

STATE OF MAINE  
BOARD OF OSTEOPATHIC LICENSURE

In re: ) CONSENT AGREEMENT  
VIRGIL MCMILLION, D.O. ) FOR SURRENDER  
Investigation No. IN 2022 11 )

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 Virgil McMillion, D.O. The parties to the Consent Agreement are: Virgil McMillion, D.O. (“Dr. McMillion”), the State of Maine Board of Osteopathic Licensure (“the Board”), and the State of Maine Office of the Attorney General. This Consent Agreement is entered into pursuant to 10 M.R.S. § 8003(5)(B), 32 M.R.S. § 2591-A, and 32 M.R.S. § 18511.

STATEMENT OF FACTS

1. Dr. McMillion has held a license to practice osteopathic medicine in the State of Maine since July 20, 2021 (license number DO3269) through the Interstate Medical License Compact (IMLC).

2. On March 10, 2022, the Board reviewed information from the Interstate Medical Licensure Compact Commission that Dr. McMillion’s license was summarily suspended in Wyoming. The information included that Dr. McMillion was disciplined by his domiciliary State of West Virginia for not disclosing an active investigation by a law enforcement agency at the time of his IMLC license application. Dr. McMillion’s Letter of Qualification was found Null and Void and he was found to have committed unprofessional conduct.

3. The Board voted to immediately suspend Dr. McMillion's Maine license for 90 days under the authority of 32 M.R.S. § 18511(4).

4. Pursuant to 32 M.R.S. § 2591-A(2)(N), the Board may impose discipline if disciplinary action by another state or a territory of the United States or a foreign country if the conduct resulting in the disciplinary or other action involving the license would, if committed in this State, constitute grounds for discipline under the law or rules of this State.

5. Pursuant to 32 M.R.S. § 2591-A(2)(F), the Board may impose discipline if the licensee has engaged in unprofessional conduct. A licensee is considered to have engaged in unprofessional conduct if the licensee violates a standard of professional behavior that has been established for the practice of medicine.

6. Pursuant to 32 M.R.S. § 18511(1), a physician licensed through the IMLC who is the subject of a disciplinary action taken by a member board is deemed to have engaged in unprofessional conduct and may be subject to discipline by another member board.

7. Absent Dr. McMillion'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 June 3, 2022, the matter shall return to the Board to consider setting it for an adjudicatory hearing.

## COVENANTS

8. Dr. McMillion admits the facts stated above and agrees that such conduct constitutes grounds for discipline pursuant to 32 M.R.S. § 2591-A(2)(N) for conduct in another State that, if committed in this State, would be a basis for discipline, § 2591-A(2)(F) for engaging in unprofessional conduct, and 32 M.R.S. § 18511 for being disciplined in another State.

9. As discipline for the foregoing conduct, Dr. McMillion agrees to accept, and the Board imposes:

SURRENDER OF LICENSE, as of the effective date of this Consent Agreement.

10. Violation by Dr. McMillion 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.

11. The Board and Dr. McMillion agree that no further agency or legal action will be initiated against him by the Board based upon the specific violations admitted to herein, except or unless he fails to comply with the terms and conditions of this Consent Agreement.

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

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

14. 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.

15. 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.

16. 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.

17. Dr. McMillion 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.

18. For the purposes of this Consent Agreement, the terms “execution” and “effective date” mean the date on which the final signature is affixed to this Consent Agreement.

19. 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.

I, VIRGIL MCMILLION, 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.

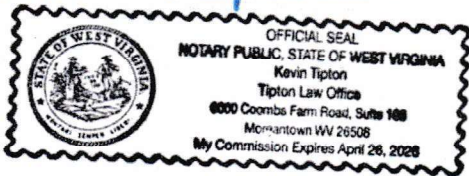
DATED: 05/26/2022

  
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VIRGIL MCMILLION, D.O.

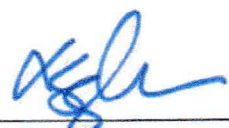
STATE OF West Virginia  
Monongalia, S.S. (County)

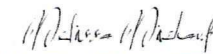
Personally appeared before me the above-named Virgil McMillion, D.O., and swore to the truth of the foregoing based upon his own personal knowledge, or upon information and belief, and so far as upon information and belief, he believes it to be true.

DATED: May 27, 2022

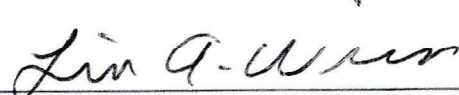


DATED: \_\_\_\_\_

  
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NOTARY PUBLIC  
MY COMMISSION ENDS: 4-26-2026

  
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MELISSA MICHAUD, P.A.-C, Chair  
MAINE BOARD OF  
OSTEOPATHIC LICENSURE

DATED: 6/13/2022

  
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LISA A. WILSON, AAG  
DEPARTMENT OF THE ATTORNEY  
GENERAL