Adverse Licensing Actions

Revocation, Surrender, Suspension, and License Denials

**Altman, Myra, M.D.,** 12/11/12. The licensee agrees that the Board has evidence from which it could conclude by the preponderance of the evidence that she engaged in conduct that constitutes grounds for discipline. As discipline for the conduct, the licensee agrees to the immediate surrender of her Maine medical license. This action is based on unprofessional conduct, incompetence and a professional diagnosis of a mental or physical condition that is foreseeably likely to result in the licensee performing services in a manner that endangers the health or safety of patients.

**Altman, Myra, M.D.,** 11/13/12. Thirty (30) day summary suspension of Maine medical license based on the imminent threat to the public posed by the licensee’s continued practice of medicine.

**Frede, James R., M.D.,** 10/09/12. The licensee agrees to the following: the licensee neither admits nor denies the facts outlined in the Consent Agreement, but concedes that should the matter proceed to a contested hearing the Board has evidence from which it could conclude by the preponderance of evidence that his conduct in prescribing drugs to patients whom he has never met nor physically examined could constitute incompetence and unprofessional conduct. As discipline for this conduct, the licensee agrees to the immediate and voluntary surrender of his Maine medical license.

**Garcia, Cesar O., M.D.,** 09/11/12. At the conclusion of an Adjudicatory Hearing beginning on April 10, 2012 and continued on September 11, 2012, the Board voted not to renew the licensee’s Maine medical license effective September 11, 2012. This action is based on unprofessional conduct and substance abuse issues.

**Hendler, Joel A., M.D.,** 11/13/12. The licensee agrees to the following: The Board makes no findings regarding the licensee’s medical care and record keeping regarding complaint CR 11-317. The licensee admits that sufficient evidence surfaced during the Board’s investigation of complaint CR 11-317 for the Board to find that he currently has a “professional diagnosis of a mental or physical condition” that may result in his performing medical services in a manner that endangers the health or safety of patients pursuant to 32 M.R.S. §3282-A(2)(C). As a result, the licensee agrees to the immediate surrender of his Maine medical license.

**Kendall, Kevin M., M.D.,** 08/22/12. By Interim Consent Agreement, the licensee agrees to the temporary suspension of his Maine medical license until such time as the Board takes final action, either by hearing and decision and order or by Consent Agreement. The licensee understands and agrees that he will not practice medicine or render any professional health care services to any person in the State of Maine or in any other location under his Maine medical license. This action is based on substance abuse issues.

**Little, Debra M., M.D.** 01/09/12. On November 8, 2011 the Board voted to preliminarily deny the licensee’s application for a permanent Maine medical license. The licensee was notified by letter dated December 9, 2011, sent via e-mail. The licensee confirmed receipt of the letter in an e-mail dated December 9, 2011. The licensee did not appeal the preliminary denial. The denial became effective January 9, 2012.

**O’Mahony, Ruth E., M.D.,** 05/30/12. The licensee concedes that the Board has sufficient evidence from which it could conclude that she engaged in a pattern of conduct that constitutes incompetence in the practice of medicine. As discipline, the licensee agrees to accept an Inactive Maine medical license. The licensee understands and agrees that she cannot and will not practice medicine in the State of Maine with an Inactive Maine medical license. This action is based on competence issues.
Robertson, Neil C., P.A.-C., 09/11/12. The licensee agrees to the following: 1) a reprimand; 2) the immediate and voluntary surrender of his Maine physician assistant license effective upon the execution of this Consent Agreement and 3) to reimburse the Board Seven Hundred Thirty-One Dollars and Six Cents ($731.06) for costs of investigation. This action is based on unprofessional conduct and incompetence.

Warnings and Reprimands

Boothby, John A., M.D., 02/14/12. The licensee agrees to the following: 1) a warning; 2) a license probation for two (2) years following the execution of the Consent Agreement. As specific conditions of probation, the licensee shall: a) enroll in, attend and successfully complete a Board-approved course in medical ethics and boundaries; b) enroll in, attend and successfully complete a Board-approved course in physician-patient communication; c) within thirty (30) days following the execution of this Consent Agreement the licensee shall send patient GH and his mother, KH, a letter of apology regarding his conduct; d) reimburse the Board $1,145.45 as the actual costs incurred by the Board for the investigation of this matter; and e) take all medications as prescribed to him by his treating physician(s). This action is based on unprofessional conduct.

McEldoon, Wesley A., M.D., 01/10/12. At the conclusion of an Adjudicatory Hearing the Board voted to: 1) reprimand the licensee; 2) require the licensee to pay a fine of Fifteen Hundred Dollars ($1,500.00) per violation for a total of three thousand dollars ($3,000.00) prior to May 15, 2012; and 3) require the licensee to reimburse the Board for the costs of hearing prior to May 15, 2012. This action was based on fraud or deceit in obtaining a license and unprofessional conduct.

Restricted Licenses

Doane, Stephen H., M.D., 05/18/12. The licensee agrees to the following: 1) accept a reprimand; 2) reimburse the Board One Thousand One Hundred Eighty-Five Dollars and Zero Cents ($1,185.00) as costs of investigation; and 3) effective July 8, 2012 accept the following license restriction: the licensee shall cease prescribing controlled medications, including all opiates and benzodiazepines, for the treatment of chronic pain except for (i) patients in skilled nursing facilities or long term care facilities; (ii) patients in hospice care; or (iii) patients with metastatic cancer. The licensee may prescribe controlled substances for no more than ten (10) consecutive days to treat acute conditions. In addition, to the extent that she prescribes any controlled drugs to patients for acute pain, she agrees that she shall comply with Board Rule Chapter 21 “Use of Controlled Substances for Treatment of Pain.”

Iannazzi, James A., M.D., 09/11/12: The licensee agrees to the following: 1) a reprimand; 2) the licensee shall pay a fine of Five Thousand Dollars and Zero Cents ($5,000) within one (1) year of the execution of this Consent Agreement. Payment of Three Thousand Five Hundred Dollars and Zero Cents ($3,500) of the fine is suspended so long as the licensee complies with the terms of this Consent Agreement; 3) a license suspension of thirty (30) days effective upon the execution of this Consent Agreement; 4) the licensee shall enroll in, attend and successfully complete a Board-approved course in medical ethics and boundaries; 5) reimburse the Board One Thousand Six Hundred Sixty-One Dollars and Seventy-Four Cents ($1,661.74) for costs of investigation; and 6) a five (5) year license probation commencing upon the licensee’s return to the active practice of medicine. This action is based on unprofessional conduct and sexual misconduct.

Lockwood, Catherine A., M.D., 11/13/12. The licensee agrees to the following: The licensee concedes that the Board has sufficient evidence from which it could conclude that she failed to adhere to Board Rule Chapter 21 “Use of Controlled Substances for Treatment of Pain” and to current “Universal Precautions” for the treatment of patients for chronic, non-cancer pain. The licensee concedes that such conduct, if proven, would constitute grounds for discipline of her Maine medical license for unprofessional conduct. As discipline for the conduct above, the licensee agrees to: 1) accept a reprimand; 2) reimburse the Board up to Three Thousand Five Hundred Dollars and Zero Cents ($3,500.00) as costs of investigation; and 3) accept the following license restriction: the licensee may prescribe controlled substances for no more than ten (10) consecutive days to treat acute conditions. In addition, to the extent that she prescribes any controlled drugs to patients for acute pain, she agrees that she shall comply with Board Rule Chapter 21 “Use of Controlled Substances for Treatment of Pain.”

McBride, Elizabeth A., M.D., 06/21/12. The licensee agrees to accept and the Board agrees to issue the following discipline, restrictions and probation: 1) a nineteen (19) month license suspension. The license suspension shall be retroactive to October 12, 2010; 2) a reprimand; 3) a fine of Five Thousand Dollars and Zero Cents ($5,000.00). However, payment of one half ($2,500.00) of the fine is suspended so long as the licensee complies with all terms and conditions of the Consent Agreement; 4) reimburse the Board One Thousand Nine Hundred Forty-Two Dollars and Thirty-Cents ($1,942.32) as the actual costs of investigation; 5) the licensee shall not prescribe any controlled medications for the treatment of chronic pain. The licensee may prescribe controlled substances for no more than ten (10) consecutive days to treat acute conditions following her completion of a Board-approved course in physician-patient communication; c) to reimburse the Board One Thousand Six Hundred Sixty-One Dollars and Seventy-Four Cents ($1,661.74) for costs of investigation; and 6) a five (5) year license probation commencing upon the licensee’s return to the active practice of medicine. This action is based on unprofessional conduct and sexual misconduct.
course in opioid prescribing; 6) the licensee shall restrict her practice of medicine to an office-based, nonsurgical medical practice in the specialty of Otolaryngology; 7) accept a license probation with conditions for five (5) years; 8) the licensee agrees to abstain from the use of any and all prohibited substances as outlined in the Consent Agreement; 9) the licensee shall be subject to substance monitoring; 10) prior to returning to the active practice of medicine, the licensee will submit for Board approval the name of a licensed psychiatrist with whom she will consult at least twice monthly; 11) during the probation period, the licensee shall practice medicine only at a location pre-approved by the Board; 12) prior to returning to the active practice of medicine, the licensee must have a Board-approved practice monitor who shall monitor her medical practice; 13) prior to returning to the active practice of medicine, the licensee shall enroll in and successfully participate on the Maine Medical Professionals Health Program; 14) the licensee shall enroll in and successfully complete Board-approved courses regarding: a) medical ethics and boundaries; b) medical record keeping; and c) opioid prescribing; and 15) the licensee shall ensure that she files timely and complete applications to renew her Maine medical license for the duration of her probation. This action is based on unprofessional conduct.

Miller, Kevin G., M.D., 09/12/12. The licensee agrees to the following: 1) accept a reprimand; and 2) accept the following license restrictions: the licensee shall immediately cease prescribing controlled medications, including all opiates and benzodiazepines, for the treatment of chronic pain except for (i) patients in skilled nursing facilities or long term care facilities; (ii) patients in hospice care; or (iii) patients with metastatic cancer. The licensee may prescribe controlled substances for no more than ten (10) consecutive days to treat acute conditions. This action is based on inappropriate prescribing practices.

Stewart, Charles M., M.D., 05/25/12. The licensee concedes that the Board would have sufficient evidence from which it could conclude that he engaged in unprofessional conduct. The licensee agrees to accept the following: 1) a reprimand; 2) a license probation for five (5) years following the execution of this Consent Agreement. Specific conditions of probation shall include: (i) the licensee shall enroll in, attend and successfully complete a Board-approved course in medical ethics and boundaries; (ii) the licensee shall engage in counseling with a mental health provider approved by the Board regarding his countertransference issues with patients.; (iii) prior to resuming treatment of female patients, the licensee must have a Board approved practice monitor who shall monitor that part of the licensee’s practice involving the treatment of female patients; (iv) the licensee shall perform an audio recording of all treatment sessions involving female patients, which recordings shall be created and maintained in his office, but kept separately from the patient’s file in order to preserve confidentiality; (v) the licensee shall reimburse the Board One Thousand Five Hundred One Dollars and Ninety Cents ($1,501.90) as costs of investigation. This action is based on unprofessional conduct.

Tkach, John S., M.D., 04/23/12. The licensee agrees to the following: 1) accept a reprimand; 2) reimburse the Board Two Thousand Seven Hundred Five Dollars and Zero Cents ($2,705.00) as costs of investigation; and 3) accept the following license restriction: the licensee shall immediately cease prescribing controlled medications, including all opiates and benzodiazepines, for the treatment of chronic pain except for (i) patients in skilled nursing facilities or long term care facilities; (ii) patients in hospice care; or (iii) patients with metastatic cancer. The licensee may prescribe controlled substances for no more than ten (10) consecutive days to treat acute conditions. This action is based on inappropriate prescribing practices.

Monitoring

Breer, David N., M.D. 12/11/12. The Board granted the licensee a Conditional Maine medical license subject to the following conditions: 1) abstinence from all prohibited substances as defined by the Consent Agreement; 2) Enrollment and successful participation in the Maine Medical Professionals Health Program; 3) The licensee must have a Board-approved physician monitor. The monitor will provide the Board with reports regarding the licensee’s medical practice every ninety (90) days; 4) The licensee shall provide a copy of the Consent Agreement to any medical employer, potential medical employer and to any jurisdiction in which he holds or seeks a medical license; and 5) The licensee shall provide the Board with an address, telephone number and e-mail address by which the Board staff may contact him. The licensee shall notify the Board of any changes to his address, telephone number or e-mail address within ten (10) days. This action is based on substance abuse issues.

Carson, Patrick S., P.A.-C, 06/12/12. The licensee admits that the Board has sufficient evidence from which it could reasonably conclude that the licensee engaged in unprofessional conduct. The licensee agrees to accept the following discipline: 1) pay a fine of Two Thousand Dollars and Zero Cents ($2,000.00). Payment of fine is suspended so long as the licensee complies with the terms and conditions of the Consent Agreement; 2) accept a Conditional license for five (5) years; 3) the licensee will abstain from the use of any and all prohibited substances as defined by the Consent Agreement; 4) the licensee will obtain prescription medications from a primary care provider approved by the Board; 5) the licensee will be subject to substance abuse monitoring; and 6) the licensee has entered into a contract with the Maine Medical Professionals Health Program and shall fully and successfully participate in that program as long as this Consent Agreement remains in force. This action is based on substance abuse issues.
PA Advisory Committee Meetings
Meetings are held on the following dates at 8:00 am:

Questions? Contact the Board Office at:
207 287-3601

Notify the Board of Business and Home Address Changes Immediately
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 address.

To verify that the Board has your correct addresses on file, visit: www.maine.gov/md and click on “Find a Licensee” at the lower left. If the address is incorrect, simply send a signed note with changes to the Board or submit the new information online at:

www.maine.gov/online/doclicensing/

Confidential Help Available
Confidential professional help for substance abuse is available by calling 207 623-9266.

For more information, visit the MPHP website at https://www.mainemed.com/member-services/medical-professionals-health-program or send an email to mphp@mainemed.com

2013 Meeting Schedule
Meetings are held the second Tuesday of the month convening at 9:00 a.m. Sub-committees (except for PA Advisory Committee) meet prior to the start of the meeting at scheduled times.

Medical Board Meetings
January 8
February 12
March 12
April 9
May 14
June 11

July 9
August 13
September 10
October 8
November 12
December 10

PA Advisory Committee Meetings
Meetings are held on the following dates at 8:00 am:

March 5

September 3

June 4

December 3