

Complainant (cont)

- The Board will have questions for you and the licensee.
 - All comments should be directed to the Board.
 - The Board will offer you an opportunity to address it at the end of the discussion if you have additional information to add.
 - Written notification of the outcome will be sent following the conference.
-

Possible Outcomes:

- Dismissal of the complaint
 - Dismiss with a Letter of Guidance (LOG). LOGs allow the Board to express concern or guidance that may improve professional performance and possibly prevent further complaints before the Board. LOGs are **not** disciplinary.
 - Investigate Further. This normally takes two to nine months.
 - Order an Adjudicatory Hearing.
 - Authorize the Attorney General's office to offer a Consent Agreement to the licensee.
 - Take summary action including suspension, revocation, or refusal to renew a license in accordance with M.R.S.A. 5 § 10004.
-

Outcomes (cont)

- Referral to Attorney General's Office for further action as permitted by law (injunction / criminal).
 - Referral to another agency such as the Drug Enforcement Agency (DEA), the Maine Drug Enforcement Agency (MDEA), and the Department of Health and Human Services (DHHS) for their consideration.
-

Questions:

- If you are a licensee and have questions please contact Dennis Smith at (207) 287-3605 or Elena Crowley at (207) 287-3625.
 - If you are a complainant and have questions please contact Julie best at (207) 287-3608 or toll free in Maine (888) 365-9964
-

Board of Licensure in Medicine

137 State House Station, Augusta ME 04333

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

TTY/TB: 1-800-437-1220

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

Guide to the Informal Conference Process



Maine Board of Licensure in Medicine

*"For the protection of the health,
safety and welfare of the public"*

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

Informal Conference:

Informal Conferences are held during the complaint process when the Board has questions it feels can best be answered by speaking directly with both the licensee and the complainant. It allows the Board to gather facts not readily available during a paper review. The information gathered is then used to decide how a complaint should be further processed.

M.R.S.A. 32 § 3282-A (1) grants the Board of Medicine authority to hold informal conferences. The statute indicates that:

- The Board may request an informal conference with the licensee.
 - The Board shall provide adequate notice of the conference and the issues to be discussed.
 - The complainant may attend with up to two support people.
 - The complainant shall have a reasonable opportunity to speak.
 - The conference must be conducted in executive session of the Board unless otherwise requested by the licensee.
 - Statements made at the conference may not be introduced at a subsequent formal hearing unless all parties consent.
 - The complainant, the licensee or either of their representatives shall maintain the confidentiality of the conference.
-

Notification & Scheduling:

- Notification will be sent to the licensee and complainant when a conference is requested.
 - Board staff will schedule the Conference for the next available date.
 - The Board meets the second or third Tuesday of the month. The conference will be scheduled at the next Board meeting with time available.
 - Notification of the date will be sent once the conference has been scheduled.
-

Information for Licensees:

- You will receive a copy of the complaint packet and an explanation of the issues in question with the scheduling letter.
- You are encouraged to be represented by an attorney. However, the intent is to speak directly with you. You may confer with your attorney, but they will normally not be invited to speak.
- You will be asked to sign a “Waiver of Objections to Further Proceedings” form. This form is designed to encourage a candid exchange of information. If you do not sign the waiver, the Board will not hold the conference and may take other action as listed under **Possible Outcomes**.

Licensee (cont)

- The Informal Conference will be held in executive session unless you request otherwise. This means that the conference is not open to the public and all matters discussed during the conference are confidential and cannot be disclosed outside the conference.
- The Board will have questions for you and the complainant.
- All comments should be directed to the Board.
- Written notification of the outcome will be sent following the conference.

Information for Complainants:

- You are entitled to be accompanied by up to two support people. One may be an attorney. Normally, your attorney will not be invited to speak.
- The Board’s Consumer Assistant will be available before, during, and after the conference to answer questions, explain decisions, and provide support.
- The Informal Conference will be held in executive session unless the licensee requests otherwise. This means that the conference is not open to the public and all matters discussed during the conference are confidential and cannot be disclosed outside the conference.