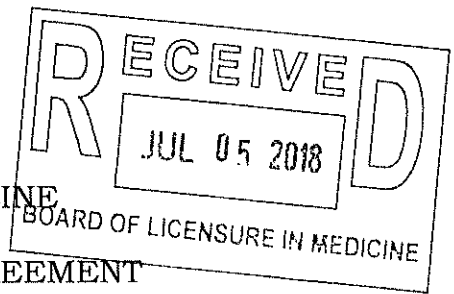


STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE



In re:) CONSENT AGREEMENT
ANTHONY J. BOCK, M.D.)
Complaint No. CR18-30)

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 Anthony J. Bock, M.D. The parties to the Consent Agreement are: Anthony J. Bock, M.D. (“Dr. Bock”), 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. Bock has held a license to practice medicine in the State of Maine since August 11, 1999 (license number MD15071), and specializes in emergency medicine.
2. On March 5, 2018, the Board issued a complaint alleging incompetence, unprofessional conduct, and violation of Board rules related to telemedicine standards of practice, following receipt of a report pursuant to 24 M.R.S. § 2505 from a physician stating that Dr. Bock had prescribed antibiotics to a minor patient without examining him, receiving records, or communicating with him as the minor patient’s family physician, either before or after issuing the prescription. The Board docketed that complaint as CR18-30, and sent it to Dr. Bock for a response.

3. On March 12, 2018, the Board received Dr. Bock's response to complaint CR18-30. In his response, Dr. Bock explained that he had received a telephone call from the patient's father and obtained a "detailed history of present illness, review of symptoms and referenced his past medical history of prior ear infections, ADHD and medications and allergies" via conversation with the eleven-year-old patient's father and MDLive chart. Dr. Bock admitted that he did not conduct a physical examination of the patient or did not speak directly with the patient, and relied on his 18 years of experience in diagnosing and treating ear infections to provide care to the patient. Dr. Bock called in an antibiotic prescription for the patient after the telephone encounter and provided a recording of the call to the Board.

4. 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.

5. Pursuant to 32 M.R.S. § 3282-A(2)(H), the Board may impose discipline for a violation of Board rules. Board Rules Chapter 6 "Telemedicine Standards of Practice" provides that a licensee who uses telemedicine in providing health care shall be held to the same standards of care and professional ethics as a licensee using traditional in-person encounters with patients and failure to conform to the appropriate standards of care or professional ethics while using telemedicine may subject the licensee to discipline by the Board. Board Rules Chapter 6, § 3(3). Generally, a licensee

shall perform an in-person medical interview and physical examination for each patient. However, the medical interview and physical examination may not be in-person if the technology utilized in a telemedicine encounter is sufficient to establish an informed diagnosis as though the medical interview and physician examination had been performed in-person. Prior to providing treatment, including issuing prescriptions, electronically or otherwise, a licensee who uses telemedicine in providing health care shall interview the patient to collect the relevant medical history and perform a physical examination, when medically necessary, sufficient for the diagnosis and treatment of the patient. Board Rules Chapter 6, § 3(7). The licensee shall provide a copy of the medical records to the treating physician(s). Board Rules Chapter 6, § 3(10).

6. On April 10, 2018, the Board reviewed complaint CR18-30 and voted to set this matter for an adjudicatory hearing. In addition, the Board voted to offer Dr. Bock this Consent Agreement to resolve this matter without further proceedings. Absent Dr. Bock'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 July 18, 2018, the matter will be scheduled for an adjudicatory hearing.

COVENANTS

7. Dr. Bock admits the facts stated above and agrees that such conduct constitutes grounds for discipline pursuant to 32 M.R.S. § 3282-A(2)(F) (for engaging in unprofessional conduct) and § 3282-A(2)(H) (for violation of Board rules).

8. As discipline for the foregoing conduct, Dr. Bock agrees to accept the following:

A WARNING for violating Board rules regarding telemedicine standards of practice.

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

10. Violation by Dr. Bock 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. This Consent Agreement is not appealable and is effective until modified or rescinded in writing by the parties hereto.

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

13. 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.

14. 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.

15. 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.

16. Dr. Bock 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.

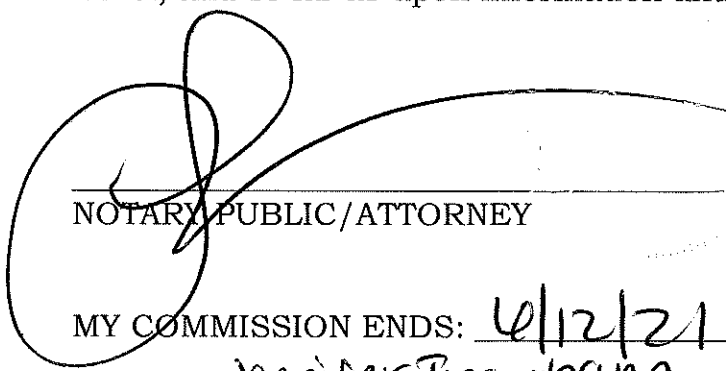
17. For the purposes of this Consent Agreement, the term "execution" means the date on which the final signature is affixed to this Consent Agreement.

I, ANTHONY J. BOCK, 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: 7/1/18 
ANTHONY J. BOCK, M.D.

STATE OF Maine
_____, S.S.

Personally appeared before me the above-named Anthony J. Bock, 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: 7/1/18 
NOTARY PUBLIC/ATTORNEY

MY COMMISSION ENDS: 6/12/21
Jennifer Ingraham

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

DATED:

7/10/18



MAROUILLA S. GLEATON, M.D., Chair

STATE OF MAINE DEPARTMENT
OF THE ATTORNEY GENERAL

DATED:

July 10, 2018



MICHAEL MILLER
Assistant Attorney General

Effective Date:

July 10, 2018