

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

In re:)	CONSENT
Deborah J. Charette, PA-C)	AGREEMENT
Complaint No. CR10-280)	

This document is a Consent Agreement, effective when signed by all parties, regarding an adverse licensing action that is reportable as “a surrender of licensure” to the National Practitioner Data Bank, the Healthcare Integrity and Protection Data Bank, and the Federation of State Medical Boards regarding the license to practice as a physician assistant in the State of Maine held by Deborah J. Charette, PA-C. The parties to the Consent Agreement are: Deborah J. Charette, PA-C (“Ms. Charette”), the State of Maine Board of Licensure in Medicine (“the Board”), and the State of Maine Office of the Attorney General (“the Attorney General”). This Consent Agreement is entered into pursuant to 10 M.R.S.A. § 8003(5)(B) and 32 M.R.S.A. § 3282-A.

STATEMENT OF FACTS

1. At all times relevant to the complaint, Ms. Charette was licensed as a physician assistant in the State of Maine. The Board first issued a physician assistant license to Ms. Charette on November 4, 2004.
2. On or about January 28, 2010, the Board received an application from Ms. Charette to withdraw from licensure. That application was pended until the Board could determine that there were no grounds to discipline her license.
3. On March 3, 2010, the Board received a letter from the Maine Medical Professionals Health Program (MMPHP) indicating that Ms. Charette had not pursued a comprehensive evaluation as recommended after she allegedly self-prescribed Xanax.

4. On May 20, 2010, the Board received another letter from the MMPHP indicating that Ms. Charette had failed to follow through with scheduling and completing a comprehensive psychological profile, generating concern about her safe practice of medicine.

5. On or about June 16, 2010, the Board reviewed the information from the MMPHP and, pursuant to its authority under 32 M.R.S.A. § 3282-A(2), voted to initiate a complaint against Ms. Charette's Maine physician assistant license. The Board docketed the complaint as CR10-280.

6. On November 12, 2010, the Board received a written response from Ms. Charette to complaint CR10-280. In her response, Ms. Charette denied self-prescribing Xanax or abusing any other drug.

7. On or about December 13, 2010, the Board received a copy of the comprehensive psychological profile regarding Ms. Charette. On January 11, 2011, the Board reviewed the comprehensive psychological profile, together with all materials related to complaint CR10-280. Following its review, the Board voted to offer Ms. Charette the opportunity to "withdraw her Maine physician assistant license while under investigation, which would be reportable as 'a surrender of licensure'" to the National Practitioner Data Bank, the Healthcare Integrity and Protection Data Bank, and the Federation of State Medical Boards.

8. Absent Ms. Charette's acceptance of this Consent Agreement by signing it, dating it, having it notarized, and returning it to Maureen Lathrop, Investigative Secretary, Maine Board of Licensure in Medicine, 137 State House Station, Augusta, Maine 04333-0137 on or before February 21, 2011, the Board will take further action with regard to complaint CR10-280.

COVENANTS

9. Ms. Charette neither admits nor denies the basis of complaint CR10-280.
10. Ms. Charette agrees to “withdraw her Maine physician assistant license while under investigation.” In addition, Ms. Charette agrees and understands that her withdrawal of licensure while under investigation is “an adverse licensing action that the Board will report as ‘a surrender of licensure’ to the National Practitioner Data Bank, the Healthcare Integrity and Protection Data Bank, and the Federation of State Medical Boards.”
11. The Board agrees to allow Ms. Charette “to withdraw her Maine physician assistant license while under investigation,” which is an adverse licensing action that the Board will report as a “surrender of licensure” to the National Practitioner Data Bank, the Healthcare Integrity and Protection Data Bank, and the Federation of State Medical Boards. In addition, the Board agrees to close complaint CR10-280 without further action.
12. Ms. Charette waives her right to a hearing before the Board or any court regarding all findings, terms and conditions of this Consent Agreement. Ms. Charette agrees that this Consent Agreement and Order is a final order resolving the complaint CR10-280. This Consent Agreement is not appealable and is effective until or unless modified or rescinded in writing by the parties hereto. This Consent Agreement cannot be amended orally. It can only be amended by a writing signed by the parties hereto and approved by the Office of Attorney General.
13. The Board and the Office of the Attorney General may communicate and cooperate regarding Ms. Charette or any other matter relating to this Consent Agreement.
14. This Consent Agreement is a public record within the meaning of 1 M.R.S.A. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S.A. § 408.

15. Nothing in this Consent Agreement shall be construed to affect any right or interest of any person not a party hereto.

16. The Board and Ms. Charette agree that no further agency or legal action will be initiated against her by the Board based upon complaint CR10-280.

17. Ms. Charette 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.

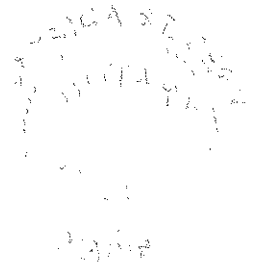
I, DEBORAH J. CHARETTE, PA-C, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT AND AGREE WITH ITS CONTENTS AND TERMS. I FURTHER UNDERSTAND THAT BY SIGNING THIS AGREEMENT, I WAIVE CERTAIN RIGHTS, INCLUDING THE RIGHT TO A HEARING BEFORE THE BOARD. I SIGN THIS CONSENT AGREEMENT VOLUNTARILY, WITHOUT 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: Feb 15, 2011 Deborah Charette
DEBORAH J. CHARETTE, PA-C

STATE OF Maine
Arundel, S.S.

Personally appeared before me the above-named Deborah Charette, PA-C, 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: 2-15-11 Jessica St. Jean
NOTARY PUBLIC ATTORNEY




MY COMMISSION ENDS:
December 29, 2011

Jessica St. Jean
Notary Public
State of Maine
My Commission Expires
December 29, 2011

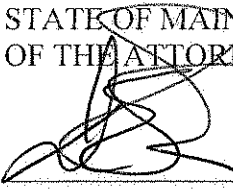
STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

DATED: 3/8/2011


SHERIDAN R. OLDHAM, M.D., Chairman

STATE OF MAINE OFFICE
OF THE ATTORNEY GENERAL

DATED: 3/8/11


DENNIS E. SMITH
Assistant Attorney General

Effective Date: