

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

In re:)
MARC C. DEBELL, M.D.) CONSENT AGREEMENT
Complaint No. CR17-240)

This document is a Consent Agreement, effective when signed by all parties, regarding a pending renewal application and disciplinary action against the license to practice medicine in the State of Maine held by Marc C. DeBell, M.D. The parties to the Consent Agreement are: Marc C. DeBell, M.D. (“Dr. DeBell”), the State of Maine Board of Licensure in Medicine (“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. § 3282-A.

STATEMENT OF FACTS

1. On December 27, 2017, the Board initiated a complaint based on Dr. DeBell’s self-report through legal counsel that on September 25, 2017, he resigned from his employment with a Massachusetts’s hospital, after having consumed beer while watching a football game with friends and later reporting to work. On October 24, 2017, Dr. DeBell entered into a Voluntary Agreement Not To Practice Medicine with the Massachusetts Board of Registration in Medicine (“MBORIM”), and agreed not to practice medicine in Maine until he received permission from the Board to return to practice. The Board docketed the complaint as CR17-240, and sent it to Dr. DeBell for response.

2. By letter dated January 24, 2018, legal counsel for Dr. DeBell submitted a response and request that the Board stay any decision on the complaint until proceedings in Massachusetts concluded.

3. On December 20, 2018, Dr. DeBell and MBORIM entered into a Consent Order imposing discipline for practicing medicine while his ability to do so was impaired by alcohol. Dr. DeBell's license to practice medicine in Massachusetts was indefinitely suspended. The Consent Order provided that the indefinite suspension could be stayed upon a petition documenting consistent compliance for eighteen months with Dr. DeBell's substance use monitoring contract with PHS and execution of a five year probation agreement with conditions with MBORIM.

4. On February 25, 2019, Dr. DeBell submitted an application to renew his Maine medical license.

5. Pursuant to 32 M.R.S. § 3282-A(2)(B), the Board may refuse to issue or may impose other discipline for misuse of alcohol, drugs or other substances that has resulted or that may result in the licensee performing services in a manner that endangers the health or safety of patients.

6. Pursuant to 32 M.R.S. § 3282-A(2)(M), the Board may refuse to issue or may impose other discipline for suspension or restriction of a license to practice or other disciplinary action by another state if the conduct resulting in disciplinary action would, if committed in this State, constitute grounds for discipline under the laws or rules of this State.

7. On April 9, 2019, the Board reviewed the foregoing information and voted to preliminarily deny Dr. DeBell's application for renewal of his medical license. In lieu of the denial, the Board also voted to offer Dr. DeBell this Consent Agreement. Should Dr. DeBell decide to accept this Consent Agreement, he should sign it and date it in front of a notary and return it to the Maine Board of Licensure in Medicine, 137 State House Station, Augusta, Maine 04333-0137 on or before June 20, 2019.

COVENANTS

8. Dr. DeBell admits the foregoing facts and that such conduct constitutes grounds for denial of licensure and imposition of other discipline pursuant to 32 M.R.S. §§ 3282-A(2)(B) and (2)(M).

9. As discipline for his conduct, Dr. DeBell agrees to the following terms and conditions:

a) Dr. DeBell shall enroll in a monitoring agreement for a period of not less than five (5) years with the Maine Professionals Health Program ("MPHP") and provide a copy of the monitoring agreement to the Board. Dr. DeBell must maintain and comply with all requirements of his MPHP monitoring contract and follow all recommendations for evaluation and treatment. Dr. DeBell must immediately notify the Board in writing of any violation of the MPHP monitoring agreement, and of any positive or problematic toxicology test. Dr. DeBell hereby authorizes MPHP to disclose and release to the Board all information obtained by MPHP relating to his participation with MPHP, which authorization shall remain in effect for any period during which

he has a license to practice medicine in the State of Maine. Dr. DeBell shall execute any and all releases necessary for the Board, Board staff, and the Board's assigned Assistant Attorney General to: a) communicate directly with the MPHP regarding his compliance with that program; b) review and obtain copies of any and all documentation regarding his participation in the MPHP; c) communicate directly with anyone who is involved with his care and treatment; and d) review and obtain copies of any and all documentation regarding his medical care and treatment. Dr. DeBell shall ensure that the Board receives quarterly compliance reports from MPHP.

b) Dr. DeBell shall notify the Board in writing within three (3) days of any arrest, summons, information or indictment for any crime, and any summons or other charge for any civil violation that involves alcohol or drugs, including driving or operating under the influence, and any conviction or court finding related thereto.

10. Dr. DeBell acknowledges that while this Consent Agreement is in effect he must directly communicate with the Board or Board staff and has the obligation to respond to any request for information or documentation within the timeframe specified or requested. Failure to comply with or respond to any request shall be considered unprofessional conduct and a violation of this Consent Agreement.

11. Any conduct of Dr. DeBell described herein may be considered in future Board action(s) as evidence of a pattern of misconduct.

12. Upon execution of this Consent Agreement and receipt of a copy of the MPHP monitoring agreement, the Board shall renew Dr. DeBell's license contingent upon his meeting all other licensure requirements.

13. Violation of any of the terms or conditions of this Consent Agreement by Dr. DeBell shall constitute unprofessional conduct and grounds for additional discipline of his Maine medical license by the Board, including but not limited to imposition of civil penalties, or modification, suspension, and revocation of licensure.

14. This Consent Agreement is not appealable, constitutes disciplinary action, is reportable to the National Practitioner Data Bank, the Federation of State Medical Boards, and other licensing jurisdictions, and is effective until modified or rescinded in writing by all of the parties hereto.

15. The Board and the Department of Attorney General may communicate and cooperate regarding any matter related to this Consent Agreement.

16. 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.

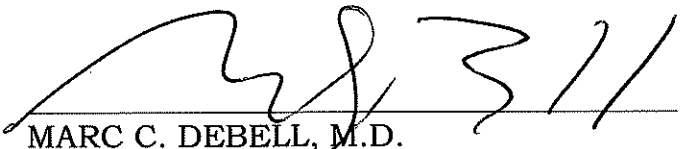
17. Nothing in this Consent Agreement shall be construed to affect any right or interest of any person not a party hereto.

18. Dr. DeBell 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.

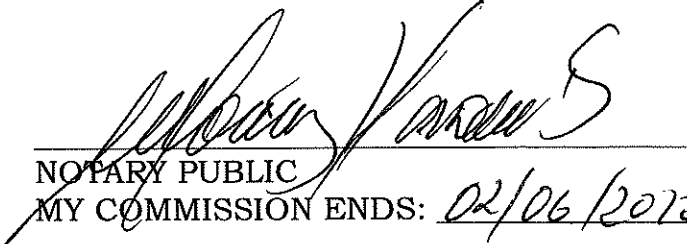
19. For the purposes of this Consent Agreement, the term "execution" means the date on which the final signature is affixed to this Consent Agreement.

I, MARC C. DEBELL, M.D., 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: 05/22/2019 
MARC C. DEBELL, M.D.

STATE OF Massachusetts
Worcester, S.S. (County)

Personally appeared before me the above-named Marc C. DeBell, M.D., 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: 05/22/2019 
NOTARY PUBLIC
MY COMMISSION ENDS: 02/06/2020



MONICA HERNANDEZ
Notary Public
Commonwealth of Massachusetts
My Commission Expires Feb. 6, 2020


STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

DATED: 6/12/19


MAROULLA S. GLEATON, M.D., Chair

STATE OF MAINE DEPARTMENT
OF THE ATTORNEY GENERAL

DATED: June 11, 2019


MICHAEL MILLER
Assistant Attorney General

Effective Date: 6/12/19