

STATE OF MAINE  
BOARD OF LICENSURE IN MEDICINE

In re: ) CONSENT AGREEMENT  
PETER J. AMEGLIO, M.D. )  
Complaint No. CR15-135 )

This document is a Consent Agreement, effective when signed by all parties, regarding disciplinary action against the license to practice medicine in the State of Maine held by Peter J. Ameglio, M.D. The parties to the Consent Agreement are: Peter J. Ameglio, M.D. (“Dr. Ameglio”), 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. Dr. Ameglio has held a license to practice medicine in the State of Maine since May 18, 2000 (license number MD15265), and specializes in orthopedic surgery.

2. On August 6, 2015, the Board received notification from Parkview Adventist Medical Center (“Parkview”) that Dr. Ameglio’s privileges and appointment to the medical staff had been suspended based upon “substandard or inadequate care.” Following receipt of the notification, Board staff requested additional information.

3. Following receipt and review of the notification and additional information, the Board initiated a complaint dated September 24, 2015. The complaint alleged incompetence and/or unprofessional conduct in connection with Dr. Ameglio’s treatment of two patients on June 8, 2015, and specifically

noted deficiencies in the documentation of a patient medical history, and in a patient discharge. The Board docketed that complaint as CR15-135, and sent it to Dr. Ameglio for a response.

4. By letter dated October 12, 2015, Dr. Ameglio responded to the complaint. In his response, Dr. Ameglio explained his treatment of the two patients and stated that he had entered into a co-management agreement with Parkview for assistance with postoperative medical management in order to help improve postoperative outcomes.

5. On December 8, 2015, the Board reviewed the complaint, Dr. Ameglio's response to the complaint, patient records, and other information and voted to obtain an independent outside review of Dr. Ameglio's care of 20 patients, and to request additional information from Dr. Ameglio.

6. Dr. Ameglio provided his response to specific questions posed by the Board in a letter dated December 15, 2015.

7. The Board received the April 11, 2016 report of the independent outside review from a Maine licensed physician who is board certified in orthopedic surgery by the American Board of Medical Specialties ("ABMS"). Based upon a review of the 20 patient charts, the independent outside reviewer concluded that "pre-operative history and physical documentation was inadequate" with respect to the patients' orthopedic history and past medical history, and that missing information could have negatively affected patient outcomes. The independent outside reviewer noted that discharge summaries were insufficient in a number of cases and expressed an opinion that there was

some evidence of either a lack of fitness or an ability to apply principles primarily based upon poor documentation. The independent outside reviewer stated that he did not think that Dr. Ameglio engaged in unprofessional behavior.

8. On May 10, 2016, the Board reviewed the above information and voted to schedule an informal conference to discuss Dr. Ameglio's treatment of patients, including preoperative and postoperative care, documentation, and preparation of patients.

9. Pursuant to 32 M.R.S. § 3282-A(2)(E), the Board may impose discipline if the licensee has engaged in conduct that evidences a lack of ability or fitness to discharge the duty owed by the licensee to a client or patient or the general public, or that evidences a lack of knowledge or inability to apply principles or skills to carry out the practice for which the licensee is licensed.

10. On June 14, 2016, the Board held an informal conference with Dr. Ameglio. Following the informal conference, the Board voted to set this matter for an adjudicatory hearing. In addition, the Board voted to offer Dr. Ameglio this Consent Agreement to resolve this matter without further proceedings. Absent Dr. Ameglio's acceptance of this Consent Agreement by signing and dating it in front of a notary and mailing it to Maine Board of Licensure in Medicine, 137 State House Station, Augusta, Maine 04333-0137 on or before July 22, 2016, the matter will be scheduled for an adjudicatory hearing.

COVENANTS

11. Dr. Ameglio admits the facts stated above and agrees that such conduct constitutes grounds for discipline pursuant to 32 M.R.S. § 3282-A(2)(E) for engaging in conduct that evidences a lack of ability or fitness to discharge the duty owed by the licensee to a client or patient or the general public, or that evidences a lack of knowledge or inability to apply principles or skills to carry out the practice for which the licensee is licensed..

12. As discipline for the foregoing conduct, Dr. Ameglio agrees to accept:

A LICENSE PROBATION for a period of time as determined by the Board in its sole discretion, and during which Dr. Ameglio shall comply with the following conditions:

a) Dr. Ameglio shall notify the Board in writing within ten (10) calendar days following his employment or resumption of the practice of medicine and identify all locations at which he will be practicing. In addition, Dr. Ameglio shall notify the Board in writing within ten (10) calendar days of any change in his employment or practice location.

b) Within three (3) months following his employment or resumption of the practice of medicine, Dr. Ameglio shall be enrolled in a continuing medical education course of not less than twenty (20) hours approved by the Board Secretary or his designee on the subject of medical management, review or issues of surgical patients which Dr. Ameglio shall attend in person. Dr. Ameglio shall submit written evidence to the Board of his

successful completion of the course within fourteen (14) calendar days thereafter.

c) Dr. Ameglio shall either:

1) Enter a surgical fellowship. Dr. Ameglio shall notify the Board and submit written evidence that he has been accepted into a surgical fellowship. Within thirty (30) days of the conclusion of the fellowship, Dr. Ameglio shall submit written evidence satisfactory to the Board of his successful completion of all fellowship requirements, and include copies of the reviews by the fellowship program director. Upon conclusion of the fellowship and following receipt and review of all required information and any additional information requested by the Board, the Board in its sole discretion shall determine whether to continue or terminate probation, and if probation continues may impose any conditions it deems necessary for a specified term;

or

2) Enter a monitored practice. Dr. Ameglio shall practice medicine with at least one additional orthopedic surgeon. Dr. Ameglio shall engage a physician monitor approved by the Board Secretary or his designee. The physician monitor must be an orthopedic surgeon who shall for a period of at least one (1) month review all preoperative and postoperative patient consults, documentation, and co-management for Dr. Ameglio's patients. The physician monitor shall provide monthly written reports to the Board discussing the review required above and identifying any issues regarding Dr. Ameglio's medical decision-making, competence, professionalism, or any other issues regarding Dr. Ameglio's medical practice that may impact patient care. Dr. Ameglio shall provide a copy of this Consent Agreement, together with any amendments hereto, to his physician monitor. Dr. Ameglio understands that the physician monitor will be an agent of the Board pursuant to 24 M.R.S. § 2511.

Within three (3) months of entering the monitored practice, Dr. Ameglio shall notify the Board what electronic medical record system is utilized by

the practice and specify the length of training that he has received in connection therewith.

After Six (6) months of practicing with a physician monitor, Dr. Ameglio shall provide to the Board a list of all surgical patients, together with their dates of surgery, from which the Board shall select ten (10) medical charts for review by an independent outside reviewer. Following receipt of the independent outside review report, the Board in its sole discretion shall determine whether to continue or terminate probation, and if probation continues may impose any conditions it deems necessary for a specified term.

13. Violation by Dr. Ameglio 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.

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

15. The Board and the Department of the Attorney General may communicate and cooperate regarding Dr. Ameglio or any other matter relating 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. 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.

18. 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.

19. Dr. Ameglio 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.

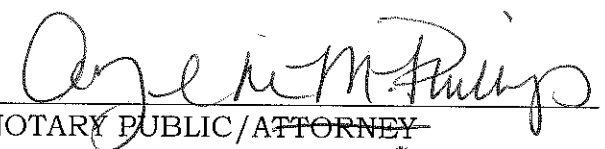
20. For the purposes of this Consent Agreement, the term "execution" means the date on which the final signature is affixed to this Consent Agreement.

I, PETER J. AMEGLIO, M.D., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT AND AGREE WITH ITS CONTENTS AND TERMS. I FURTHER UNDERSTAND THAT BY SIGNING THIS AGREEMENT, I WAIVE CERTAIN RIGHTS, INCLUDING THE RIGHT TO A HEARING BEFORE THE BOARD. 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: 9/12/16   
PETER J. AMEGLIO, M.D.

STATE OF MAINE  
CUMBERLAND, S.S.

Personally appeared before me the above-named Peter J. Ameglio, 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: 9/12/16   
NOTARY PUBLIC/ATTORNEY

**ANGELINA M. PHILLIPS**  
Notary Public, Maine  
My Commission Expires June 12, 2019

MY COMMISSION ENDS: \_\_\_\_\_

STATE OF MAINE BOARD  
OF LICENSURE IN MEDICINE

DATED: 9/13/16   
MAROULLA S. GLEATON, M.D., Chairman



STATE OF MAINE DEPARTMENT  
OF THE ATTORNEY GENERAL

DATED:

September 13, 2016



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MICHAEL MILLER  
Assistant Attorney General

Effective Date:

September 13, 2016