

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

In re:) CONSENT AGREEMENT
HEATHER M. SNEFF, M.D.)
Complaint No. CR17-170)

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 Heather M. Sneff, M.D. The parties to the Consent Agreement are: Heather M. Sneff, M.D. (“Dr. Sneff”), 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. Sneff has held a license to practice medicine in the State of Maine since February 24, 2010 (license number MD18391), and specializes in family practice.
2. On August 24, 2017, the Board initiated a complaint alleging incompetence and unprofessional conduct, following a mandated report from a hospital where Dr. Sneff worked as a locum tenens family medicine physician. The hospital reported that Dr. Sneff was removed early from clinical patient care duties in order to finish documentation and to address outstanding patient messages, orders, labs and imaging results, and that notwithstanding being provided with an opportunity to complete the necessary medical record documentation, Dr. Sneff left the position with unfinished patient encounters,

unsigned orders, and unsigned lab or test results. The Board docketed that complaint as CR17-170, and sent it to Dr. Sneff for a response.

3. By letter dated October 23, 2017, Dr. Sneff responded to the complaint. Dr. Sneff explained that she no longer has access to the medical records at the hospital. She told the Board that this was one of her “most challenging positions” due to “the significant staffing shortage and the unique lack of supports for administrative work.” Dr. Sneff stated that she “walked into a clinic in crisis and did the best that [she] could.” Dr. Sneff stated that she had a “non-working computer for nearly [her] entire time at the job” which was not fixed until about four weeks from her last day there. Dr. Sneff stated that there were issues associated with the electronic medical record (“EMR”) used. Dr. Sneff acknowledged that charting is a weakness of hers and that she disclosed it to the hospital prior to her employment. Dr. Sneff stated that she tried to inform the hospital about her concerns proactively and felt that she kept “patient safety and care foremost.”

4. Upon further investigation, Dr. Sneff informed the Board that she could not recall the specific features in the EMR that she did not have access to as a locum tenens provider or for which she did not have permissions enabled. The Board notes that Dr. Sneff failed to timely respond to the complaint notice and other Board communication. Interviews conducted with other medical providers associated with the hospital failed to corroborate several issues asserted by Dr. Sneff, with the exception of inconsistency in

labelling documents that made it more difficult to find them in the EMR at times.

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. On May 8, 2018, and August 14, 2018, the Board reviewed complaint CR17-170 and voted to set this matter for an adjudicatory hearing. In addition, the Board voted to offer Dr. Sneff this Consent Agreement to resolve this matter without further proceedings. Absent Dr. Sneff'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 9, 2018, the matter will be scheduled for an adjudicatory hearing.

COVENANTS

7. Dr. Sneff 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).

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

a) A WARNING for unprofessional conduct associated with medical recordkeeping;

b) A CIVIL PENALTY in the amount of One Thousand Dollars (\$1,000.00), payment of which may be made in installments and 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. The full amount of the civil penalty imposed by this paragraph shall be paid within one year of employment and no later than two (2) years after the execution of this Consent Agreement;

c) Dr. Sneff shall comply with the medical recordkeeping plan submitted by Dr. Sneff to the Board on August 8, 2018, or prior to providing any health care services in the State of Maine or pursuant to her Maine medical license, Dr. Sneff must notify the Board and submit an alternative proposed written medical recordkeeping plan setting forth how medical records will be accurately and timely completed. Any alternative medical recordkeeping plan to the August 8, 2018 medical recordkeeping plan must be approved by the Board Chair or Board Secretary before Dr. Sneff provides health care services in the State of Maine or pursuant to her Maine medical license; and

d) Dr. Sneff shall notify the Board of any employment within fourteen (14) days of employment and must promptly provide a copy of this Consent Agreement, together with any amendments, if any, to any health care employer.

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

10. Violation by Dr. Sneff 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. Sneff 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. Sneff 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.

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, HEATHER M. SNEFF, 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: 11/8/18 
HEATHER M. SNEFF, M.D.

STATE OF MAINE
Cumberland, S.S.

Personally appeared before me the above-named Heather M. Sneff, 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.

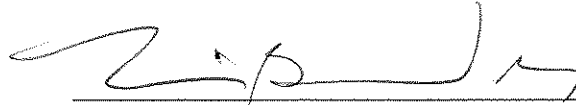
DATED: 11/8/18 
NOTARY PUBLIC/ATTORNEY

YOLANDE P. JUSTICE
Notary Public, Maine
My Commission Expires October 31, 2022

MY COMMISSION ENDS: 10/31/2022

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

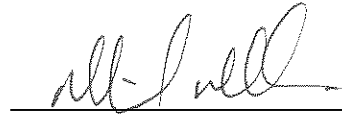
DATED: 11-13-18



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