

STATE OF MAINE  
BOARD OF LICENSURE IN MEDICINE

In re:	)	FIRST AMENDMENT TO
Reinaldo O. de los Heros, M.D.	)	CONSENT AGREEMENT
Complaint No. CR15-75	)	

This document is the First Amendment to Consent Agreement effective February 29, 2016, regarding disciplinary action against the license to practice medicine in the State of Maine held by Reinaldo O. de los Heros, M.D. (“First Amendment”). The parties to this First Amendment are: Reinaldo O. de los Heros, M.D. (“Dr. de los Heros”), the State of Maine Board of Licensure in Medicine (“the Board”), and the Department of the Attorney General (the “Attorney General”). This First Amendment is entered into pursuant to 32 M.R.S. § 3282-A and 10 M.R.S. § 8003(5).

**BACKGROUND**

1. On February 29, 2016, the parties entered into a Consent Agreement regarding disciplinary action against the license to practice medicine in the State of Maine held by Reinaldo O. de los Heros, M.D. (“the Consent Agreement”).

2. On March 14, 2017, the Board reviewed Dr. de los Heros’s compliance with the Consent Agreement and the reports and recommendations of his physician practice monitor, and voted to offer Dr. de los Heros this First Amendment. Absent Dr. de los Heros’s acceptance of this First Amendment 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 so that it is received on or before April 10, 2017, the matter will be presented to the Board for possible further action.

**AMENDMENT**

3. Dr. de los Heros, the Board, and the Department of the Attorney General hereby agree to amend the Consent Agreement dated February 29, 2016 as follows:

a) By deleting the requirement for a Board approved physician practice monitor contained in paragraph 11(a) and inserting a new paragraph 11(a) as follows:

Dr. de los Heros acknowledges that maintaining regular contact with other Maine-licensed psychiatrists is important and can improve his ability to provide appropriate care and treatment. Therefore, he agrees to select (a) mentor(s) who is a Maine-licensed psychiatrist with whom he will regularly meet and consult with and share clinical experiences. Dr. de los Heros shall provide the name of his mentor(s) to the Board within fourteen (14) days of the execution of this First Amendment and in the event of any change in mentor(s). In addition, Dr. de los Heros shall attend the 2017 Maine Association of Psychiatric Physicians Annual Spring Conference.

b) By amending paragraph 11(b) to add the following sentence at the end of that paragraph:

Dr. de los Heros understands and agrees that he will comply with this requirement even after the termination of the probation imposed by the Consent Agreement, and that his failure to comply with this requirement may constitute unprofessional conduct and grounds for discipline of his medical license.

c) By deleting the requirement contained in paragraph 11(c) and inserting a new paragraph 11(c) as follows:

Dr. de los Heros shall attend a meeting of the Board that will be scheduled after six (6) months have elapsed from the effective date of this First Amendment. Prior to the scheduling of that meeting, Dr. de los Heros shall provide ten (10) patient records selected by the Board or Board staff for Board review. At the conclusion of that meeting, the Board shall, in its sole discretion, determine whether to terminate or continue probation with conditions for a specified period.

d) By amending paragraph 11(d) to add the following sentence at the end of that paragraph:

Dr. de los Heros understands and agrees that he will comply with this requirement even after the termination of the probation imposed by the Consent Agreement, and that his

failure to comply with this requirement may constitute unprofessional conduct and grounds for discipline of his medical license.

4. Dr. de los Heros acknowledges by his signature hereto that all other terms and conditions of the Consent Agreement effective February 29, 2016 remain in full force and effect.

5. Dr. de los Heros acknowledges by his signature hereto that he has read this First Amendment, that he has had an opportunity to consult with an attorney before executing this First Amendment, that he executed this First Amendment of his own free will and that he agrees to abide by all terms and conditions set forth herein.

**I, REINALDO O. DE LOS HEROS, M.D., HAVE READ AND UNDERSTAND THE FOREGOING FIRST AMENDMENT AND AGREE WITH ITS CONTENTS AND TERMS. I FURTHER UNDERSTAND THAT BY SIGNING I WAIVE CERTAIN RIGHTS INCLUDING THE RIGHT TO FURTHER HEARINGS REGARDING THIS FIRST AMENDMENT. I ALSO WAIVE THE RIGHT TO APPEAL TO THE COURT REGARDING THIS FIRST AMENDMENT. KNOWING THIS, I SIGN IT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS FIRST AMENDMENT, TOGETHER WITH THE CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN, OR OTHERWISE. I ACKNOWLEDGE THAT I HAVE HAD THE OPPORTUNITY TO DISCUSS THIS AGREEMENT WITH LEGAL COUNSEL PRIOR TO SIGNING IT.**

Dated: April 5th, 2017

  
REINALDO O. DE LOS HEROS, M.D.

STATE OF MAINE  
Cumberland, SS.

Before me this 5<sup>th</sup> day of April, 2017,  
personally appeared Reinaldo O. de los Heros, M.D., who after first being  
duly sworn, signed the foregoing First Amendment to Consent Agreement  
in my presence or affirmed that the signature above is his own.

Nancy N. Condon  
NANCY N. CONDON  
Notary Public/Attorney at Law Notary Public, Maine  
My commission expires: ~~My Commission Expires December 3, 2017~~

DATED: April 5, 2017

Elizabeth A. Olivier  
ELIZABETH A. OLIVIER, ESQ.  
Attorney for  
Reinaldo O. de los Heros, M.D.

DATED: 4/11/17

STATE OF MAINE BOARD  
OF LICENSURE IN MEDICINE

Maroulla S. Gleaton  
MAROULLA S. GLEATON, M.D.,  
Chairman

DATED: April 11, 2017

STATE OF MAINE DEPARTMENT  
OF THE ATTORNEY GENERAL

Michael Miller  
MICHAEL MILLER  
Assistant Attorney General

Effective Date: April 11, 2017