

# MAINE STATE LEGISLATURE

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January 20, 1942

Adam F. Leighton, M.D.  
Secretary, State Board of  
Registration of Medicine  
192 State Street  
Portland, Maine

My dear Adam: Re: Dr. Frederick Dugdale

I have made careful examination of the enclosures you sent me with your letter of January 18th, which enclosures I am returning to you herewith. I note that your letter says: "The Board voted, after the hearing, to put the matter up to you and to get your advice first as to whether we could or should take away his license."

Public Laws 1935, Chapter 118, provides as follows: "Said board.....on proof to its satisfaction of fraudulent or unprofessional conduct in the practice of his profession..... or on proof to its satisfaction of the use of advertising which may be considered by the board to be deceptive, misleading, extravagant, improbable or unethical, of or by any person to whom a certificate has been issued by them, and after hearing, may by vote of 2/3 of the entire board revoke the certificate and cancel the registration of the person to whom the same was issued." Certainly the record of the Post Office Department may be regarded by your board as "proof to its satisfaction of fraudulent or unprofessional conduct in the practice of his profession", and may also be considered as "proof to its satisfaction of the use of advertising which may be considered by the board to be deceptive, misleading, extravagant, improbable or unethical".

Certainly after hearing, if 2/3 of your entire board so vote, you can revoke Dr. Dugdale's certificate and cancel his registration. As to whether you should do it, is a matter that is for you gentlemen to decide. You are the

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administrators of this particular law. However, since you have asked me whether in my opinion you should take away his license, I am prepared to say that from the point of view of this office, failure on the part of your board to take strong steps in preventing the recurrence of such conduct as Dr. Dugdale has apparently been guilty of would be reason for questioning the propriety of the members of your board continuing in office.

Very truly yours,

Frank I. Cowan  
Attorney General