0004 1523 0514)
James E. Smith, Esq., Hearing Officer

OFFICE LOCATION: 161 CAPITOL STREET, AUGUSTA, ME

PHONE: (207) 287-3601

FAX: (207) 287-6590