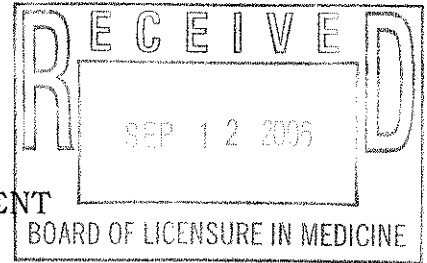


STATE OF MAINE  
BOARD OF LICENSURE IN MEDICINE



In re: )  
Ardell W. Diessner, M.D. )  
Complaint No. CR06-072 )

CONSENT  
AGREEMENT

This document is a Consent Agreement, effective when signed by all parties, regarding disciplinary action against and conditions imposed upon the license to practice as a physician in the State of Maine held by Ardell W. Diessner, M.D. The parties to the Consent Agreement are: Ardell W. Diessner, M.D. ("Dr. Diessner"), 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, Dr. Diessner was licensed as a physician in the State of Maine. The Board first issued a physician license to Dr. Diessner on November 18, 1992. Dr. Diessner specializes in Psychiatry.
2. In February 2006, the Board received information from the Maine Department of Health and Human Services alleging that Dr. Diessner repeatedly touched a patient after being asked not to and that a caseworker had to step between Dr. Diessner and the patient. Following its review of this information, the Board voted to initiate a complaint against Dr. Diessner's Maine medical license. The Board docketed the complaint as CR06-072.
3. On June 13, 2006, the Board received Dr. Diessner's response to complaint CR06-072.

4. On July 11, 2006, the Board reviewed complaint CR06-072, and voted to set the matter for an adjudicatory hearing. In addition, the Board authorized its legal counsel to proffer a Consent Agreement to Dr. Diessner that would resolve complaint CR06-072 without an adjudicatory hearing.

5. Absent Dr. Diessner'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 September 12, 2006, the Board will resolve this matter by holding an adjudicatory hearing.

#### COVENANTS

In lieu of proceeding to an adjudicatory hearing in this matter, Dr. Diessner agrees to the following :

6. Dr. Diessner neither admits nor denies the basis of complaint CR06-072. However, Dr. Diessner concedes that the Board could reasonably conclude by the preponderance of the evidence that the alleged conduct occurred and could constitute unprofessional conduct and grounds for discipline pursuant to 32 M.R.S.A. § 3282-A(2)(F).

7. As discipline for complaint CR06-072, Dr. Diessner agrees to IMMEDIATELY AND VOLUNTARILY SURRENDER his license to practice medicine in the State of Maine.

8. Dr. Diessner waives his right to a hearing before the Board or any court regarding all findings, terms and conditions of this Consent Agreement. Dr. Diessner agrees that this Consent Agreement and Order is a final order

resolving the complaint CR06-072. 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.

9. The Board and the Office of the Attorney General may communicate and cooperate regarding Dr. Diessner or any other matter relating to this Consent Agreement.

10. 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.

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

12. The Board and Dr. Diessner agree that no further agency or legal action will be initiated against him by the Board based upon complaint CR06-072.

13. Dr. Diessner acknowledges by his signature hereto that he has read this Consent Agreement, that he has had an opportunity to consult with an attorney before executing this Consent Agreement, that he executed this Consent Agreement of his own free will and that he agrees to abide by all terms and conditions set forth herein.

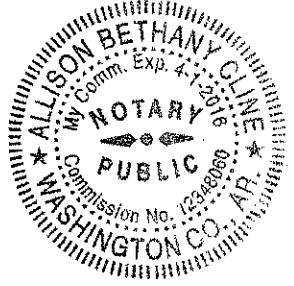
I, ARDELL W. DIESSNER, M.D., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT AND AGREE WITH ITS CONTENTS AND TERMS. I FURTHER UNDERSTAND THAT BY SIGNING THIS AGREEMENT, I WAIVE CERTAIN RIGHTS, INCLUDING THE RIGHT TO A HEARING BEFORE THE BOARD. I SIGN THIS CONSENT AGREEMENT VOLUNTARILY, WITHOUT 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: 9/07/06 *Ardell W. Diessner*  
ARDELL W. DIESSNER, M.D.

STATE OF Arkansas  
[REDACTED], S.S.

Personally appeared before me the above-named Ardell W. Diessner, M.D., and swore to the truth of the foregoing based upon his own personal knowledge, or upon information and belief, and so far as upon information and belief, he believes it to be true.

DATED: 9/7/06 *[Signature]*  
NOTARY PUBLIC/ATTORNEY



MY COMMISSION ENDS:  
4/1/2016

STATE OF MAINE  
BOARD OF LICENSURE IN MEDICINE

DATED: 9-12-06 *[Signature]*  
EDWARD DAVID, M.D., Chairman

STATE OF MAINE OFFICE  
OF THE ATTORNEY GENERAL

DATED: 9/12/06



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DENNIS E. SMITH  
Assistant Attorney General

Effective Date: