

Board History:

For over 100 years, it has been Maine law that a physician must be licensed to practice medicine in our State. Through licensure, the State ensures that all practicing physicians have an appropriate level of education and training and that they abide by recognized standards of professional conduct.

Board vs. Malpractice:

Differences between disciplinary and malpractice actions are significant.

- Boards may discipline a licensee for incompetence or unprofessional conduct, but cannot provide money to the complainant to pay for any harm that was done.
 - In a private malpractice action in a court, a judge or a jury may award money damages to the complainant if the physician is found to be negligent.
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Locate Physicians, Administrative, Licensing & Disciplinary Information:

- Online at:

MD

<https://www.maine.gov/md/>

DO

<http://www.maine.gov/osteo/>

- By Contacting the Consumer Assistant Specialist at (207) 287-3608.
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Contact Us:

Board of Licensure in Medicine

137 State House Station, Augusta ME 04333

Phone (207) 287-3601 Fax (207) 287-6590

TTY users: Maine Relay 711

<https://www.maine.gov/md/>

Board of Osteopathic Licensure

142 State House Station, Augusta ME 04333

Phone (207) 287-2480 Fax (207) 536-5811

TTY users: Maine Relay 711

<http://www.maine.gov/osteo/>

Consumer Assistant

Phone (207) 287-3608 or

Toll Free in Maine (888) 365-9964

TTY users: Maine Relay 711

Other Professional Licensing Boards

Dept. of Professional & Financial Regulation

Licensing & Enforcement Division

Phone (207) 624-8603 Fax (207) 624-8637

Consumer's Guide

*to the Licensing, Regulating &
Disciplining of Physicians and
Physician Assistants in Maine*



Maine Boards of Medical &

Osteopathic Licensure

*“For the protection of the health,
safety and welfare of the public”*

Board Functions:

Protect the public by:

- Licensing Physicians & Physician Assistants
 - Investigating Complaints, Providing Guidance, or Imposing Discipline
 - Providing Information to the Public
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Licensure Qualifications:

- Education and Training requirements
 - Comprehensive written examination
 - Good professional ethics and practices
 - Renewal of license every two years including participation in Continuing Medical Education (CME)
 - Verification of all information provided to ensure credentials
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How to File a Complaint:

Anyone may file a complaint by submitting a complaint form. If you intend to file a complaint against more than one licensee, each complaint must be filed separately. Complaint forms can be filed online through the Board's website, you may print and mail the form, or request that one be mailed to you. The Consumer Assistant Specialist is available to offer assistance or answer any questions at (207) 287-3608.

Confidentiality:

With limited exceptions, Maine law makes complaints and investigative records confidential (not accessible to the general public during the pendency of an investigation). In addition, the law makes patient/client treatment records confidential.

Complaint Process:

Upon receipt, the Board sends a copy of the complaint to the licensee. The licensee has 30 days to respond in writing. A copy of this response is provided to the complainant if they are authorized to receive it. (The Board may not provide a response if doing so would be detrimental to the patient's health or wellbeing or they are not legally authorized to receive the patient information).

The Board reviews all complaints within approximately three to six months after receiving all the preliminary investigation materials. Based on its review, the Board determines if grounds for disciplinary action exist.

- If no, the complaint is closed. *See Possible Results of a Complaint*
 - If yes, the complaint remains open pending further Board action. *See Possible Results of a Complaint*
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Complaint Review:

In order to maintain confidentiality, the Board conducts its review of complaints in public session in a de-identified manner. If a complaint is reviewed in executive session, the law (with some exceptions) allows most complainants and licensees who are the subject of a complaint, and/or their attorneys, to be present and observe the Board's review of a complaint.

The Board meets on the second Tuesday of every month. The complaints for review appear on each agenda under their respective complaint (CR) numbers. To find out what complaints will be reviewed, you may check the Board's agenda for your complaint number. The Board's meeting agenda, dates, and instructions to attend will be posted on the Board's website at least 6 days prior to each meeting: <http://www.maine.gov/md/about/board-meetings-minutes>

Complaint Review (Cont):

Please remember that the law allows you to be present for the Board's review and discussion of the complaint. However, the law does not permit members of the public to participate - your attendance is for observation only. Any attempt to intervene or otherwise disrupt the Board's review of the complaint and/or address the Board may result in your removal from the meeting.

Some Grounds for Discipline:

- Fraud, Deceit, or Misrepresentation in Obtaining a License or in Connection with Services Rendered
 - Substance Misuse
 - Sexual Misconduct
 - Incompetence or Unprofessional Conduct
 - Conviction of a Crime
 - Violation of Law, Board Rule, or Order
 - Inappropriate Prescribing
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Possible Results of a Complaint:

- Dismissal with no action
 - Dismissal with a Letter of Guidance (non-disciplinary)
 - Disciplinary Action which may include: A warning, censure, or reprimand; civil penalty; mandatory education; specific conditions of probation; Consent Agreement; suspension; or loss of license.
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The Boards Cannot Help With:

- Other Health Care Professionals (e.g. RN, LCSW, DDS, DMD, PT)
 - Hospitals, Clinics, or Nursing Homes
 - Medical Malpractice
 - Billing or Fee Disputes
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