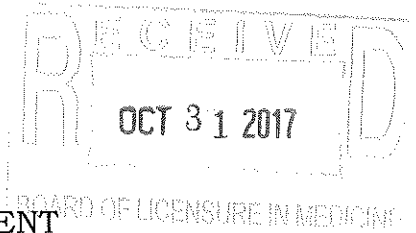


STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE



In re:) CONSENT AGREEMENT
WILLIAM P. CARTER, III, M.D.)
Complaint No. CR17-51)

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 William P. Carter, III, M.D. The parties to the Consent Agreement are: William P. Carter, III, M.D. (“Dr. Carter”), 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. At all relevant times, Dr. Carter has held a license to practice medicine in the State of Maine beginning July 3, 2012 (license number MD19156). Dr. Carter specializes in emergency medicine.
2. On March 28, 2017, the Board initiated a complaint arising out of medical malpractice matters alleging that Dr. Carter failed to diagnose cauda equina syndrome in a 32 year-old female patient seen by him on September 20, 2012, and failed to diagnose a severe infection in a 53 year-old male patient seen by him on March 13, 2013. The complaint further alleged that Dr. Carter self-reported an October 7, 2016 disciplinary action taken by the New Hampshire Board of Medicine finding that he committed professional misconduct related to his care of the 53 year-old male patient seen by him on

March 13, 2013. The Board docketed that complaint as CR17-51, and sent it to Dr. Carter for a response.

3. By letter dated April 16, 2017, Dr. Carter responded to the complaint. In his response, Dr. Carter explained his treatment regarding the 53 year-old male patient seen by him on March 13, 2013. Dr. Carter acknowledged that his evaluation of the patient was mistaken and expressed remorse.

4. On February 18, 2017, Dr. Carter submitted an application to renew his Maine medical license in active status.

5. Pursuant to 32 M.R.S. § 3282-A(2)(F), the Board may impose discipline for unprofessional conduct. A licensee is considered to have engaged in unprofessional conduct if the licensee violates a standard of professional behavior that has been established for 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. On June 13, 2017, the Board reviewed complaint CR17-51 and voted to set this matter for an adjudicatory hearing, and to offer a Consent Agreement. In addition, on September 12, 2017, following a request by Dr. Carter, the Board voted to offer this Consent Agreement to resolve this matter without further proceedings. Absent Dr. Carter'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 November 2, 2017, the matter will be scheduled for an adjudicatory hearing.

COVENANTS

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

9. As discipline for the foregoing conduct, Dr. Carter agrees to accept the following:

A license PROBATION for a period of at least six (6) months subject to the following terms and conditions:

Within thirty (30) days of the effective date of this Consent Agreement, Dr. Carter shall submit to the Board for its approval the name of a Maine licensed physician who will serve as physician practice monitor. The Board Chair or the Board Chair's designee has the sole discretion to approve or reject the physician practice monitor. The physician practice monitor must randomly select and review at least twenty-five percent (25%) of all patient charts for any Maine based health care provided by Dr. Carter. Dr. Carter understands that the physician practice monitor is an agent of the Board pursuant to 24 M.R.S. § 2511. The physician practice monitor shall provide the Board with monthly reports regarding Dr. Carter's practice of medicine in Maine beginning thirty (30) days after the date on which the physician practice

monitor has been approved to serve in that capacity. The monthly reports shall include a summary of the review of patient charts, and a discussion of any issues related to medical knowledge, judgment, clinical skills, or documentation. Dr. Carter must provide a copy of this Consent Agreement, together with any amendments hereto, to his physician practice monitor. Dr. Carter may submit a written request to modify the requirements of this paragraph after at least seventy-five (75) Maine patient charts have been reviewed by the physician practice monitor and at least six (6) monitoring reports have been received by the Board. 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. Dr. Carter 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 will be considered a violation of this Consent Agreement.

11. Violation by Dr. Carter 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.

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

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

14. The Board and the Department of the Attorney General may communicate and cooperate regarding Dr. Carter 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. Carter 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. 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, WILLIAM P. CARTER, III, 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:

10/26/17



WILLIAM P. CARTER, III, M.D.

STATE OF New Hampshire

Rockingham, S.S.

Personally appeared before me the above-named William P. Carter, III, 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:

10/26/17

Deborah L. Bakie

NOTARY PUBLIC/ATTORNEY

MY COMMISSION ENDS: 1/18/2022




STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

DATED: 12/12/17


MAROULLA S. GLEATON, M.D., Chairman

STATE OF MAINE DEPARTMENT
OF THE ATTORNEY GENERAL

DATED: Dec 12, 2017


MICHAEL MILLER
Assistant Attorney General

Effective Date: 12/12/2017