

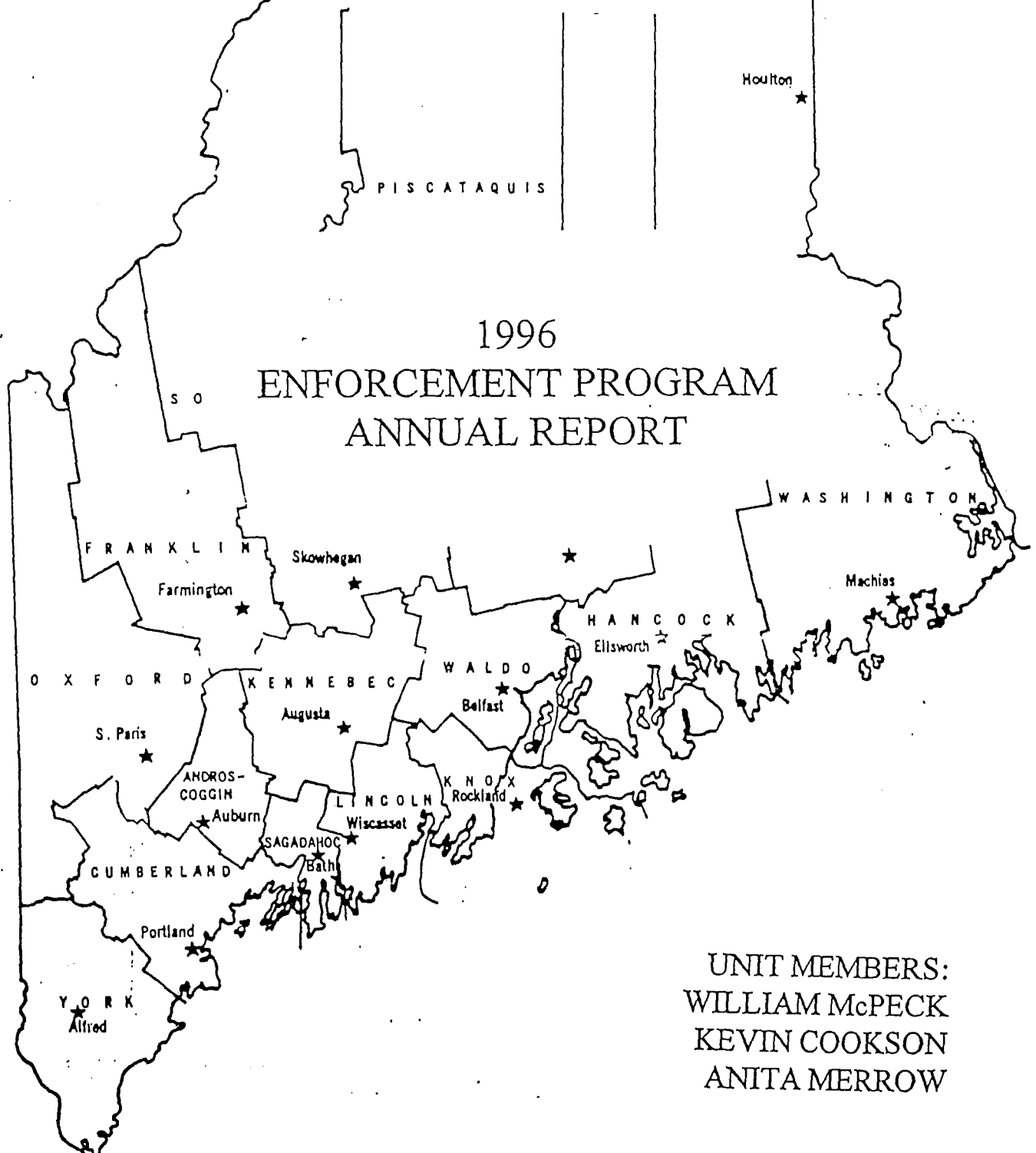
MAINE STATE LEGISLATURE

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MAINE
BOARD OF LICENSURE
IN MEDICINE



1996
ENFORCEMENT PROGRAM
ANNUAL REPORT

UNIT MEMBERS:
WILLIAM McPECK
KEVIN COOKSON
ANITA MERROW

Summary of Complaint Activity
Calendar Year 1996

Total Number of Complaints Received in 1996

147

Total Number of Complaints Received By Year

1996	-	147
1995	-	158
1994	-	106
1993	-	128
1992	-	100
1991	-	72
1990	-	102
1989	-	89
1988	-	70
1987	-	45
1986	-	39

Priority Assigned to 1996 Cases

Priority #1	-	0
Priority #2	-	3
Priority #3	-	144

Sex of the Licensee Complained Against in 1996

Male	-	125
Female	-	22

Age of the Licensee Complained Against in 1996

26 - 30 years	-	1
31 - 35 years	-	18
36 - 40 years	-	11
41 - 45 years	-	35
46 - 50 years	-	31
51 - 55 years	-	16
56 - 60 years	-	16
61 - 65 years	-	9
66 - 70 years	-	6
71 - 75 years	-	2
76 - 80 years	-	1
unknown	-	1

The modal age interval is 41 - 45 years of age.
 The median age is 49.1 years of age.
 The mean age is 47.7 years of age.

For 1996 Complaints Licensee Resides In Maine

Yes -	139
No -	8

In State 1996 Complaints Received by Licensee County of Practice (Maine)

Androscoggin -	19
Aroostook -	8
Cumberland -	34
Franklin -	2
Hancock -	2
Kennebec -	19
Knox -	7
Lincoln -	1
Oxford -	5
Penobscot -	28
Piscataquis -	0
Sagadahoc -	4
Somerset -	2
Waldo -	2
Washington -	4
York -	7

Total Number of 1996 Complaints Closed	68
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Reason for Closure

Dismissed-No Merit	40
-Does Not Rise To Level of Discipline	16
-Insufficient Evidence	5
No Jurisdiction	0
Filed (No Action Taken By Board)	4
Administrative	1
Voluntary Surrender With Cause	0
Voluntary Suspension With Cause	0
Probation	1
Reprimand and Fine	1
Fines assessed for 1996 complaints - \$1,500	

Number of Complaints Closed From Years Prior to 1996 76

Reason for Closure

Dismissed-No Merit	27
-Does Not Rise To Level of Discipline	11
-Insufficient Evidence	8
Probation	0
Administrative	13
No Jurisdiction	0
Filed (No Action Taken By Board)	2
Voluntary Surrender With Cause	0
Suspension (suspension stayed)	1
Reprimand	1
Modified Licenses	1
Nonrenewal of License	4
Convert to Inactive Status	1
Probation and Fine	1
Reprimand and Fine	5
Revocation	1

Year of Origin for Prior Year Complaints Closed in 1996

1995	44
1994	13
1993	6
1992	8
1991	3
1990 or earlier	2

Total Number of Complaints Closed in 1996 144

Reason for Closure of All Complaints Closed in 1996

Dismiss - No Merit	67
Does Not Rise To Level of Discipline	27
Insufficient Evidence	13
Lack of Jurisdiction	0
Filed (No Action Taken By Board)	6
Administrative	14
Voluntary Surrender with Cause	0
Voluntary Surrender without Cause	0
Voluntary Suspension with Cause	0
Probation	1
Reprimand and Fine	6
Suspension (Suspension Stayed)	1
Reprimand	1
Modified Licenses Issued	1
Nonrenewal of License	4
Conversion to Inactive Status	1

Probation and Fine
Revocation

1
1

Total Number of Complaints Closed Yearly by Year

1996 - 144
1995 - 92
1994 - 81
1993 - 90

Average Time Between Complaint Receipt and First Board Review (in months)

For complaints received in 1996 - 5.67
For complaints received in 1995 -
For Complaints Received in 1994 - 4.90

Frequency Distribution of Time (in months) Between Complaint Receipt and First Board Review

1 Month -	4
2 Months -	3
3 Months -	13
4 Months -	10
5 Months -	12
6 Months -	10
7 Months -	9
8 Months -	4
9 Months -	2
10 Months -	0
11 Months -	0
12 Months -	1
N/A -	1

The modal time is three months.
The median time is 4.8 months.
The mean time is 4.9 months.

Average Time Between Complaint Receipt and Complaint Closure (in months)

For Complaints Received in 1996 - 5.7
For Complaints Received in 1995
For Complaints Received in 1994 - 5.7

Frequency Distribution of Time (in months) Between Complaint Receipt and Complaint Closure for Complaints Received in 1996

1 Month -	4
2 Months -	3
3 Months -	13
4 Months -	10
5 Months -	12
6 Months -	9
7 Months -	10
8 Months -	4
9 Months -	2
10 Months -	0
11 Months -	0
12 Months -	1

The modal time is three months.

The median time is 4.8 months.

The mean time is 4.9 months.

Sources of Allegation For 1996 Complaints

Patient	59
Patient's Family	61
Institutional Provider (Hospital)	4
Board or Board Staff	9
Individual Physician	1
FSMB, AMA or NPDB Database	6
Maine Attorney General's Office	2
Another State or Provincial Medical Board	1
Other Maine Health Care Provider (non-physician)	2
Another Agency of Maine State Government	1
Other	1

Allegations Contained in 1996 Complaints

Fraud or Deceit in Obtaining A License	5
Fraud or Deceit in Practice or Billing	3
Habitual Use of Drugs Other Than Alcohol	3
Habitual Use of Alcohol	0
Diagnosed Mental Impairment to Practice	2
Diagnosed Physical Impairment to Practice	0
Aiding or Abetting Unlicensed Practice	0
Incompetant Practice (Fitness)	2
Incompetant Practice (Knowledge, Skills etc.)	57
Unprofessional Conduct	73
Violation of Medical Practice Act or Board Rule	1
False or Misleading Advertising	1

Incompetent Practice (may be more than one per complaint)

Knowledge and Skills - Diagnosis	38
Knowledge and Skills - Treatment	37
Prescribing Practices	8
Ability or Fitness	2

Unprofessional Conduct (may be more than one per complaint)

Inappropriate Sexual Contact	2
Diagnosing and Treatment Issues	25
Communication Issues	35
Abandonment	18
Breach of Confidentiality	2
Prescribing Practices	12
Medical Records	9
Other	8

Type of Impairment Alleged in 1996 Complaints

Alcohol	0
Drugs	3
Mental	1
Physical	1

Examinations Ordered By Board for 1996 Complaints

Substance Abuse	1
Mental	3
Physical	1

Letters of Guidance Issued By Board in 1996 20

Consent Agreements Approved By Board in 1996 16

New Consent Agreement Monitoring Files Opened in 1996 7

Location of Alleged Activity in 1996 Complaints

Office	70
Hospital (in-patient)	31

Hospital (out patient)	1
Nursing Home	4
Emergency Room	8
Clinic	9
Other	0
Not Applicable, or Unknown	20

Type of Specialty Involved in 1996 Complaints

Family/General Practice	25
Internal Medicine	23
Orthopedics	5
Surgery, Neurological	4
Psychiatry	16
Ophthalmology	14
Surgery, General	11
Neurology	0
Pediatrics	6
Surgery, Urological	3
Anesthesiology	2
Dermatology	1
Emergency Medicine	3
OB/GYN	9
Occupational Medicine	0
Endocrinology	0
Gastroenterology	0
Neonatal Perinatal Medicine	0
Oncology	0
Otorhinolaryngology	8
Physical Medicine and Rehabilitation	3
Radiology	0
Surgery, Cardiovascular	0
Surgery, Plastic	2
Surgery, Thoracic	1
Surgery, Vascular	1
Allergist	1
Cardiology	1
Nurse Practitioner	2
PAs	6

Complaints Related To IME in 1996

Yes	2
No	145

Complaints Generated From Malpractice Reports

Yes	1
No	146

Complaints Arising From Managed Care Plan Participation

Yes	0
No	147

Informal Conferences Held in 1996: 6

Adjudicatory Hearings Held in 1996: 2

Frequency of Complaints Received in 1996 By Month

January	12
February	13
March	14
April	11
May	11
June	7
July	16
August	12
September	11
October	11
November	17
December	12

Average Number of New Complaints Received per Month By Year

1996	- 12.25
1995	- 13.17
1994	- 8.8

Total Adverse Licensing Actions Taken by Board in 1996 - 24
This represents actions against 19 licensees.

Total Fines Assessed By Board in 1996 - \$16,500.00

Type of Adverse Licensing Actions Taken in 1996

Non-Renewal	3
Conditions Placed on License	6
Reprimand and Fine	6
Emergency Summary Suspension	2
Reprimand	2
Suspension (stayed)	2
Probation	1
Revocation	1
Probation and Fine	1

Sources of Allegation for 1996 Adverse Licensing Actions

Consumer	1
Institutional Provider	3
FSMB, AMA or NPDB Database	9
Other Government Agency	2
Individual Physician	1
Applicant (Self Report)	1
Board Staff	2

Legal Basis for 1996 Adverse Licensing Actions Taken

Fraud or Deceit in Application	6
Incompetant Practice (Knowledge, Skills, etc.)	3
Substance Abuse	3
Diagnosed Mental Illness	1
Unprofessional Conduct	4
Reciprocal Action Based on Action By Another State	2

Consent Agreements Executed By Board in 1996 - 14

Type of Adverse Licensing Actions Taken

Non-renewal of License	2
Conditions Placed on License	4
Reprimand and Fine	5
Suspension (Stayed) with Probation	1
Suspension (Stayed) with Conditions Placed on License	1
Probation with Conditions Placed on License	1

Board Orders Issued by the Board in 1996 - 5

Type of Adverse Licensing Actions Taken

Emergency Summary Suspension	2
Reprimand and Fine	1
Revocation	1
Non-Renewal	1

Adverse Licensing Actions Taken in 1996 by Type of License Held

M.D. Permanent -	18
Initial Application -	1

Practice Location of Licensees Subject to 1996 Adverse Licensing Actions

Maine -	10
Elsewhere -	9

Adverse Licensing Actions Taken in 1996 By Year Complaint was Originally Received

1996 -	4
1995 -	6
1994 -	5
1993 -	0
1992 -	3
Initial License -	1

Number of Licensees Subject to Adverse Licensing Actions by Calendar Year

1996 -	19
1995 -	11
1994 -	16
1993 -	8
1992 -	6
1991 -	3
1990 -	5
1989 -	3
1988 -	3

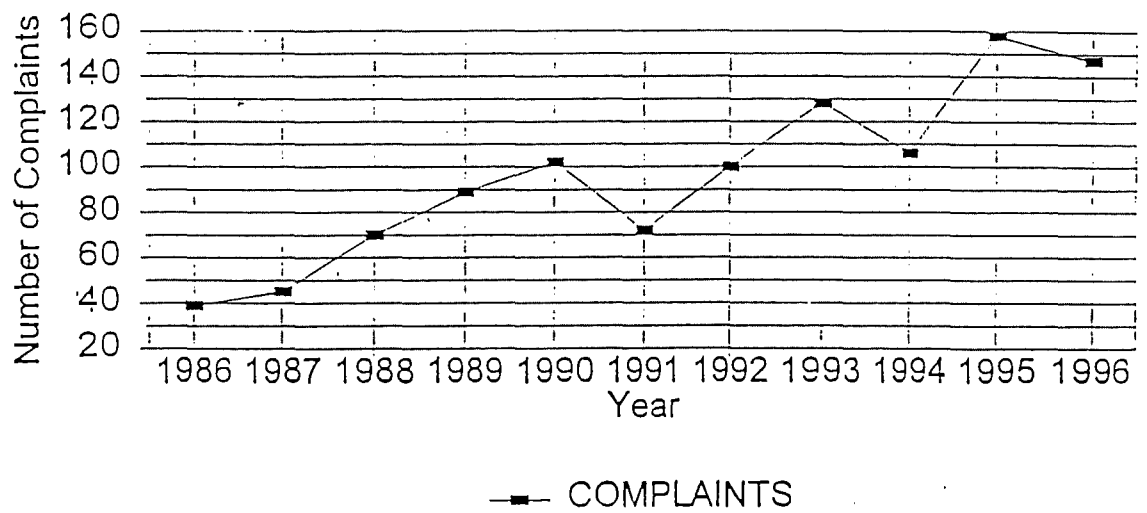
Total Number of Open Complaints Carried Forward From Calendar
Year

1996 - 250
1995 - 247
1994 - 168
1993 - 143
1992 - 105
1991 - 91
1990 - 64
1989 - 53
1988 - 47

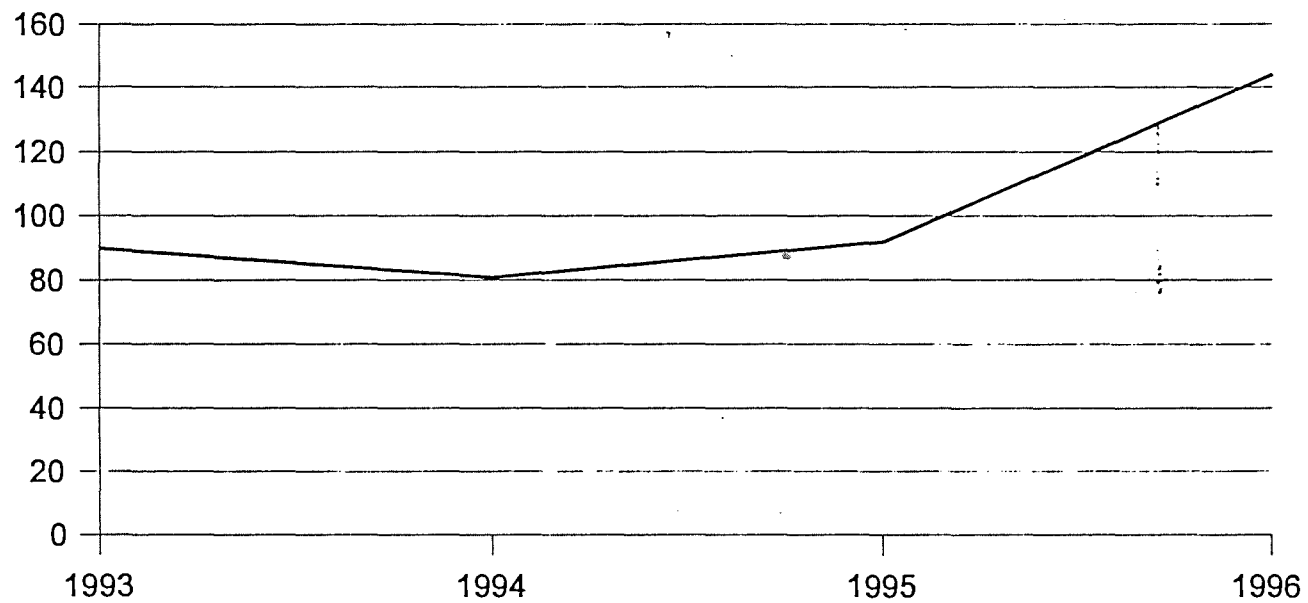
Open Complaint Balance as of January 1, 1996 - 247
New Complaints Opened in 1996 - 147
Total Complaints Closed in 1996 - (144)
Open Complaint Balance as of January 1, 1997 - 250

MAINE BOARD OF LICENSURE IN MEDICINE

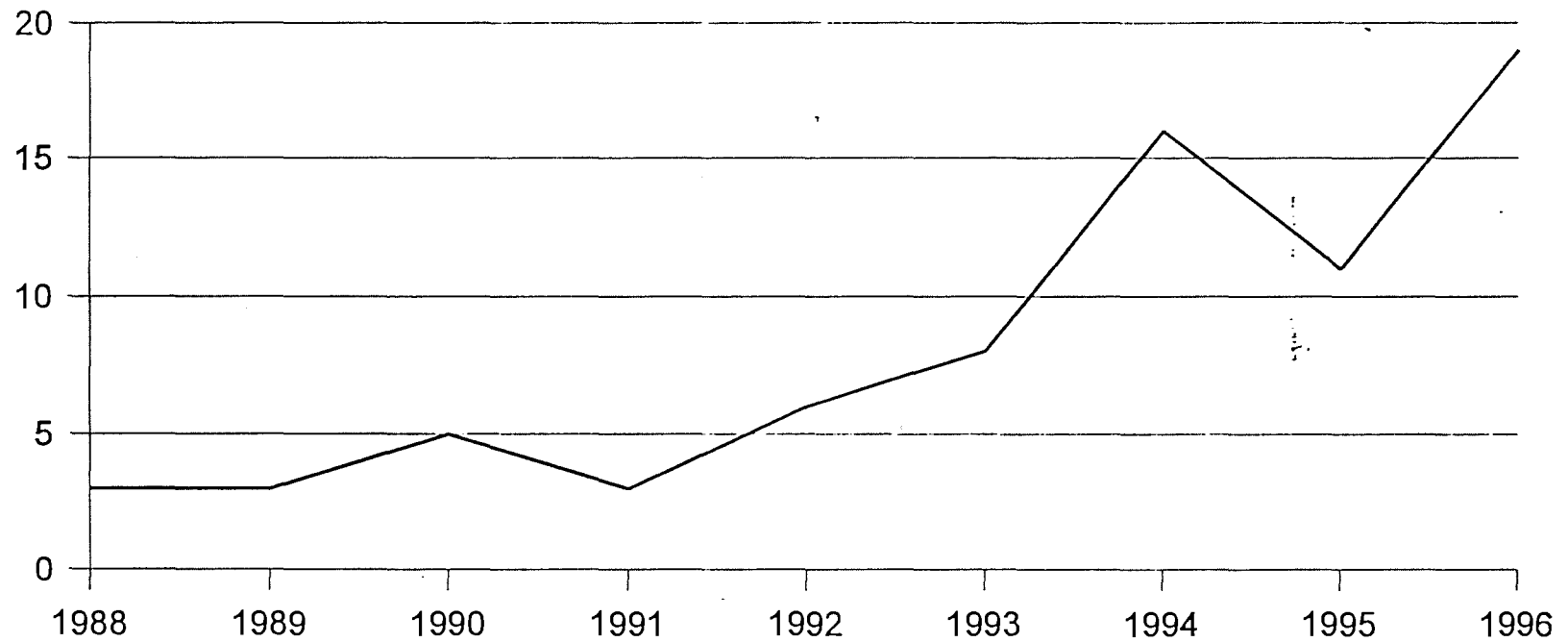
Complaints Received by Year



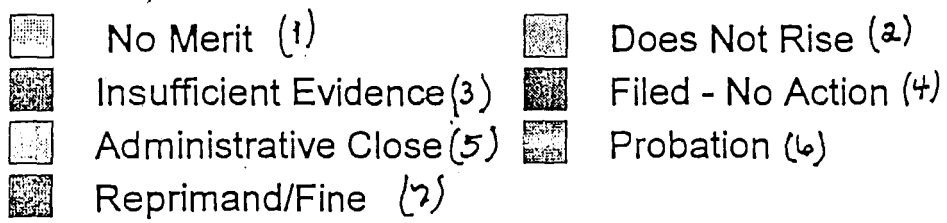
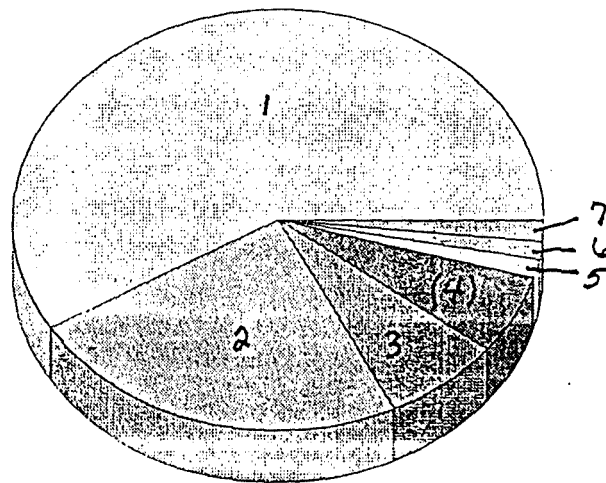
Complaints Closed by Year



Licensees Receiving Adverse Actions

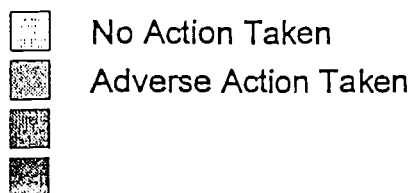
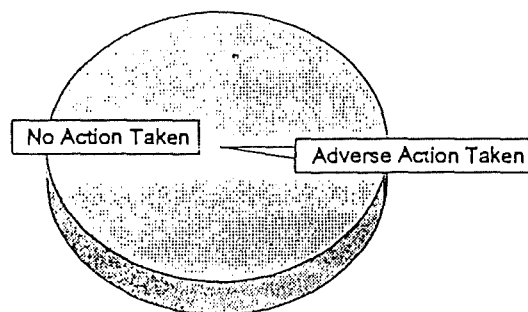


1996 Closings By Action Type



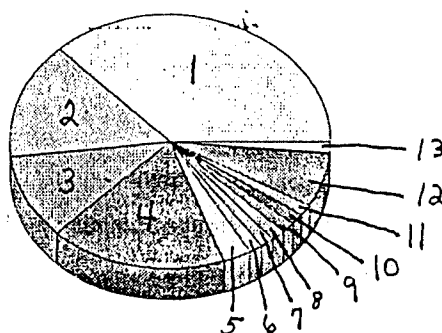
1996 Complaints Closed











No Action vs. Adverse Action



Complaints Closed From Prior Years

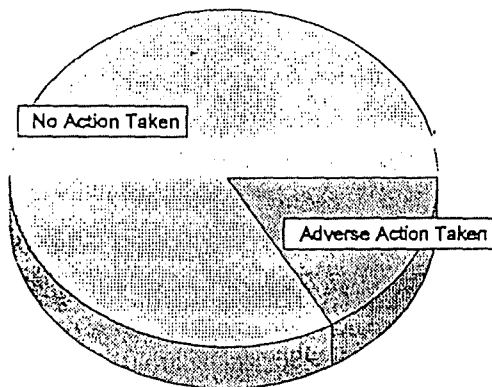
Prior to 1996



	No Merit (1)		Does Not Rise (2)
	Insufficient Evidence (3)		Administrative Close (4)
	Filed-No Action (5)		Suspension Stayed (6)
	Reprimand (7)		Conditional License (8)
	Non-Renew (9)		Convert to Inactive (10)
	Probation/Fine (11)		Reprimand/Fine (12)
	Revocation (13)		

Complaints Closed From Prior Years

No Action vs. Adverse Action

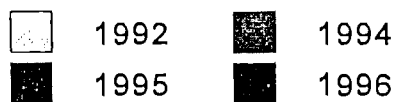
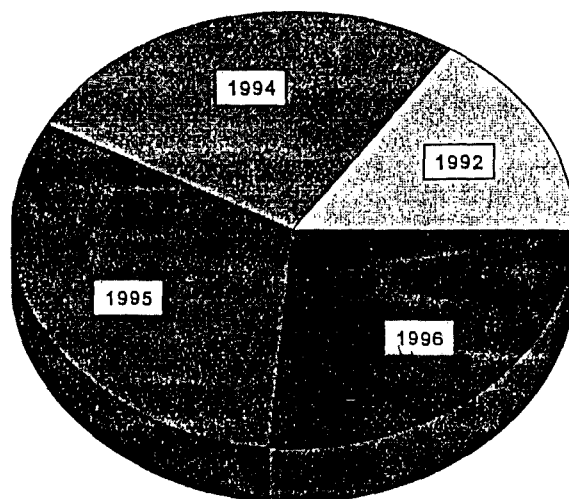


No Action Taken

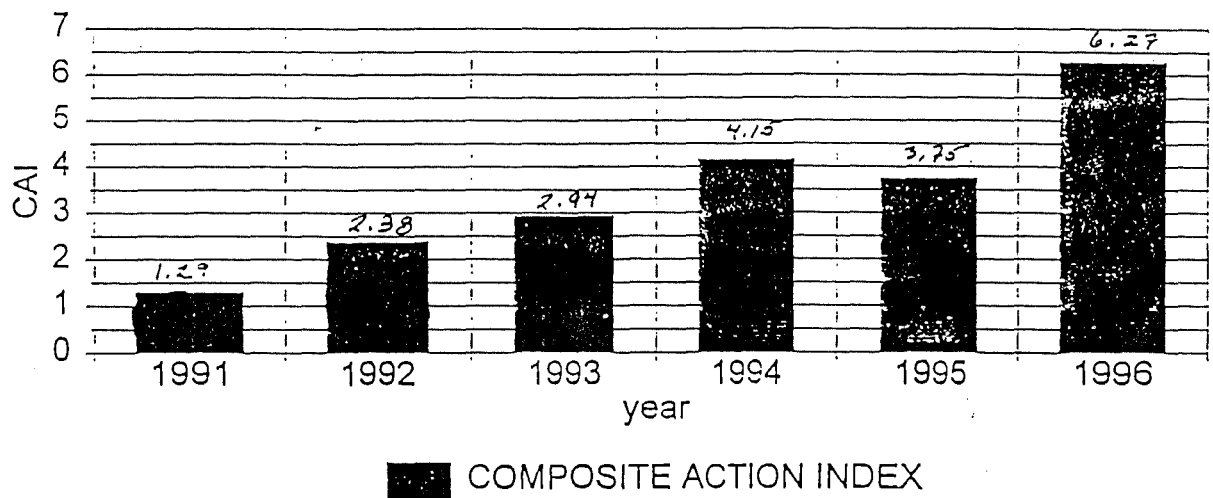


Adverse Action Taken

1996 Adverse Actions By Year Opened



MAINE BOARD OF LICENSURE IN MEDICINE
FSMB Composite Action Indices by Year



Open Complaints Carried Forward

