

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

In re:) CONSENT AGREEMENT
TIMOTHY P. CANHAM, P.A.)
Complaint No. CR16-154)

This document is a Consent Agreement, effective when signed by all parties, regarding disciplinary action against the license to render medical services in the State of Maine held by Timothy P. Canham, P.A. The parties to the Consent Agreement are: Timothy P. Canham, P.A. (“Mr. Canham”), 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. Mr. Canham has held a license to render medical services as a physician assistant in the State of Maine since September 4, 1997 (license number PA550).
2. On July 11 2016, the Board initiated a complaint alleging that Mr. Canham worked at Correctional Health Partners (“CHP”) from November 5, 2015 through March 31, 2016, without having a supervising physician registered with the appropriate licensing Board, and failing to notify the Board that he had a change in his supervising physician as required by Board Rule Chapter 2, § 9. The Board complaint was based upon a report from CHP dated April 28, 2016, regarding the termination of Mr. Canham by CHP and Mr. Canham’s self-report made by email on May 5, 2016. In Mr. Canham’s self-

report he explained that he “wrongly assumed that CHP would have properly licensed [him] through the State of Maine,” and felt that he had been “misled by CHP.” The Board docketed the complaint as CR16-154, and sent it to Mr. Canham for a response.

3. By letter dated July 19, 2016, Mr. Canham responded to the complaint. In his response, he explained that when he was hired he thought that the proper paperwork had been filed with the State. He made inquiries when his license was not displayed in the workplace, and was advised that it “was on the way.” Mr. Canham acknowledged that it was his responsibility to ensure that all licensure paperwork was appropriately submitted.

4. Pursuant to 32 M.R.S. § 3282-A(2)(H), the Board may impose discipline for the violation of a Board statute or rule. Board Rule Chapter 2, § 2(B)(4), in effect at the time of the conduct, provided that the physician assistant shall submit the statement required by § 2(B)(2) at the beginning of the supervisory relationship. Board Rule Chapter 2, § 9, in effect at the time of the conduct, required that a physician assistant notify the Board in writing and supply certain information upon a change or addition of a supervising physician no later than fourteen (14) days after the effective date of the change or addition.

5. At its meeting on October 11, 2016, the Board reviewed Complaint CR16-154, and voted to set this matter for an adjudicatory hearing. In addition, the Board voted to offer Mr. Canham this Consent Agreement to resolve this matter without further proceedings. Absent Mr. Canham’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 November 28, 2016, the matter will be scheduled for an adjudicatory hearing.

COVENANTS

6. Mr. Canham admits the facts stated above and that such conduct constitutes grounds for discipline pursuant to 32 M.R.S. § 3282-A(2)(H) (for violation of Board rules).

7. As discipline for the conduct described above, Mr. Canham agrees to accept, and the Board imposes:

a. A REPRIMAND for violating Board rules related to the registration of his supervising physician; and

b. A CIVIL PENALTY in the amount of Five Hundred Dollars (\$500.00), payment of which shall be made by certified check or money order made payable to "Treasurer, State of Maine," and remitted to Maine Board of Licensure in Medicine, 137 State House Station, Augusta, Maine 04333-0137, within thirty (30) days of the execution of this Consent Agreement.

8. Violation by Mr. Canham 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.

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

10. The Board and the Department of the Attorney General may communicate and cooperate regarding Mr. Canham or any other matter relating to this Consent Agreement.

11. 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.

12. 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.

13. 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.

14. Mr. Canham 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.

15. 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, TIMORHY P. CANHAM, P.A., 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: 11/8/16 Timothy P. Canham
TIMOTHY P. CANHAM, P.A.

STATE OF MAINE
100-54-0122, S.S.

Personally appeared before me the above-named Timothy P. Canham, P.A., 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: 11-8-16 Karen Littlefield
NOTARY PUBLIC / ATTORNEY

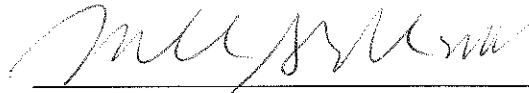


MY COMMISSION ENDS: 4-8-17

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

DATED:

12/13/16




MAROULLA S. GLEATON, M.D., Chair

STATE OF MAINE DEPARTMENT
OF THE ATTORNEY GENERAL

DATED:

December 13, 2014



MICHAEL MILLER
Assistant Attorney General

Effective Date:

Dec 13, 2014