

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

In re:) CONSENT AGREEMENT
STEVEN J. BREWSTER, M.D.)
Complaint No. CR16-156)

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 Steven J. Brewster, M.D. The parties to the Consent Agreement are: Steven J. Brewster, M.D. (“Dr. Brewster”), 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. Brewster has held a license to practice medicine in the State of Maine since August 7, 2014 (license number MD20328) and specializes in family practice.

2. On July 11, 2016, the Board initiated a complaint alleging that Dr. Brewster was the supervising physician for a physician assistant, Jessica Cyr, who worked at Concentra Occupational Medical Center without having a registered supervising physician. The Board docketed the complaint as CR16-156, and sent it to Dr. Brewster for a response.

3. By letter dated August 30, 2016, Dr. Brewster responded to the complaint. In his response, he explained that he is employed as the Director of Medical Operations for Northern New England at Concentra Occupational Medical Center (“Concentra”). In January 2016, Dr. Brewster assumed

supervisory responsibility for Ms. Cyr, a Physician Assistant employed at Concentra, and at that time they completed the necessary supervisory plan and registration form. Dr. Brewster explained that due to a misunderstanding between Ms. Cyr and an administrative assistant, the appropriate paperwork was not filed with the Board.

4. By letter dated November 23, 2016, counsel for Dr. Brewster informed the Board that when the error regarding Ms. Cyr's registration was brought to Dr. Brewster's attention, the error was immediately corrected and the required paperwork was filed on May 5, 2016. In addition, it was noted that the complaint did not allege any substantive issue with patient care.

5. 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 and the physician assistant shall submit the statement required by § 2(B)(2) at the beginning of the supervisory relationship. Board Rule Chapter 2, § 7(B)(1), and 7(B)(2), in effect at the time of the conduct, required that the physician must be approved by the Board prior to becoming the supervising physician.

6. At its meeting on October 11, 2016, the Board reviewed Complaint CR16-156, and voted to set this matter for an adjudicatory hearing. In addition, the Board voted to offer Dr. Brewster this Consent Agreement to resolve this matter without further proceedings. Absent Dr. Brewster'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 February 14, 2017, the matter will be scheduled for an adjudicatory hearing.

COVENANTS

7. Dr. Brewster 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).

8. As discipline for the conduct described above, Dr. Brewster agrees to accept, and the Board imposes:

a. A REPRIMAND for violating Board rules related to the registration of a physician assistant (Board Rule Chapter 2, § 2(B)(4), which requires submission of the statement required by § 2(B)(2) at the beginning of the supervisory relationship); 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.

9. Violation by Dr. Brewster 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.

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

11. The Board and the Department of the Attorney General may communicate and cooperate regarding Dr. Brewster or any other matter relating to this Consent Agreement.

12. 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.

13. 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.

14. 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.

15. Dr. Brewster 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.

16. Dr. Brewster has been represented by Carol I. Eisenberg, Esq., who has participated in the negotiation of the terms of this Consent Agreement.

17. 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, STEVEN J. BREWSTER, 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: 01/19/2017 
STEVEN J. BREWSTER, M.D.

STATE OF Maine
Cumberland, S.S.

Personally appeared before me the above-named Steven J. Brewster, 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: 1/19/17 
NOTARY PUBLIC/ATTORNEY

MY COMMISSION ENDS: _____
MICHELLE K. SEACORD
NOTARY PUBLIC
State of Maine
My Commission Expires
January 27, 2023

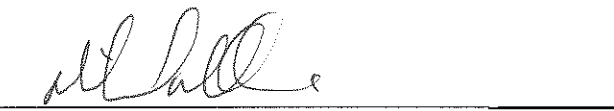
STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

DATED: 2/14/17


MAROULLA S. GLEATON, M.D., Chair

STATE OF MAINE DEPARTMENT
OF THE ATTORNEY GENERAL

DATED: February 14, 2017


MICHAEL MILLER
Assistant Attorney General

Effective Date: February 14, 2017