

**STATE OF MAINE
BOARD OF OSTEOPATHIC LICENSURE**

IN RE: KRISTZINA MORIN, D.O.

)
)
)

**CONSENT AGREEMENT
AND BOARD ORDER**

The Board of Osteopathic Licensure (hereafter “the Board”), Kristzina Morin, D.O. (“Dr. Morin”) and the Office of the Attorney General enter into the following Consent Agreement in order to resolve a pending complaint.

I. FACTS AND CONCLUSIONS

Dr. Morin admits to the following findings set forth in this Consent Agreement:

1. Dr. Morin is licensed to practice osteopathic medicine in the State of Maine and has been licensed to do so since July 1978. Dr. Morin worked at Down East Community Hospital (DECH) in Machias as an emergency department physician.
2. On or about July 18, 2009, Dr. Morin was working in the emergency department at DECH and had contact with patient R.W., who went to the emergency department complaining of vomiting and of severe pain in his pelvic/hip area. R.W.’s medical chart indicates that he rated his pain as a “9” on a scale of 1 to 10. R.W. told hospital staff that he was tired of the pain and if he owned a gun he would shoot himself. R.W. had a history of bladder cancer and was previously diagnosed with prostate cancer. R.W. was seeking relief from his pain with pain medication, particularly narcotics.
3. R.W. had a computed tomography (“CT”) scan of his abdomen and pelvis done at DECH on July 16, 2009. The result indicated soft tissue density and bony destruction. During her treatment of R.W. on July 18, 2009, Dr. Morin became aware of the results of the scan and

characterized the results as a mass and a question of metastatic disease, which was probably causing R.W.'s pain.

4. Despite the indication that R.W.'s pain was caused by metastatic disease, Dr. Morin accused R.W. of drug abuse and being a drug seeker. Although Dr. Morin did provide some pain relief in the form of narcotic and other medication, when R.W. asked for more medication, stating that his pain level was still a "9," Dr. Morin made the decision to discharge R.W. When R.W. refused to leave the emergency department, Dr. Morin had R.W. removed by law enforcement personnel.

5. On July 19, 2009, R.W. was admitted to Eastern Maine Medical Center, where he remained until he died on August 8, 2009.

6. The Board concludes that the above facts are grounds for discipline under 32 M.R.S. § 2591-A (2) (E)(1) and (F).

7. Absent Dr. Morin's acceptance of this consent agreement by dating and signing it and returning it to Sue Strout, Executive Secretary, Maine Board of Osteopathic Licensure, 142 State House Station, Augusta, Maine 04333-0142 by October 31, 2010, this matter will be set for an adjudicatory hearing.

II. SANCTIONS

Based on the foregoing findings and conclusions, the Board imposes the following disciplinary sanctions on Kristzina Morin, D.O., to which Dr. Morin agrees:

1. **A Warning.** Dr. Morin is cautioned to be more sensitive when dealing with patients who may be experiencing chronic pain from a serious or terminal illness, such as cancer.

2. **Continuing Medical Education.** Within six (6) months of signing this consent

agreement, Dr. Morin shall complete continuing education on the subject of managing patients with cancer pain and/or sensitivity to patients dealing with a malignancy. These courses, including their duration, shall be pre-approved by the Case Reporter.

III. AMENDMENTS

1. Requests for amendments shall be submitted to the Board in writing and supported by professional opinions, if appropriate and available.
2. Requests for amendments will not suspend any obligations under this Agreement. Dr. Morin will be expected to comply with the terms of the Agreement until her request is acted upon favorably by Board vote and approved by the Office of the Attorney General.
3. Amendments will be decided in the discretion of the Board, with or without a hearing, and must have the approval of a representative of the Attorney General. There will be no appeal from the discretionary decisions regarding amendments of this Agreement.
4. Any action by the Board seeking to increase the conditions of licensure will be taken only after hearing, unless allowed by law, this Agreement or by subsequent agreement of the parties.
5. Except for good cause, amendments will not be considered by the Board more frequently than every six months.

IV. TERM OF BOARD ORDER.

Dr. Morin understands and agrees that her license will remain subject to the terms of this Consent Agreement, and any amendments, until such time as the Board determines all conditions are met.

V. VIOLATION OF CONSENT AGREEMENT

1. **General.** Dr. Morin agrees that, if she fails to meet any of the obligations of this Agreement, the Board may impose by agreement, or after notice and an opportunity for hearing, any of the sanctions found in Title 10 M.R.S. § 8003 and Title 32 M.R.S. § 2591-A, including revocation, long-term suspension or non-renewal of her license. The Board may also impose the sanctions provided in this Agreement.

2. **Failure to Meet Reporting and Time Requirements.** Dr. Morin agrees that if she fails to meet any of the time requirements set out in this Agreement (without having requested an extension prior to the due date and having that request granted by the Board), the Board may, in its discretion, automatically and without the need to hold a hearing, assess Dr. Morin a fine of \$100 for each month, or portion of a month, that she is out of compliance with the reporting or time requirement set out in this Agreement, or any amendments thereto. Dr. Morin will be notified of the assessment of the fine in writing by the Board. Dr. Morin must pay the fine to the Board within 30 days of receiving notice that the fine was assessed. She must do so by cashier's check or money order made out to "Treasurer, State of Maine." The Board's decision not to impose this sanction in one instance of noncompliance with a reporting or other time requirement does not constitute a waiver of the Board's right to impose a fine regarding a subsequent violation of the same reporting or other time requirement.

I, KRISTZINA MORIN, D.O., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING I WAIVE CERTAIN RIGHTS INCLUDING THE RIGHT TO FURTHER HEARINGS OR APPEALS REGARDING MY APPLICATION FOR RENEWAL AND THIS CONSENT AGREEMENT. KNOWING THIS, I SIGN THIS AGREEMENT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT 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 THE CONSENT AGREEMENT WITH LEGAL COUNSEL PRIOR TO SIGNING IT.

Dated: 10/6/2010

Kristzina Morin, D.O.

Kristzina Morin, D.O.

STATE OF MAINE

County of Washington SS.

Before me this 16th day of October, 2010, personally appeared Kristzina Morin, D.O., who after first being duly sworn, signed the foregoing Consent Agreement in my presence or affirmed that the signature above is his own.

Mary F. Lamoureux

Notary Public/Attorney at Law

My commission expires:

MARY F. LAMOUREUX
Notary Public, Maine

My Commission Expires September 11, 2014

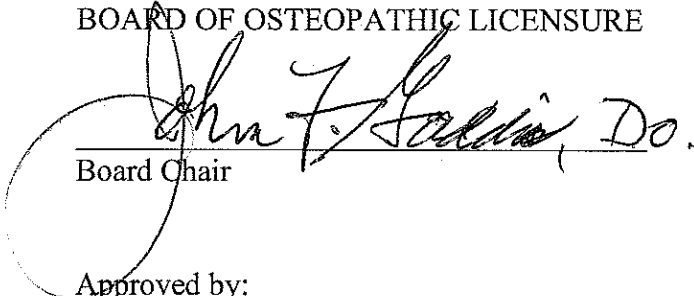
BOARD ORDER

IT IS HEREBY ORDERED by vote of the Maine Board of Osteopathic Licensure that Kristzina Morin's license to practice osteopathic medicine is subject to the terms and conditions of the Consent Agreement signed by Dr. Morin on October 6, 2010, which are incorporated by reference.

STATE OF MAINE
BOARD OF OSTEOPATHIC LICENSURE

Dated:

10-25-10

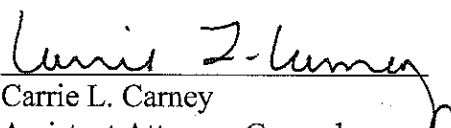

Board Chair

Approved by:

STATE OF MAINE, OFFICE OF
ATTORNEY GENERAL

Dated:

10-28-10


Carrie L. Carney
Assistant Attorney General