

STATE OF MAINE
BOARD OF OSTEOPATHIC LICENSURE

In re:) CONSENT AGREEMENT
RAYMOND PSONAK, D.O.)
No. CR2016-48)

This document is a Consent Agreement, effective when signed by all parties, regarding disciplinary action against the license to practice osteopathic medicine in the State of Maine held by Raymond Psonak, D.O. The parties to the Consent Agreement are: Raymond Psonak, D.O. (“Dr. Psonak”), the State of Maine Board of Osteopathic Licensure (“the Board”), and the State of Maine Department of the Attorney General. This Consent Agreement is entered into pursuant to 10 M.R.S. § 8003(5)(B) and 32 M.R.S. § 2591-A.

STATEMENT OF FACTS

1. Dr. Psonak has held a license to practice medicine in the State of Maine since September 3, 1992 (license number DO1414), and specializes in Allergy and Immunology.

2. On December 20, 2016, the Board initiated a complaint based upon information that Dr. Psonak prescribed controlled substances for his spouse and son on several occasions between 2012 and 2016 in violation of professional standards of practice and Board rules. The Board docketed the complaint as CR2016-48 and sent it to Dr. Psonak for a response.

3. By letter dated January 22, 2017, Dr. Psonak provided a response to the complaint. In his response, Dr. Psonak stated that he was not aware of

the rule that he could not treat family members and acknowledged that he has provided treatment to his family.

4. Pursuant to 32 M.R.S. § 2591-A(2)(F), the Board may impose discipline if the licensee has engaged in conduct that violates a standard of professional behavior that has been established for the practice of medicine. The American Osteopathic Association Code of Ethics and the Code of Medical Ethics of the American Medical Association are standards of professional behavior for the practice of medicine.

5. Pursuant to 32 M.R.S. § 2591-A(2)(H), the Board may impose discipline for violation of a Board statute or rule, including Board Rules Chapter 16, Prescribing and Treatment of Self and Family Members.

6. On March 9, 2017, the Board reviewed complaint CR2016-48, and voted to set these matters for an adjudicatory hearing. In addition, the Board voted to offer Dr. Psonak this Consent Agreement to resolve these matters without further proceedings. Absent Dr. Psonak's acceptance of this Consent Agreement by signing and dating it in front of a notary and mailing it to Board of Osteopathic Licensure, 142 State House Station, Augusta, Maine 04333-0137 on or before May 3, 2017, the matter will be scheduled for an adjudicatory hearing.

COVENANTS

7. Dr. Psonak admits the facts stated above and agrees that such conduct constitutes grounds for discipline pursuant to 32 M.R.S. § 2591-A(2)(F) for engaging in unprofessional conduct, and 32 M.R.S. § 2591-A(2)(H)

for violation of Board rules related to prescribing and treatment of family members.

8. As discipline for the foregoing conduct, Dr. Psonak agrees to accept:

a REPRIMAND for violating standards of professional behavior and Board Rules regarding prescribing and treatment of family members. Dr. Psonak shall not prescribe medications or treat family members in violation of Board Rules or established professional standards of behavior for the practice of medicine contained in the American Osteopathic Association Code of Ethics and the Code of Medical Ethics of the American Medical Association.

9. Violation by Dr. Psonak of any of the terms or conditions of this Consent Agreement shall constitute grounds for discipline, including but not limited to modification, suspension, or revocation of licensure or the denial of re-licensure.

10. This Consent Agreement is not appealable and is effective until modified or rescinded in writing by the parties hereto.

11. The Board and the Department of the Attorney General may communicate and cooperate regarding Dr. Psonak or any other matter relating to this Consent Agreement.

12. This Consent Agreement is a public record within the meaning of 1 M.R.S. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S. § 408-A.

13. This Consent Agreement constitutes discipline and is an adverse licensing action that is reportable to the National Practitioner Data Bank (NPDB), the Federation of State Medical Boards (FSMB), and other licensing jurisdictions.

14. Nothing in this Consent Agreement shall be construed to affect any right or interest of any person not a party hereto. If any clause of this Consent Agreement is deemed illegal or invalid, then that clause shall be deemed severed from this Consent Agreement.

15. Dr. Psonak acknowledges by his signature hereto that he has read this Consent Agreement, that he has had an opportunity to consult with an attorney before executing this Consent Agreement, that he executed this Consent Agreement of his own free will and that he agrees to abide by all terms and conditions set forth herein.

16. For the purposes of this Consent Agreement, the term "execution" means the date on which the final signature is affixed to this Consent Agreement.

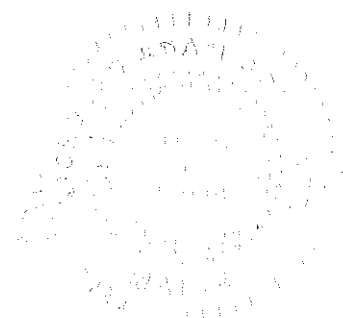
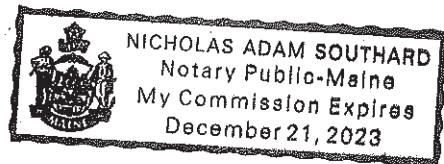
I, RAYMOND PSONAK, D.O., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, THAT I WAIVE CERTAIN RIGHTS. I SIGN THIS CONSENT AGREEMENT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

DATED: May 1, 2017 Raymond Psonak D.O.
RAYMOND PSONAK, D.O.

STATE OF Maine
Cumberland, S.S. (County)

Personally appeared before me the above-named Raymond Psonak, D.O., and swore to the truth of the foregoing based upon his own personal knowledge, or upon information and belief, and so far as upon information and belief, he believes it to be true.

DATED: May 1st, 2017 Nicholas Adam Southard
NOTARY PUBLIC
MY COMMISSION ENDS: 12/21/2023



DATED:


5/11/2017



JOSEPH R. DEKAY, Chair
MAINE BOARD OF
OSTEOPATHIC LICENSURE

DATED:

May 11, 2017



MICHAEL MILLER, AAG
DEPARTMENT OF THE ATTORNEY
GENERAL