

STATE OF MAINE  
BOARD OF LICENSURE IN MEDICINE

In re: ) FIRST AMENDMENT TO  
DONALD B. SHEA, M.D. ) CONSENT AGREEMENT  
Complaint No. CR16-49 )

This document is a First Amendment to Consent Agreement effective October 10, 2017, regarding disciplinary action imposed upon the license to practice medicine in the State of Maine held by Donald B. Shea, M.D (“First Amendment”). The parties to this First Amendment are: Donald B. Shea, M.D. (“Dr. Shea”), 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 October 10, 2017, the parties entered into a Consent Agreement for discipline upon the license to practice medicine in the State of Maine held by Dr. Shea (“the Consent Agreement”).
2. On November 14, 2017, the Board considered a request from Dr. Shea’s physician practice monitor and voted to offer Dr. Shea this First Amendment. Absent acceptance of this First Amendment by Dr. Shea by signing it and dating it in front of a notary and returning it to the Maine Board of Licensure in Medicine, 137 State House Station, Augusta, Maine 04333-0137 on or before February 9, 2018, the Consent Agreement effective October 10, 2017 shall remain in full force and effect,

and the Board may take such further action it deems necessary.

**AMENDMENT**

3. Dr. Shea, the Board, and the Department of the Attorney General hereby agree to amend the Consent Agreement dated October 10, 2017 by:

1) Amending paragraph 15(b)(4) to read as follows:

Prior to engaging in the practice of medicine, Dr. Shea must engage a Board approved physician practice monitor who shall monitor his medical practice. In complying with this requirement, Dr. Shea shall submit to the Board for its approval the name of a licensed physician willing to serve as a proposed physician practice monitor. The Board or the Board's designee has the sole discretion to approve or reject the physician practice monitor. The physician practice monitor shall meet weekly with Dr. Shea, either in person or via interactive audio/visual means, but must meet in person with Dr. Shea at least once a month. Telephone only monitoring is not acceptable. In the event that Dr. Shea's approved physician practice monitor is unavailable to perform the weekly monitoring, Dr. Shea must submit the name of a proposed covering physician monitor who shall be available to monitor Dr. Shea. Dr. Shea shall provide the name of the proposed covering monitor and the dates of coverage in advance in writing to Julie Best, Complaint Coordinator, who shall confer with the Board Chair or Board

Chair's designee regarding the approval or disapproval of the proposed covering physician monitor. The physician practice monitor shall review at least ten percent (10%) of all patient charts for a period of six (6) months. Dr. Shea 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. Shea's practice beginning thirty (30) days after the date on which Dr. Shea begins practicing medicine. The reports shall include the physician practice monitor's assessment of Dr. Shea's practice, to include the review of patient charts, and a discussion of any issues, concerns, or deficiencies related to Dr. Shea's medical knowledge, judgment, clinical skills, or documentation. Dr. Shea must provide a copy of this Consent Agreement, together with any amendments hereto, to his physician practice monitor. The physician practice monitor shall include with his sixth monthly monitoring report a recommendation to the Board regarding the continuation, modification, or elimination of the monitoring requirements. Upon receipt of the physician practice monitor's recommendation, the Board shall review all information, and in its sole discretion, maintain, modify, or eliminate the requirements of this subparagraph for any remaining period of probation. After an initial period of six months, Dr. Shea may submit a written request

to modify or eliminate the requirements of this subparagraph. 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.

4. Dr. Shea acknowledges by his signature hereto that all other terms and conditions of the Consent Agreement effective October 10, 2017, as amended, remain in full force and effect.

5. Dr. Shea 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, DONALD B. SHEA, M.D., HAVE READ AND UNDERSTAND THE FOREGOING FIRST AMENDMENT AND AGREE WITH ITS CONTENTS AND TERMS. I FURTHER UNDERSTAND THAT BY SIGNING THIS FIRST AMENDMENT, I WAIVE CERTAIN RIGHTS, INCLUDING THE RIGHT TO A HEARING BEFORE THE BOARD. I SIGN THIS FIRST AMENDMENT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS FIRST AMENDMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

Dated: 1/19/18

Donald B Shea M.D  
DONALD B. SHEA, M.D.

STATE OF MAINE  
Kennebec, SS.

Before me this 19<sup>th</sup> day of January, 2018, personally appeared Donald B. Shea, 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.

Paula A Denis  
Notary Public/Attorney at Law  
My commission expires  
**PAULA A. DENIS**  
**NOTARY PUBLIC**  
**STATE OF MAINE**  
**MY COMMISSION EXPIRES 3-7-2021**

DATED: January 24, 2018

Alice E. Knapp  
ALICE E. KNAPP, ESQ.  
Attorney for Donald B. Shea, M.D.


STATE OF MAINE BOARD OF  
LICENSURE IN MEDICINE

DATED: 2/13/18

  
MAROULLA S. GLEATON, M.D.,  
Chairman

STATE OF MAINE DEPARTMENT  
OF THE ATTORNEY GENERAL

DATED: February 13, 2018

  
MICHAEL MILLER  
Assistant Attorney General

Effective Date: February 13, 2018