

**STATE OF MAINE
BOARD OF OSTEOPATHIC LICENSURE**

**IN RE: AARON TRAGOS, D.O.)
) **CONSENT AGREEMENT**
)**

The Board of Osteopathic Licensure (hereafter "the Board"), Aaron Tragos, D.O. and the Office of the Attorney General enter into the following Consent Agreement in order to resolve Dr. Tragos's pending complaints, without further investigation or adjudicatory proceedings. This Consent Agreement is entered into pursuant to 10 M.R.S. § 8003 (5) (B) and 32 M.R.S. §2591-A.

I. FINDINGS AND CONCLUSIONS

The parties agree that this Consent Agreement ("Agreement") is based upon the following findings and conclusions by the Board:

1. Dr. Tragos was first licensed to practice osteopathic medicine in the State of Maine in February 2005. Dr. Tragos specializes in orthopedic surgery.
2. Dr. Tragos left the State of Maine in January 2008 and is currently practicing in Michigan. Dr. Tragos has no plans to return to practice in Maine.
3. Between March 2005 and March 31, 2008, the Board received complaints about Dr. Tragos. Based on these allegations the Board conducted an investigation and submitted complaints, records and information gathered during the investigation for independent peer review.

4. Dr. Tragos neither admits nor denies the bases of the complaints. Dr. Tragos acknowledges that treatment of patients CCa & PR could have been better served at a tertiary care center where a joint revision specialist and an infectious disease specialist were available. Dr. Tragos acknowledges that the Board has evidence from which it could conclude that Dr. Tragos should not have performed revision surgery in the presence of an infected joint arthroplasty, and from this evidence, could conclude there is a violation of 32 M.R.S. §2591-A(2)(E)(1). With respect to patient AIJ, Dr. Tragos acknowledges that the Board has evidence from which it could conclude that Dr. Tragos should not have performed a three-level lumbar fusion on a patient with multiple co-morbidities, without first exhausting non-operative treatment options.

II. COVENANTS

Based on the above findings and conclusions, inasmuch as Dr. Tragos does not plan to return to practice in Maine, Dr. Tragos agrees to allow his license to practice osteopathic medicine in the State of Maine to expire.

1. This Consent Agreement constitutes disciplinary action, and shall be reported by the Board to the National Practitioner Data Bank and as may otherwise be required by law.

2. Notice of Agreement. Within two weeks of the execution of this Agreement or, within two weeks of the future event, Dr. Tragos is required to furnish a copy of this Agreement to:

- A. Any employer for whom he performs medical services, now or in the future;
- B. Any institution at which he holds privileges or applies for privileges;

C. Any other state licensing board that now or in the future licenses Dr. Tragos or with whom Dr. Tragos files an application for licensure.

1-14-2010
JWL
for A.J.
penalties

ck 3. Costs. Pursuant to 10 M.R.S. § 8003-D, Dr. Tragos agrees to reimburse the Board for ~~\$3,000.00~~ ^{\$5,000.00} in investigative costs incurred before the execution of this Agreement. He must reimburse the Board **within 6 months** of the execution of this Agreement. Payment must be made by cashier's check or money order and endorsed to the "Board of Osteopathic Licensure".

4. Nothing in this Consent Agreement shall be construed to affect any right or interest, including any legal right or legal position, of any person not a party to this Consent Agreement.

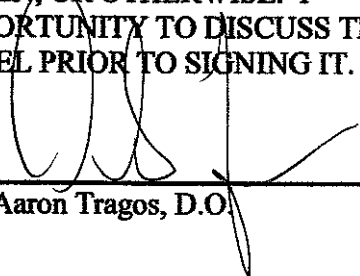
III. VIOLATION OF AGREEMENT

1. **General.** Dr. Tragos agrees that, if he 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 stated in 10 M.R.S. § 8003, 32 M.R.S. §§ 2591-A or in this Agreement.
2. **Failure to Meet Time Requirements.** Dr. Tragos agrees that if he fails to meet the time requirements set out in this Agreement (without first having obtained an amendment executed by all parties, which changes the time requirement), the Board may, in its discretion, automatically and without the need to hold a hearing, assess Dr. Tragos a fine of \$100 for each month, or portion of a month, that he is out of compliance with the time requirement set out in this Agreement. Dr. Tragos will be notified of the assessment of the fine in writing by the Board. Dr. Tragos must pay the fine to the Board within 30 days of receiving notice that the fine was

assessed. He 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 time requirement does not constitute a waiver of the Board's right to impose a fine regarding a subsequent violation of the same time requirement.

I, AARON TRAGOS, 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 REGARDING MY APPLICATION FOR RENEWAL AND THIS CONSENT AGREEMENT. I ALSO WAIVE THE RIGHT TO APPEAL TO THE COURT REGARDING ANY PORTION OF THIS AGREEMENT. KNOWING THIS, I SIGN THE 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. I ACKNOWLEDGE THAT I HAVE HAD THE OPPORTUNITY TO DISCUSS THIS CONSENT AGREEMENT WITH LEGAL COUNSEL PRIOR TO SIGNING IT.

Dated: 1/13/10

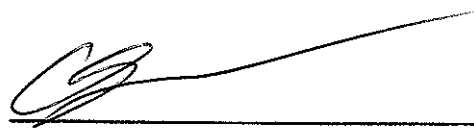


Aaron Tragos, D.O.

STATE OF
Michigan, SS.

Before me this 13 day of January, 2010, personally appeared Aaron Tragos, 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.

KEITH DeFORGE
Notary Public, State of Michigan, County of Iron
My Commission Expires Nov. 22, 2011
Acting in the County of Houghton




Notary Public/Attorney at Law
My commission expires:

BOARD ORDER

IT IS HEREBY ORDERED by vote of the Maine Board of Osteopathic Licensure that the Board approves the Consent Agreement with Aaron Tragos, D.O.

**STATE OF MAINE
BOARD OF OSTEOPATHIC
LICENSURE**




Board Chair

Vice

Approved by:

**STATE OF MAINE, OFFICE OF
ATTORNEY GENERAL**



Carrie L. Carney
Assistant Attorney General

Dated: 1-14-10

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