EMERGENCY M.D. LICENSE NOW IN EFFECT

The Board now has provision to issue an Emergency License to physicians in cooperation with emergency officials, or for other reasons deemed appropriate by the Board. The physician must submit an application for permanent licensure within 14 days. Failure to apply for a permanent license will make the licensee subsequently ineligible for a permanent license or a temporary license and subject to disciplinary proceedings for fraud and deceit in application. The emergency license is valid for up to 100 days, and may not be renewed or extended.

A physician who is issued an emergency license is not eligible for a temporary license and vice versa.

The Emergency License may be issued for the following purposes:

1. Declared emergencies.
2. As a bridge to a permanent license, allowing the applicant to enter practice quickly when deemed necessary.
3. For expert physicians who will provide short-term training in the state (for example, to assist with a complex surgery).
4. For emergency coverage during recruitment when any other type of license would take too long to process.

The Board’s goal is a turnaround of 24-48 hours to issue this emergency license.

PROVIDERS OF PRENATAL & OBSTETRICAL CARE TO MAINE’S UNDERPRIVILEGED CITIZENS

DID YOU KNOW?

Since 1990, Maine has had a program called the Rural Medical Access Program (RMAP) which provides medical malpractice rebates to those Obstetrician/Gynecologist (OB/GYN) and Family Practice (FP) physicians who provide prenatal care and/or deliveries to MaineCare (Medicaid) patients in federally designated rural health professional shortage and medically underserved areas. It also recognizes and reimburses those physicians who may not be physically located in a designated area but can demonstrate that 50% or more of their practice is made up of patients from underserved areas. Each physician who demonstrates that he or she provides OB services to the MaineCare mothers receives rebates from their insurance company that range from $5000 - $10,000 per physician depending on their malpractice costs. The funds for this Program are raised through a 1.25% assessment on malpractice insurance on every physician who practices in Maine. The program has been shown to be a great success and is a cooperative effort between the Department of Professional and Financial Regulation, Bureau of Insurance and the Department of Health and Human Services, Bureau of Health, Office of Rural Health and Primary Care (ORHPC). In 2004, 52 eligible physicians received insurance rebates for their services in rural, underserved areas through the RMAP program. This year 61 physicians applied for the RMAP reimbursement. (continued on Page 2)
PROVIDERS OF PRENATAL & OBSTETRICAL CARE (cont’d from page 1)

The ORHPC sends out and collects the applications and verifies eligibility. The list of physicians is forwarded to the Bureau of Insurance (BOI) where the staff at the BOI does the actual calculations and distribution of rebates with assistance from the physician's insurance companies. More information is available by contacting Matthew Chandler at (207) 287-5524, fax (207) 287-5431, email Matthew.Chandler@maine.gov from the Maine Office of Rural and Primary Care; or by contacting Laurelyn Cooper (207) 624-8464, fax (207) 624-8599, email at laurelyn.s.cooper@maine.gov at the Maine Bureau of Insurance.

FROM THE BOLIM FILES:
This section is meant to be educational for licensees. Cases are based on actual Board of Licensure in Medicine (BOLIM) complaints.

Often the Board finds that irregularities in a physician’s practice or communication with patients may reflect a much more serious problem. This is one reason that all citizen complaints are investigated by the Board. Investigating an issue that might at first appear frivolous can lead the Board to discover a potentially harmful aspect of a physician’s practice and consequently put practice restrictions in place that protect all Maine citizens. The following two examples demonstrate this.

Case 1.
Dr. C was a licensed psychiatrist treating a 14 year-old boy diagnosed with obsessive compulsive disorder, attention deficit hyperactivity disorder, and Tourette's syndrome. On consecutive appointments the patient was kept waiting almost an hour. The patient told Dr. C he “was unhappy waiting a while and that [the patient] didn’t like waiting.” Dr. C lectured the patient about having patience and showing respect for adults. Additionally, Dr. C told his patient that “he could make a prescription to make the patient drop dead and no one would know any different.” The patient, who was taking prescription medication at the time, was frightened by this remark. The patient’s father filed a complaint with BOLIM. The Board voted to Censure the physician who was placed on probation for one year with the condition that Dr. C was to hire an expert in the management of office practice and implement recommended suggestions. Reports to the Board from Dr. C’s office staff during this period of probation prompted an evaluation and summary suspension for substance abuse and a mental or physical condition that may result in endangering patients. Dr. C signed a Consent Agreement that put his license on inactive status. Two years later Dr. C signed a second Consent Agreement for a conditional license that requires restricted and supervised practice, psychotherapy, abstinence from alcohol and all mood or mind altering substances, and random urine monitoring.

Case 2
Dr. V was a licensed psychiatrist treating a patient for long-term anxiety disorder, sociopathic personality disorder, and probable post-traumatic stress disorder. Dr. V prescribed large amounts of benzodiazepines but without documenting these prescriptions and without doing any lab work before or during this treatment with benzodiazepines. Dr. V also prescribed antibiotics for the patient’s wife and two children (none of whom were Dr. V’s patients) without examining them. In addition, Dr. V would see his patient for one two-hour session then bill the insurer for two one-hour sessions, altering the dates of treatment to correspond with the submitted bills. Finding unprofessional and incompetent conduct in Dr. V's practice, the Board disciplined the physician with Censure, a fine of $1,500 and Dr. V signed a Consent Agreement that required random review of his records by a Board appointed psychiatrist. Dr. V failed to pay the fine in a timely manner, closed his practice without due notice to his patients, and did not otherwise cooperate with the Board’s attempts to review his records or to communicate concerns about these developments. The Board suspended Dr. V’s license for a year with conditions that he undergo neuropsychological and personality evaluation and engage in psychotherapy/treatment approved by the Board, and that he not self-prescribe medications. Eighteen months later, Dr. V’s urinalysis tested positive for marijuana. The Board continued his license on inactive status indefinitely. After several appearances before the Board, the Board reinstated Dr. V’s license to active status with conditions that included automatic revocation and non-renewal of license on proof of use of any prohibited substance. Dr. V again tested positive for marijuana and his license was suspended.
APRN REGISTRATION REQUIRED

New Rules require that MD's must register or renew the registration of all Advanced Practice Registered Nurses (APRN's) under delegation by August 1, 2005. A fee of $50 must be paid for each APRN registered. Contact the Board for a registration form (Form C) or download the form at http://www.docboard.org/me/paaprnformc.pdf and mail the completed form, a current Plan Of Supervision, and the fee to the Board by August 1, 2005. For new registrations, a copy of the Board of Nursing's Official Approval to Practice letter should also be included. The Board will issue a Registration Certificate with an Issue date and an Expiration Date. If you have previously registered the delegated practice, the Expiration Date will be based on that registration date.

DIRIGO HEALTH

Dirigo Health Reform was enacted with 2/3 support in both bodies of the Maine Legislature in June 2003 as a way to ensure all Maine people have access to quality and affordable health coverage by 2009.

Key features of Dirigo Health Reform include:
- The Maine Quality Forum;
- DirigoChoice plan for small businesses, sole proprietors and individuals with discounted health care coverage based on household income;
- The State Health Plan to guide health care policy; and,
- Enhanced Certificate of Need and Capital Investment Fund to ensure wise investments in health care infrastructure and new technology;

Actions of Dirigo Health Reform include:
- early activity of the Maine Quality Forum (www.mainequalityforum.gov) to reduce medical service variation and educate consumers on managing their health needs;
- 6,400 Maine people enrolled in DirigoChoice as of May 1, 2005;
- Issuance of the State Health Plan;
- “Tough Choices in Health Care” meeting on May 21, 2005, where over 300 randomly chosen Maine people were challenged with finding solutions and making “tough choices” about Maine’s health care system to benefit all citizens; and,
- More robust requirements for Certificate of Need and the Capital Investment Fund were implemented.

For more information on these and other Dirigo Health Reform initiatives, please visit www.dirigohealth.maine.gov.

MEDICAL MARIJUANA UPDATE

The Supreme Court has ruled that Federal Law trumps State Law regarding the use of marijuana for medical purposes. Maine is one state that has a law allowing marijuana to be used for certain medical conditions if the patient has written documentation (REMEMBER NO PRESCRIPTIONS) by their physician. The Federal Government can choose to prosecute cases of marijuana use even if medically sanctioned, so you may wish to advise patients accordingly.
Many people experience problems at renewal time because they have neglected to notify the Board of an address change. To prevent delays or even loss of license due to lapse, notify the Board immediately of any change in your mailing address.

REMEMBER THE CONTACT ADDRESS AND PHONE NUMBER YOU INDICATE ON YOUR RENEWAL, "AS YOUR PREFERRED CONTACT ADDRESS", WILL BE POSTED ON THE BOARD'S WEBSITE.

Check out our website at http://www.docboard.org/me/me_home.htm to verify that the Board has your correct mailing address on file. If the address is incorrect, simply send a signed note with changes to the Board.

Committee on Physician Health Confidential professional help for substance abuse is available by contacting Dr. David J. Simmons at 622-3374 or 623-9266