

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

In re:) CONSENT AGREEMENT
FRANCESCO LUPIS, M.D.)
Complaint No. CR16-265)

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 Francesco Lupis, M.D. The parties to the Consent Agreement are: Francesco Lupis, M.D. (“Dr. Lupis”), 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. Lupis has held a license to practice medicine in the State of Maine since August 16, 2013 (license number MD19839), and specializes in family practice.
2. On January 4, 2017, the Board initiated a complaint alleging that Dr. Lupis failed to disclose on his October 20, 2015 application to renew his Maine medical license that he had open allegations pending with the State of Connecticut Department of Public Health, Healthcare Quality and Safety Branch and Connecticut Medical Examining Board (“Connecticut Board”).
3. By letter dated January 23, 2017, Dr. Lupis acknowledged that he failed to notify the Board of the allegations pending with the Connecticut Board when he renewed his license and explained the circumstances that led to that failure. Dr. Lupis stated that he sent the Board a prompt self-report of the

subsequent disciplinary action taken by the Connecticut Board. Dr. Lupis apologized for his oversight.

4. Pursuant to 32 M.R.S. § 3282-A(2)(A), the Board may impose discipline for engaging in the practice of misrepresentation in obtaining a license.

5. At its meeting on February 14, 2017, the Board reviewed Complaint CR16-265, and voted to set this matter for an adjudicatory hearing. In addition, the Board voted to offer Dr. Lupis this Consent Agreement to resolve this matter without further proceedings. Absent Dr. Lupis' 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 April 25, 2017, the matter will be scheduled for an adjudicatory hearing.

COVENANTS

6. Dr. Lupis admits the facts stated above and that such conduct constitutes grounds for discipline pursuant to 32 M.R.S. § 3282-A(2)(A) (for misrepresentation in connection with the submission of an application for licensure).

7. As discipline for the conduct described above, and as Dr. Lupis does not intend to return to Maine to practice medicine, Dr. Lupis agrees to the IMMEDIATE VOLUNTARY SURRENDER of his Maine license to practice medicine effective upon the execution of this Consent Agreement.

8. Violation by Dr. Lupis 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 Dr. Lupis 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. Dr. Lupis 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.

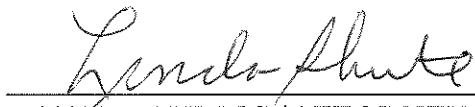
15. For the purposes of this Consent Agreement, the term "execution" means the date on which the final signature is affixed to this Consent Agreement.

I, FRANCESCO LUPIS, 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: 4-19-17 
FRANCESCO LUPIS, M.D.

STATE OF CT
Newington, S.S.

Personally appeared before me the above-named Francesco Lupis, 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: 4-19-2017 
NOTARY PUBLIC/ATTORNEY

LINDA SHUTE
NOTARY PUBLIC
MY COMMISSION ENDS: MY COMMISSION EXPIRES NOV. 30, 2018

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE


DATED: 5/9/17



MAROULLA S. GLEATON, M.D., Chair

STATE OF MAINE DEPARTMENT
OF THE ATTORNEY GENERAL

DATED: May 9, 2017



MICHAEL MILLER
Assistant Attorney General

Effective Date: May 9, 2017