

other physician approved by the Board or Case Reporter, be knowledgeable regarding Dr. Owens' diagnoses and have read the Consent Agreement and the reports prepared by Dr. Doiron;

- b. review a sampling of Dr. Owens' patient charts, **no less than thirty (30) charts per month, or, no less than five (5) charts per shift, if working less than six (6) shifts per month**, to assess the quality of care provided by Dr. Owens;
- c. meet with Dr. Owens **at least once a week** to discuss any issues of concern;
- d. be in a position to receive regular reports from personnel and others regarding Dr. Owens' performance; and
- e. follow an evaluation scheme modeled on the American Board of Internal Medicine's "Evaluating Critical Competence in Internal Medicine", which includes the utilization of the Mini-Clinical Evaluation Exercises and "Competencies at a Glance" card.

2. Reporting Requirements.

a. Routine Monitoring Reports:

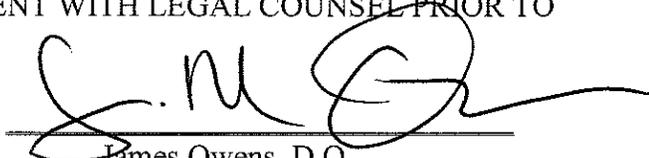
1. Dr. Owens shall ensure that the monitoring physician reports to the Board on a monthly basis, beginning on the **first day of the month** following Dr. Owens' first full month of practice pursuant to this Agreement, and the first of each and every month thereafter, in accordance with the following subsection.

2. The reporting requirement shall terminate after the Board has received **six (6)** monthly reports and the reevaluation described in Condition 5.A., provided that the Board has received no reports or concerns from any source regarding Dr. Owens' professional behavior or regarding the quality of patient care. However, after three (3) months, Dr. Owens may come before the Board so it may determine whether or not the reporting requirement should continue for another three (3) months. The Board does not guarantee that the reporting requirement will terminate after three (3) months, even if the Board has received no reports or concerns from any source regarding Dr. Owens' professional behavior or regarding the quality of patient care.
- b. Content of Routine Reports: At a minimum, the routine reports from the monitoring physician should include the following information:
1. the amount and type of contact between the monitoring physician and the licensee in the past month and details of any concerns raised by these contacts;
 2. the number of patient charts reviewed and details of any concerns raised by the chart review;
 3. whether any concerns were expressed or reports received from others regarding Dr. Owens' behavior or ability to competently and professionally practice medicine during the reporting period and the specific nature of those concerns;

4. recommendations, if any, regarding changes needed to Dr. Owens' treatment or monitoring pursuant to this Agreement;
 5. proof of completion of three Mini-Clinical Evaluation Exercises per week and one "Competencies at a Glance" card per month.
- c. Immediate Reports: The monitoring physician **shall immediately report** to the Board if there is reason to believe that Dr. Owens is acting in a manner that raises questions about his ability to competently and professionally practice medicine. A verbal report shall be followed by a detailed **written report** to the Board **within 48 hours** of the time that the monitoring physician becomes aware of the situation.

^(S&S)
~~FIFTH~~ I, JAMES OWENS, D.O., HAVE READ AND UNDERSTAND THE FOREGOING ~~FIRST~~ AMENDMENT TO CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING I WAIVE CERTAIN RIGHTS INCLUDING THE RIGHT TO FURTHER HEARINGS OR APPEALS REGARDING THIS ~~FIRST~~ AMENDMENT. KNOWING THIS, I SIGN THE ~~FIRST~~ AMENDMENT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THE CONSENT AGREEMENT, TOGETHER WITH ANY AMENDMENTS, 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 ~~FIRST~~ ^{FIFTH - (S&S)} AMENDMENT TO CONSENT AGREEMENT WITH LEGAL COUNSEL PRIOR TO SIGNING IT ^{FIFTH - (S&S)}

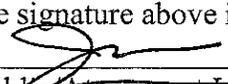
Dated: 6/15/10



 James Owens, D.O.

STATE OF MAINE
Cumberland, SS.

Before me this 15th day of June, 2010, personally appeared James Owens, D.O., who after first being duly sworn, signed the foregoing ~~Fourth~~ ^{FIFTH - (S&S)} Amendment to Consent Agreement in my presence or affirmed that the signature above is his own.



 Notary Public/Attorney at Law
 My commission expires:

JEANNETTE M. MORAN
 Notary Public, Maine
 My Commission Expires February 22, 2015

BOARD ORDER

IT IS HEREBY ORDERED by vote of the Maine Board of Osteopathic Licensure that the Consent Agreement signed by James Owens is amended, subject to the terms and conditions of the Fifth Amendment to Consent Agreement signed by Dr. Owens on June 15, 2010, 2010, which are incorporated by reference.

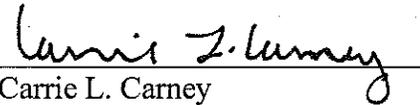
STATE OF MAINE
BOARD OF OSTEOPATHIC LICENSURE


Board Chair

Dated: 6/30/2010

Approved by:

STATE OF MAINE, OFFICE OF
ATTORNEY GENERAL


Carrie L. Carney
Assistant Attorney General

Dated: 6/22/2010