

STATE OF MAINE
BOARD OF OSTEOPATHIC LICENSURE

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| In re: |) | CONSENT AGREEMENT |
| MICHAEL J. GILMORE, D.O. |) | |
| Case No. 2024-38 and -48 |) | |

This document is a Consent Agreement ("Consent Agreement"), effective when signed by all parties, regarding disciplinary action against the former license to practice osteopathic medicine in the State of Maine held by Michael J. Gilmore, D.O. The parties to the Consent Agreement are: Michael J. Gilmore, D.O. ("Dr. Gilmore"), 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. Gilmore held a license to practice osteopathic medicine in the State of Maine from July 10, 2003 to August 15, 2024 (license number DO1808). Dr. Gilmore specialized in family/general practice.

2. On August 28, 2024, the Board received a complaint from a patient alleging that Dr. Gilmore conducted an inappropriate physical examination including touching of her nipples and vagina. The Board docketed the complaint as Case 2024-38 and sent it to Dr. Gilmore for a response.

3. On November 12, 2024, Dr. Gilmore responded to the complaint. He strongly disputed the allegations against him, insisted his examination and care of the patient was medically necessary, within his scope of practice, and appropriate to assess the patient's myriad related medical issues.

4. On October 13, 2024, the Board received a complaint from another patient alleging that Dr. Gilmore conducted an inappropriate physical examination including touching of her breasts and vagina. The Board docketed the complaint as Case 2024-48 and sent it to Dr. Gilmore for a response.

5. On December 11, 2024, Dr. Gilmore sent the Board a letter pleading the Fifth Amendment regarding CR2024-48.

6. On August 8, 2024, the Board approved a Consent Agreement with Dr. Gilmore in which he permanently surrendered his license to practice osteopathic medicine in Maine as discipline for a complaint of inappropriate comments, conducting an inappropriate physical examination including touching of the patient's nipples and vagina, and attempting to stimulate the patient sexually.

7. Pursuant to 32 M.R.S. § 2591-A(2)(E), the Board may take disciplinary action for engaging in incompetence.

8. Pursuant to 32 M.R.S. § 2591-A(2)(F), the Board may take disciplinary action for engaging in unprofessional conduct by violating a standard of professional behavior that has been established in the practice of osteopathic medicine.

9. Pursuant to 32 M.R.S. § 2591-A(2)(H), the Board may take disciplinary action for engaging in sexual misconduct in violation of Board Rule, Chap 10.

10. On April 10, 2025, the Board reviewed Complaint Nos. CR2024-38 and -48. The Board voted to offer Dr. Gilmore this Consent Agreement to

resolve these matters without further proceedings. Absent Dr. Gilmore's acceptance of this Consent Agreement by signing and dating it in front of a notary and sending it to the Board of Osteopathic Licensure, 142 State House Station, Augusta, Maine 04333-0142, osteo.pfr@maine.gov, on or before August 29, 2025, these matters will return to the Board to proceeding to an adjudicatory hearing.

COVENANTS

11. Dr. Gilmore admits that the Board could find by a preponderance of the evidence and the Board does hereby find that such conduct constitutes grounds for discipline pursuant to 32 M.R.S. §§ 2591-A(2)(E), (F), and (H).

12. As discipline for the foregoing conduct, Dr. Gilmore agrees to accept, and the Board imposes the following:

- a. TWO REPRIMANDS, one for each complainant, and
- b. A FINE of \$3000.

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

14. The Board and the Office of the Attorney General may communicate and cooperate regarding Dr. Gilmore or any other matter relating to this Consent Agreement.

15. 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.

16. 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.

17. 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.

18. This Consent Agreement may be signed in counterparts, with all counterparts together constituting one original instrument. Signatures below may be applied and/or saved electronically, and such electronic signatures will be given the same effect as a paper document signed in ink.

19. Dr. Gilmore 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.

20. Dr. Gilmore has been represented by Kelly M. Hoffman, Esq., who has participated in the negotiation of the terms of this Consent Agreement.

21. 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, MICHAEL J. GILMORE, D.O., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT AND AGREE WITH ITS CONTENTS AND TERMS. I FURTHER UNDERSTAND THAT BY SIGNING THIS AGREEMENT, I WAIVE CERTAIN RIGHTS, INCLUDING THE RIGHT TO A HEARING BEFORE THE BOARD. 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: 8/13/2025 Michael J. Gilmore D.O.
MICHAEL J. GILMORE, D.O.

STATE OF Maine
Dorchester, S.S.

Personally appeared before me the above-named Michael J. Gilmore, 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: 8/13/2025 Ashton P. Gourley
NOTARY PUBLIC/ATTORNEY
MY COMMISSION ENDS: 7/21/2029
Notary Public, State of Maine
My Commission Expires 07/21/2029

DATED: 19. August 2025 Kelly M. Hoffman
KELLY M. HOFFMAN, ESQ.
Attorney for Michael J. Gilmore, D.O.

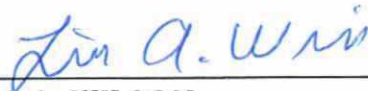
STATE OF MAINE BOARD
OF OSTEOPATHIC LICENSURE

DATED: 09/12/2025


CHRISTINE MUNROE, D.O., Chair

STATE OF MAINE OFFICE
OF THE ATTORNEY GENERAL

DATED: 09/18/25


LISA A. WILSON
Assistant Attorney General

Effective Date: 09/18/2025