

STATE OF MAINE  
BOARD OF LICENSURE IN MEDICINE

In re: ) CONSENT AGREEMENT  
STEPHANIE A. GRAVES, P.A. )  
Complaint No. CR16-261 )

This document is a Consent Agreement, effective when signed by all parties, regarding disciplinary action against the physician assistant license in the State of Maine held by Stephanie A. Graves, P.A. The parties to the Consent Agreement are: Stephanie A. Graves, P.A. (“Ms. Graves”), 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. Ms. Graves has held a physician assistant license in the State of Maine since July 5, 2011 (license number PA1274).
2. On January 4, 2017, the Board initiated a complaint following receipt of a mandated report pursuant to 24 M.R.S. § 2506 from The Aroostook Medical Center (“TAMC”) stating that Ms. Graves employment had been terminated for “falsification of medical records” based upon information that Ms. Graves had documented physical examinations of patients that were reportedly not performed. The Board docketed the complaint as CR16-261, and sent it to Ms. Graves for a response.
3. By letter dated February 2, 2017, Ms. Graves responded to the complaint. In her response, Ms. Graves stated that at the time of the events involving the allegations that she had documented but not conducted

appropriate physical examinations, she was undergoing “extreme emotional and psychological stress” that may have affected her work performance or memory recall. Ms. Graves stated that although she does not believe that she falsified medical records or failed to perform complete examinations, she cannot state with “100% certainty what she did for an examination for each of her patients.”

4. On January 24, 2017, Ms. Graves submitted an application for physician assistant registration to the Board.

5. On March 31, 2017, Ms. Graves underwent a psychiatric assessment requested by the Board.

6. Pursuant to 32 M.R.S. § 3282-A(2)(E), the Board may impose discipline 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.

7. Pursuant to 32 M.R.S. § 3282-A(2)(F), the Board may impose discipline for engaging in unprofessional conduct by violating a standard of professional behavior that is established in the practice of medicine.

8. At its meeting on April 11, 2017, the Board reviewed Complaint CR16-261, and voted to set this matter for an adjudicatory hearing. In addition, the Board voted to offer Ms. Graves this Consent Agreement to resolve this matter without further proceedings.

9. By letter dated June 2, 2017, Ms. Graves through legal counsel requested that the Board modify terms offered in the consent agreement.

10. At its meetings on July 11, 2017 and August 8, 2017, the Board reviewed Ms. Graves's requested modifications and voted to offer this consent agreement in order to resolve this matter without further proceedings. Absent Ms. Graves'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 September 22, 2017, the matter will be scheduled for an adjudicatory hearing.

#### COVENANTS

9. Ms. Graves admits the facts stated above and that such conduct constitutes grounds for discipline pursuant to 32 M.R.S. §§ 3282-A(2)(E), and (2)(F) (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, and for engaging in unprofessional conduct).

10. As discipline for the conduct described above, Ms. Graves agrees to accept the following discipline:

A period of license PROBATION for at least two (2) years subject to the following conditions:

a) Ms. Graves has engaged in at least six (6) sessions of cognitive behavioral therapy conducted by a licensed professional approved by

the Board Chair or Board Secretary. Within fifteen (15) calendar days of the execution of this Consent Agreement, Ms. Graves shall submit to the Board a written summary describing her experience with the cognitive behavioral therapy.

b) Prior to rendering any medical services or approval of any application for physician assistant registration, Ms. Graves must have a Physician Practice Monitor approved by the Board Chair or Board Secretary. The Physician Practice Monitor may be Ms. Graves's Primary Supervising Physician. Within thirty (30) days of the effective date of this Consent Agreement the Physician Practice Monitor shall submit to the Board a monitoring plan describing how the monitoring will be performed, including the method by which medical record documentation accuracy will be corroborated with randomly selected patients. The Physician Practice Monitor must review all of Ms. Graves's patient charts to verify accuracy of the medical record documentation within two (2) business days of the patient encounter. Ms. Graves shall cause the Physician Practice Monitor to provide written monthly reports to the Board confirming the accuracy of Ms. Grave's medical record documentation, describing how the accuracy of the records was determined, and identifying any issues regarding documentation or Ms. Graves's ability to safely or competently render medical services. Ms. Graves understands that the Physician Practice Monitor shall be an agent of the Board pursuant to 24 M.R.S. § 2511. Ms. Graves may not render any medical services in the absence of the Physician Practice Monitor unless an alternate physician practice

monitor has been approved by the Board Chair or Board Secretary for a specified and limited time period.

Following receipt of the third written report of the Physician Practice Monitor, Ms. Graves may submit a written request for modification of the report frequency, number of patient chart reviews to be conducted, or other requirement of this subparagraph. Upon receipt of a written request for modification of the report frequency, number of patient chart reviews to be conducted, or other requirement of this subparagraph, the Board, in its sole discretion shall determine whether to approve the request.

Following two (2) years of reports from the Physician Practice Monitor, Ms. Graves may request termination or modification of the requirements of probation. Upon receipt of a request for termination or modification of the requirements of probation, the Board in its sole discretion shall maintain, terminate, or modify the requirements of probation.

11. The duration of any probationary period shall be tolled for: a) any absence from the state that is in excess of thirty (30) continuous days; b) any absence from the state that is in excess of sixty (60) aggregate days in a single year; c) any period in which Ms. Graves does not hold an active license or physician assistant registration. Ms. Graves shall inform the Board in writing in advance of any such absence from the state.

12. Ms. Graves acknowledges that while this Consent Agreement is in effect she must directly communicate with the Board or Board staff and has the obligation to respond to any request for information or documentation

within the timeframe specified or requested. Failure to comply with or respond to any request shall be considered a violation of this Consent Agreement.

13. Violation by Ms. Graves 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 Ms. Graves 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. Ms. Graves acknowledges by her signature hereto that she has read this Consent Agreement, that she has had an opportunity to consult with an attorney before executing this Consent Agreement, that she executed this Consent Agreement of her own free will and that she agrees to abide by all terms and conditions set forth herein.

20. Ms. Graves has been represented by Norman G. Trask, Esq., who has participated in the negotiation of the terms of this Consent Agreement.

21. 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, STEPHANIE A. GRAVES, 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: 8/29/17   
STEPHANIE A. GRAVES, P.A.

STATE OF MAINE  
AROOSTOOK, S.S.

Personally appeared before me the above-named Stephanie A. Graves, P.A., and swore to the truth of the foregoing based upon her own personal knowledge, or upon information and belief, and so far as upon information and belief, she believes it to be true.

DATED: 8/29/2017   
NOTARY PUBLIC/ATTORNEY

MINDY R. NELSON  
NOTARY PUBLIC  
State of Maine  
My Commission Expires  
May 9, 2022

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

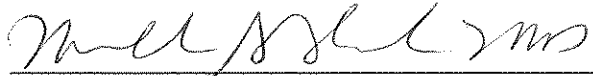
DATED: 8/29/17   
NORMAN G. TRASK, ESQ.  
Attorney for Stephanie A. Graves, P.A.



STATE OF MAINE  
BOARD OF LICENSURE IN MEDICINE

DATED:

9/12/17

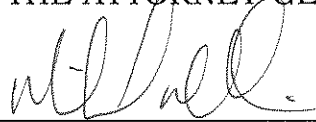


MAROULLA S. GLEATON, M.D., Chair

STATE OF MAINE DEPARTMENT  
OF THE ATTORNEY GENERAL

DATED:

September 12, 2017



MICHAEL MILLER  
Assistant Attorney General

Effective Date: