Adverse Actions

Revocation, Surrender, Suspension, and License Denials

Desai, Robert K., M.D., License #MD15475; 06/11/13. 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.

Desai, Robert K., M.D., License #MD15475; 05/14/13. 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.

Hubsher, Marshall J., M.D., License #MD19418; 06/11/13. The Board voted to deny the licensee's application for a Maine medical license. This action was based on fraud or deceit in application, incompetence, unprofessional conduct, conviction of a crime involving dishonesty or false statement related directly to the practice for which he was licensed and disciplinary action by another state licensing board.

Nesbit, Alexandria E., P.A.-C, License# PA893; 09/06/13. Automatic suspension of Maine physician assistant license effective September 6, 2013 following notification of a positive test for and admission to the use of a prohibited substance while under Consent Agreement for substance abuse monitoring.

Warnings and Reprimands

Acharya, Deep S., M.D., License #MD17839; 04/09/13. The licensee admits that the Board has sufficient evidence from which it could reasonably conclude that he engaged in conduct that constitutes unprofessional conduct and incompetence. As discipline, the licensee agrees to accept a reprimand and pay a fine of One Thousand Dollars and Zero Cents ($1000.00). This action is based on unprofessional conduct and incompetence.

Attia, Valerie S. P.A.-C, License #PA1044; 09/10/13. The licensee admits that the Board has sufficient evidence from which it could reasonably conclude that she engaged in conduct that constitutes unprofessional conduct and violation of Board Rule Chapter 2. As discipline, the licensee agrees to accept a censure and pay a fine of Two Hundred Fifty Dollars and Zero Cents ($250.00). This action is based on unprofessional conduct and violation of Board Rule Chapter 2.

Lees, Kathleen C., P.A.-C, License #PA629; 02/12/13. The licensee admits that the Board has sufficient evidence from which it could reasonably conclude that she engaged in conduct that constitutes unprofessional conduct and incompetence. As discipline, the licensee agrees to accept a reprimand and pay a fine of One Thousand Dollars and Zero Cents ($1000.00). This action is based on unprofessional conduct and incompetence.

Morris, Christina S., M.D., License #TD111106; 09/10/13. Dr. Morris admits that the Board has information which constitutes grounds to discipline her temporary Maine medical license and to deny her application for a permanent Maine medical license based on a professional diagnosis of a mental or physical condition that has resulted or may result in the licensee performing services in a manner that endangers the health or safety of patients. Dr. Morris agrees to: a) accept a warning and b) provide a copy of the Consent Agreement to any medical employer(s) or potential medical employer(s) and to any jurisdiction in which she holds or seeks a medical license. In addition, the Board agrees to allow Dr. Morris to withdraw her application for a permanent Maine medical license. This action is based on a professional diagnosis of a mental or physical condition that may result in the licensee performing services in a manner that endangers the health or safety of patients.

Quianzon, Florello Sven-Erik, M.D., License #MD17513; 02/12/13. The licensee admits that the Board has sufficient evidence from which it could reasonably conclude that he engaged in conduct that constitutes unprofessional conduct and incompetence. As discipline, the licensee agrees to accept a reprimand and pay a fine of One Thousand Dollars and Zero Cents ($1000.00). This action is based on unprofessional conduct and incompetence.

Restricted Licenses

Aniel, Albert, M.D., License #MD10623; 09/10/13. The licensee concedes that the Board has sufficient evidence from which it could reasonably conclude that he engaged in conduct that constitutes unprofessional conduct. As discipline for the conduct, the licensee agrees to: 1) accept a warning; 2) reimburse the Board Four Hundred Eighty-Six Dollars and Forty Cents ($486.40) as costs of investigation; 3) successfully complete a Board-approved course on medical record keeping within six (6) months following the execution of the Consent Agreement; 4) effective November 1, 2013 the licensee agrees to accept the following license restrictions and conditions: a) cease prescribing controlled medications, including all opiates and benzodiazepines, for the treatment of chronic pain ex-
cept for (i) patients in skilled nursing facilities or long term care facilities; (ii) patients in hospice care; or (iii) patients with metastatic cancer; b) the licensee may prescribe controlled substances for no more than ten (10) consecutive days to treat acute conditions; c) the licensee shall not diagnose or treat Lyme disease except with approved peer-reviewed modalities which shall be appropriately recorded in the patient’s record. This action is based on unprofessional conduct.

Clemetson, Charles D.M., M.D., License #MD13808; 06/11/13. The Board voted to place the licensee’s Maine medical license on probation for a period of five (5) years during which time he will be required to have a practice monitor approved by the Board. In addition, the licensee must complete a course in medical record keeping. This action is based on unprofessional conduct.

Craig, Alexandra M., M.D., License #MD16747; 01/08/13. The Board granted the licensee a Conditional Active Maine medical license subject to the following terms: 1) the licensee shall limit her practice of medicine to a closely supervised ambulatory practice location approved by the Board; 2) the licensee shall practice medicine only at the approved location under the supervision of a physician approved by the Board; 3) the licensee shall have no “on-call” responsibilities; 4) the licensee shall work no more than thirty (30) hours per week; 5) the licensee shall see a limited number of patients per day, which number shall be monitored and regulated by her supervising physician; 6) the licensee and her supervising physician shall engage in a case discussion regarding each patient on the date the patient is seen; 7) the licensee and her supervising physician shall engage in a review of 25% per patient medical records within ten (10) days following the patient’s appointment; 8) the licensee shall ensure that her supervising physician develops and implements protocols for the medical practice that assist her with clinical practice updates (i.e. recently developed medical tests) and potential drug interactions (i.e. pharmacological agents); 9) the licensee shall ensure that she regularly communicates with her supervising physician and 10) the licensee shall ensure that her supervising physician provides the Board with monthly reports concerning her compliance with the terms and conditions of the Consent Agreement as well as her medical practice. This action is based on concerns about the licensee’s return to the active practice of medicine after a period of illness.

Hayward, Thomas D., M.D., License #MD11503; 06/19/13. The licensee concedes that the Board has sufficient evidence from which it could conclude that he engaged in conduct that would constitute grounds for discipline of his Maine physician assistant license for unprofessional conduct. As discipline for the conduct, the licensee agrees to the following: 1) accept a reprimand; 2) accept the following license restrictions: a) the licensee may not act as supervising physician for more than one (1) physician assistant at any one time; b) the licensee shall ensure that any physician assistant under his supervision 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. This action is based on unprofessional conduct.

Meaker, Nelson E. P.A.-C., License #PA698; 06/19/13. The licensee concedes that the Board has sufficient evidence from which it could conclude the he engaged in conduct that would constitute grounds for discipline of his Maine medical license for unprofessional conduct. As discipline for the conduct, the licensee agrees to the following: 1) accept a reprimand; 2) accept the following license restrictions: a) the licensee may not act as supervising physician for more than one (1) physician assistant at any one time; b) the licensee shall ensure that any physician assistant under his supervision 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. This action is based on unprofessional conduct.

Fannin, William R. Jr., M.D., License #MD13727; 06/11/13. The licensee agrees to the following: 1) the licensee agrees to refrain from the use of any and all prohibited substances as defined by the Consent Agreement; 2) The licensee shall enroll in and successfully participate in the Maine Medical Professionals Health Program; 3) the licensee will be subject to substance abuse monitoring; 4) prior to returning to the active practice of medicine the licensee shall have a board-approved mental health care provider and a board-approved substance abuse provider with whom the licensee shall engage in treatment and psychotherapy; 5) prior to returning to the active practice of medicine the licensee shall have a board-approved prac-

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**Section IV - Board Policy**

**Definition of Board Actions**

**General**

Policy: It is the policy of the Board of Licensure in Medicine that the Board adopts the following definition of Board actions, in ascending order of degree or intensity:

Letter Of Guidance: Offer education and express concern about an activity to make sure it is carried out appropriately, but without implying any sort of discipline.

Discipline As Warning: Counsel or advice to be careful or to stop doing something.

Discipline As Reprimand: A rebuke given for having done something wrong; scolding, reproof.

Discipline As Censure: Severe criticism; official expression of disapproval or condemnation.

Effective Date: October 8, 2013

History: The Board recognizes that some confusion existed regarding the weight of certain words describing actions taken by the Board. This policy is intended to bring clarity to actions taken by the Board.

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**Monitoring**

Fannin, William R. Jr., M.D., License #MD13727; 06/11/13. The licensee agrees to the following: 1) the licensee agrees to refrain from the use of any and all prohibited substances as defined by the Consent Agreement; 2) The licensee shall enroll in and successfully participate in the Maine Medical Professionals Health Program; 3) the licensee will be subject to substance abuse monitoring; 4) prior to returning to the active practice of medicine the licensee shall have a board-approved mental health care provider and a board-approved substance abuse provider with whom the licensee shall engage in treatment and psychotherapy; 5) prior to returning to the active practice of medicine the licensee shall have a board-approved prac-
Prescription Drug Deaths

While prescription drug deaths have decreased from a high in 2009, they remain a significant cause of accidental death for Maine residents. At this point, fluctuations are due to chance in a relatively small population and it is too early to determine if the decrease is in fact a developing trend.

10 year average 164

Maine Highway Deaths (In Comparison)

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
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<tbody>
<tr>
<td>2010</td>
<td>161</td>
</tr>
<tr>
<td>2011</td>
<td>136</td>
</tr>
<tr>
<td>2012</td>
<td>164</td>
</tr>
<tr>
<td>10 year average</td>
<td>176</td>
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</tbody>
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Other

Loewinger, Michael B., M.D., License #MD19154; 04/09/13. The Board determined that the licensee engaged in unprofessional conduct by not responding to Board communications. Based on their findings, the Board voted to: 1) impose a fine in the amount of One Thousand Dollars and Zero Cents ($1,000.00), 2) issue the licensee a letter of guidance, and 3) assess the actual costs of investigation in the amount of one thousand six hundred eighty three dollars and fifty six cents ($1,683.56). This action is based on unprofessional conduct.

Prescription Monitoring Program Registration

As of January 1, 2014, Maine law requires 90 percent of Allopathic Physicians, Osteopathic Physicians, Dentists, Physician Assistants, Podiatrists, and Advanced Practice Registered Nurses who are licensed to prescribe scheduled medications must be registered with the Prescription Monitoring Program (PMP). If less than 90 percent are registered, all licensed prescribers will be required to register by March 1, 2014. To register, please go to the Prescription Monitoring Program website: http://www.maine.gov/dhhs/samhs/osa/data/pmp/index.htm. Download, complete and sign a registration form located within the yellow box. Mail the original form to the address located on the form. Please note there are two types of registration forms available, 1) Data Requester form for active prescribers with a DEA number and, 2) Sub-Account form for assistants/non-prescribing health professionals. More PMP information is available through the website. Any questions or inquiries should be directed to the PMP, please call 207-287-2595.
# 2013-14 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

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>November</td>
<td>12</td>
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<td>December</td>
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<td>November</td>
<td>11</td>
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<tr>
<td>December</td>
<td>9</td>
</tr>
</tbody>
</table>

## PA Advisory Committee Meetings

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

- December 3
- March 4
- June 3
- September 2
- December 2

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

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### 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

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Official publication of the Maine Board of Licensure in Medicine