

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

In re:) CONSENT AGREEMENT
DAVID B. ROBINSON, M.D.)
Complaint No. CR17-33)

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 David B. Robinson, M.D. The parties to the Consent Agreement are: David B. Robinson, M.D. (“Dr. Robinson”), 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. Robinson has held a license to practice medicine in the State of Maine since January 25, 2010 (license number MD18360), and specializes in neurology.

2. On March 7, 2017, the Board initiated a complaint alleging that Dr. Robinson failed to disclose on his January 27, 2016 application to renew his Maine medical license that there were pending allegations with the Iowa Board of Medicine (“the Iowa Medical Board”). The complaint further alleged that on October 28, 2016, the Iowa Medical Board imposed discipline against Dr. Robinson for unprofessional conduct and violating professional boundaries with a female co-worker and later prescribing her non-controlled medications on multiple occasions between September 2013 and March 2014 without

performing examinations and without maintaining appropriate medical records (“Iowa Medical Board Order”). The Board docketed the complaint as CR17-33, and sent it to Dr. Robinson for a response.

3. By letter dated May 30, 2017, Dr. Robinson responded to the complaint. In his response, Dr. Robinson took “full responsibility for [his violations of professional requirements]” and his failure to disclose the Iowa Medical Board information on his application to renew his Maine medical license. Dr. Robinson explained steps that he has taken to ensure that he commits “no future transgressions” including completing a comprehensive unprofessional conduct and boundaries evaluation.

4. Pursuant to 32 M.R.S. § 3282-A(2)(A), the Board may impose discipline for the practice of fraud, deceit or misrepresentation in obtaining a license or in connection with service rendered within the scope of the license issued.

5. 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.

6. Pursuant to 32 M.R.S. § 3282-A(2)(M), the Board may impose discipline for suspension or restriction of a license to practice or other disciplinary action by another state if the conduct resulting in disciplinary action would, if committed in this State, constitutes grounds for discipline under the laws or rules of this State.

7. At its meeting on July 11, 2017, the Board reviewed Complaint CR 17-33, and voted to set this matter for an adjudicatory hearing. In addition, the Board voted to offer Dr. Robinson this Consent Agreement to resolve this matter without further proceedings. Absent Dr. Robinson'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 October 29, 2017, the matter will be scheduled for an adjudicatory hearing.

COVENANTS

8. Dr. Robinson admits the facts stated above and that such conduct constitutes grounds for discipline pursuant to 32 M.R.S. §§ 3282-A(2)(A) (for engaging in misrepresentation in obtaining a license, 3282-A(2)(F) (for engaging in unprofessional conduct), and 3282-A(2)(M) (for disciplinary action taken in another state for conduct that is grounds for discipline in this State).

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

a. A REPRIMAND for failing to disclose information required on an application to renew his Maine medical license and for engaging in unprofessional conduct;

b. A CIVIL PENALTY in the amount of One Thousand Dollars (\$1,000.00), 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; and

c. Dr. Robinson shall COMPLY with all terms and conditions contained in the Iowa Medical Board Order. Upon practicing medicine in Iowa, Dr. Robinson shall cause all quarterly worksite monitor reports submitted to the Iowa Medical Board pursuant to Paragraph 9(F) of the Iowa Medical Board Order to simultaneously be submitted to the Board.

d. Within thirty (30) days of the effective date of this Consent Agreement, Dr. Robinson shall provide a written statement to the Board regarding what he learned from the comprehensive unprofessional and boundaries program with the Professional Renewal Center in Lawrence Kansas attended in February 2016.

e. A period of PROBATION of at least one (1) year) during which Dr. Robinson will continue treatment with a psychiatrist. Dr. Robinson shall cause his treating psychiatrist to submit quarterly written reports to the Board confirming his participation in ongoing treatment and identifying any issues that may impact Dr. Robinson's ability to safely and competently practice medicine. At any time after receipt by the Board of the fourth quarterly report from the treating psychiatrist, Dr. Robinson may request to terminate the probation. Upon receipt of such request, the Board shall review all information, and in its sole discretion, may maintain, modify, or eliminate the requirements of this subparagraph for any remaining period of probation.

10. Violation by Dr. Robinson 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.

11. Dr. Robinson acknowledges that while this Consent Agreement is in effect he 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.

12. This Consent Agreement is not appealable and is effective until modified or rescinded in writing by the parties hereto. Dr. Robinson may submit a written request to the Board to terminate this Consent Agreement prior to the termination of the Iowa Medical Board Order, and upon such request the Board, in its sole discretion, may grant or deny the request.

13. Any conduct of Dr. Robinson described herein may be considered in future Board action(s) as evidence of a pattern of misconduct.

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

15. 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.

16. 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.

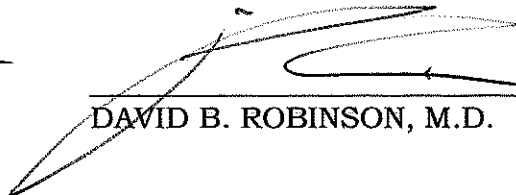
17. Nothing in this Consent Agreement shall be construed to affect any right or interest of any person not a party hereto. If any clause of this Consent Agreement is deemed illegal or invalid, then that clause shall be deemed severed from this Consent Agreement.

18. Dr. Robinson 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.

19. Dr. Robinson has been represented by David G. Webbert, Esq., who has participated in the negotiation of the terms of this Consent Agreement.

20. 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, DAVID B. ROBINSON, 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: 10/17/17 
STATE OF Maine
Amherst, S.S.
DAVID B. ROBINSON, M.D.

Personally appeared before me the above-named David B. Robinson, 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: 10-17-17 
NOTARY PUBLIC/ATTORNEY

WILLIAM H. JONES
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES
DECEMBER 22, 2023

DATED: 10.19.17 
DAVID G. WEBBERT, Esq.
Counsel for David B. Robinson, M.D.


STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

DATED: 11/20/17


MAROULLA S. GLEATON, M.D., Chairman

STATE OF MAINE DEPARTMENT
OF THE ATTORNEY GENERAL

DATED: November 17, 2017


MICHAEL MILLER
Assistant Attorney General

Effective Date: 11/20/17