

Subpoena Power

POLICY: It is the policy of the Board of Licensure in Medicine that the following persons have power to issue subpoenas in the Board's name:

- Any Board member when acting for the Board (32 M.R.S.A. §3268)
- Assistant Attorney General in furtherance of: 1) limited investigations prior to the Board's initial consideration of information upon receipt of adverse information including but not limited to A) a consumer complaint, B) a report filed pursuant to 24 M.R.S.A. §§ 2505-2507, or C) particularized information from a physician; 2) an investigation authorized by the Board; and 3) an adjudicatory hearing. For purposes of this delegation, "limited investigation" is defined as developing the specific facts alleged in the adverse information received.
- Executive Director
- Assistant Executive Director
- In addition, once the Board has voted to hold an adjudicatory hearing and a hearing officer has been appointed to preside, the hearing officer is authorized to issue subpoenas for the hearing.

EFFECTIVE DATE: December 15, 1993

REVISION DATE:

HISTORY: Pursuant to 10 M.R.S.A. § 8003-A and 32 M.R.S.A. §3269, the Board of Licensure in Medicine has the power to issue subpoenas both during and investigation (i.e., before an adjudicatory hearing) and for an adjudicatory hearing. Pursuant to 5 M.R.S.A. § 9060 the Board has the authority to delegate its power to issue subpoenas to "any person" so designated.