

STATE OF MAINE  
BOARD OF LICENSURE IN MEDICINE

In re: )  
ROBIN E. LOCKE, M.D. ) CONSENT AGREEMENT  
No. CR17-88 )  
)

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 Robin E. Locke, M.D. The parties to the Consent Agreement are: Robin E. Locke, M.D. (“Dr. Locke”), 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. Locke has held a license to practice medicine in the State of Maine since May 7, 2009 (license number MD18128), and specializes in internal medicine and oncology.

2. On March 16, 2017, the Board received a report from MaineGeneral Medical Center (“MGMC”) pursuant to 24 M.R.S. § 2506 stating that MGMC had received a report of unprofessional conduct alleging that Dr. Locke for a period of approximately two years had been writing prescriptions for herself for controlled substances under the name and credentials of a MGMC colleague and that MGMC had placed Dr. Locke on precautionary suspension effective March 10, 2017.

3. On March 20, 2017, the Board received a report pursuant to 24 M.R.S. § 2505 from a physician who stated that in reviewing his prescriptions in the prescription monitoring program (“PMP”), he discovered many prescriptions for Schedule II drugs to Dr. Locke under his DEA number dating back to January of 2013, and that Dr. Locke was not his patient. The prescriptions were primarily for oxycodone.

4. Review of records of the PMP revealed approximately 109 prescriptions for Dr. Locke for oxycodone, oxycontin, alprazolam, and lorazepam from the physician who filed the § 2505 report for the period January 2013 through February 2017. In addition, the PMP review revealed approximately 38 prescriptions for Dr. Locke for oxycodone and oxycontin from an Advance Practice Registered Nurse, Certified Nurse Practitioner for the period March 2012 through December 2012.

5. On March 28, 2017, Board staff contacted the Advance Practice Registered Nurse, Certified Nurse Practitioner who stated that she worked with Dr. Locke at the Alford Cancer Center until May 2012. She told Board staff that she never prescribed controlled substances to Dr. Locke nor was Dr. Locke ever her patient.

6. On March 9, 2017, Dr. Locke sent an email to MGMC stating that she had enrolled herself in a rehabilitation program and was seeking assistance in managing narcotic use.

7. On April 11, 2017, Dr. Locke entered into an Interim Consent Agreement for License Suspension with the Board.

8. On April 21, 2017, the Board issued a complaint based upon the allegations arising from the reports mentioned above. The Board docketed the complaint as CR17-88 and sent it to Dr. Locke for a response.

9. By letter dated June 28, 2017, Dr. Locke responded to Complaint CR17-88 through legal counsel, declined to provide a substantive response, stated that she was enrolled in the Maine Medical Professionals Health Program ("MPHP"), and that she did not anticipate any immediate return to practice.

10. On April 2, 2018, the Board amended Complaint CR17-88 following another report from MGMC that a patient reported to that entity that Dr. Locke encouraged the patient to take higher doses of pain medication, that Dr. Locke would conduct pill counts of the patient's medication and he would receive fewer pills following the count, and that the patient became dependent on the medication and was struggling to get off of that medication. In addition, the patient's medical record did not contain medication lists or documentation that pill counts were conducted. The Board sent Amended Complaint CR17-88 to Dr. Locke for a response.

11. By letter dated May 7, 2018, Dr. Locke responded to the Amended Complaint CR17-88 through legal counsel. Dr. Locke denied diverting medication from the patient.

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

13. Pursuant to 32 M.R.S. § 3282-A(2)(B), the Board may impose discipline for misuse of alcohol, drugs or other substances that has resulted or may result in the licensee performing services in a manner that endangers the health or safety of patients.

14. Pursuant to 32 M.R.S. § 3282-A(2)(F), the Board may impose discipline for unprofessional conduct if the licensee has engaged in conduct that violates a standard of professional behavior that has been established for the practice of medicine.

15. On June 12, 2018, the Board reviewed Amended Complaint CR17-88, and voted to set this matter for an adjudicatory hearing. In addition, the Board voted to offer Dr. Locke this Consent Agreement to resolve this matter without further proceedings. Absent Dr. Locke'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 August 23, 2018, the matter will be scheduled for an adjudicatory hearing.

#### COVENANTS

16. Dr. Locke agrees that if the Board were to hold an adjudicatory hearing in these matters, the Board would have sufficient evidence by a preponderance of the evidence by which it could find that grounds for discipline exist pursuant to 32 M.R.S. §§ 3282-A(2)(A) (for engaging in fraud, deceit or misrepresentation in connection with a service rendered within the scope of the license issued), (2)(B) (for misuse of alcohol, drugs or other

substances that may result in the licensee performing services in a manner that endangers the health or safety of patients), and (2)(F) (for engaging in unprofessional conduct), and the Board hereby finds that grounds for discipline exist pursuant to 32 M.R.S. §§ 3282-A(2)(A), (B), and (F).

17. As discipline for the conduct described above, Dr. Locke agrees to the IMMEDIATE VOLUNTARY SURRENDER of her Maine medical license effective upon the execution of this Consent Agreement.

18. Violation by Dr. Locke 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.

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

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

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

22. 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.

23. 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.

24. 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.

25. Dr. Locke 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.

26. Dr. Locke has been represented by Ronald W. Schneider, Jr., Esq., who has participated in the negotiation of the terms of this Interim Consent Agreement.


27. 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, ROBIN E. LOCKE, 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.

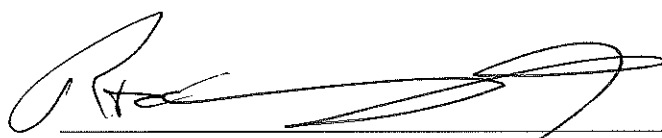
DATED: 10/26/18   
ROBIN E. LOCKE, M.D.

STATE OF Maine  
Washington, S.S.

Personally appeared before me the above-named Robin E. Locke, M.D., 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: 10/26/18   
NOTARY PUBLIC/ATTORNEY

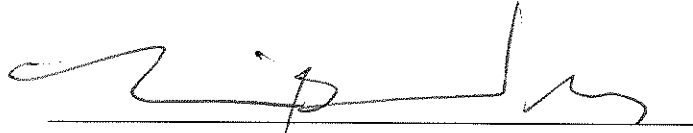
MY COMMISSION ENDS: \_\_\_\_\_  
KERI ANN BARNARD  
NOTARY PUBLIC  
State of Maine  
My Commission Expires  
April 11, 2023

DATED: 10/30/18   
RONALD W. SCHNEIDER, JR., Esq.  
Counsel for Robin E. Locke, M.D.

STATE OF MAINE  
BOARD OF LICENSURE IN MEDICINE

DATED:

11-13-18

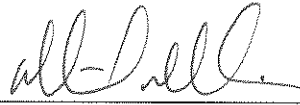


MARY LOUISA BARNHART, M.D.,  
Acting Chair

STATE OF MAINE DEPARTMENT  
OF THE ATTORNEY GENERAL

DATED:

November 13, 2018



MICHAEL MILLER  
Assistant Attorney General

Effective Date:

November 13, 2018