

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

In re:)	CONSENT
Leslie N. Tripp, M.D.)	AGREEMENT
Complaint No. CR09-299)	

This document is a Consent Agreement, effective when signed by all parties, regarding a disciplinary action against the license to practice medicine in the State of Maine held by Leslie N. Tripp, M.D. The parties to the Consent Agreement are: Leslie N. Tripp, M.D. (“Dr. Tripp”), 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. Tripp has held a license to practice medicine in the State of Maine since May 8, 1984. Dr. Tripp specializes in Family Practice.

2. On June 24, 2009, the Board received information indicating that Dr. Tripp resigned as a member of the medical staff at Southern Maine Medical Center (SMMC) and as an employee of PrimeCare Physician Services, PA (PrimeCare) shortly after two medical assistants had complained about inappropriate conduct by Dr. Tripp.

3. On June 30, 2009, the Board received a letter from Dr. Tripp dated June 26, 2009. In his letter to the Board, Dr. Tripp notified the Board of his resignation from SMMC and PrimeCare, and that he “would not be practicing medicine or treating patients in any context... for the foreseeable future.” In addition, Dr. Tripp’s letter stated:

I expect that you and the Board will learn that I resigned my position at SMMC PrimeCare and on the SMMC medical staff in connection with complaints that were made by two medical assistants at my former practice. I deeply regret my conduct towards them, and believe that part of my taking responsibility

for my conduct was to resign from practice.

4. Following the receipt of this information, an investigator with the Department of the Attorney General conducted separate interviews of the two female medical assistants, Ms. X and Ms. Y. Both Ms. X and Ms. Y separately told the investigator that they were medical assistants supervised by Dr. Tripp, and that they were also patients of Dr. Tripp. Both Ms. X and Ms. Y separately informed the investigator that Dr. Tripp had engaged in inappropriate sexual boundary violations with each of them.

5. On or about July 14, 2009, the Board reviewed the foregoing information and voted to summarily suspend Dr. Tripp's Maine medical license pursuant to 5 M.R.S. § 10004 based upon the imminent threat that his continued medical licensure posed to the public.

6. This Consent Agreement has been negotiated by the undersigned assistant attorney general and legal counsel for Dr. Tripp in attempt to resolve this matter without an adjudicatory hearing. Absent Dr. Tripp's acceptance of this Consent Agreement by signing and dating it in front of a notary public 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 July 31, 2009, the matter will be scheduled for an adjudicatory hearing.

7. By signing this Consent Agreement, Dr. Tripp waives any and all objections to, and hereby consents to the presentation of this Consent Agreement to the Board for possible ratification. Dr. Tripp also forever waives any arguments of bias or otherwise against any of the Board members in the event that the Board failed to ratify this proposed Consent Agreement.

COVENANTS

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

8. Dr. Tripp neither admits nor denies the facts with regard to complaint CR09-299; however, Dr. Tripp concedes that the Board has sufficient evidence from which it could reasonably conclude, based upon the information cited above, that he violated the following Board statutes and rules:

- a. 32 M.R.S. § 3282-A(2)F – Unprofessional conduct;
- b. 32 M.R.S. § 3282-A(2)H – Violation of any Board rule;
- c. Board Rule, Chapter 10 – Sexual Misconduct.

Dr. Tripp concedes that violating the foregoing statutes and rule constitutes grounds for discipline of his Maine medical license.

9. As discipline for the violations described in paragraph 8 above, Dr. Tripp agrees to the following sanctions, which take effect upon the execution¹ of this Consent Agreement:

- a. A REPRIMAND. Dr. Tripp is hereby reprimanded for the conduct described in this Consent Agreement, and the adverse impact of the conduct upon the practice of medicine.

- b. The IMMEDIATE AND PERMANENT VOLUNTARY SURRENDER of his license to practice medicine in the State of Maine. In complying with this provision, Dr. Tripp agrees that he will never again apply for any type² of medical license in the State of Maine.

10. Dr. Tripp waives his right to a hearing before the Board or any court regarding all findings, terms and conditions of this Consent Agreement. Dr. Tripp agrees that this Consent Agreement and Order is a final order resolving the complaint CR09-299. This Consent

¹ For the purpose of this Consent Agreement, “execution” means that date on which the final signature is affixed to this Consent Agreement.

² The Board has the authority to issue Emergency, Temporary, and Permanent medical licenses. In addition, the Board has the authority to issue a license Limited to the Practice of Administrative Medicine. In complying with this section, should Dr. Tripp desire to apply in the future for any type of medical license, including a license limited to the practice of administrative medicine, he must first seek and obtain approval from the Board to do so pursuant to an amendment of this Consent Agreement.

Agreement is not appealable and is effective until modified or rescinded 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 Department of Attorney General. Any decision by the Board as a result of Dr. Tripp's request to modify this Consent Agreement need not be made pursuant to a hearing and is not appealable to any court.

11. The Board and the Department of the Attorney General may communicate and cooperate regarding Dr. Tripp or any other matter relating to this Consent Agreement.

12. 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.

13. This Consent Agreement constitutes final disciplinary action that is reportable to the National Practitioner Data Bank, the Healthcare Integrity and Protection Data Bank, and the Federation of State Medical Boards.

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

15. Dr. Tripp 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, LESLIE N. TRIPP, 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: 7-29-2009

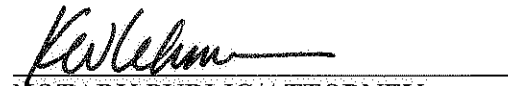


LESLIE N. TRIPP, M.D.

STATE OF Maine
Cumberland, S.S.

Personally appeared before me the above-named Leslie N. Tripp, 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.

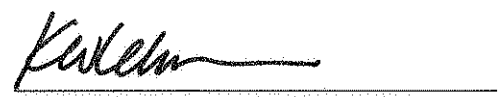
DATED: 7-29-2009



~~NOTARY PUBLIC~~/ATTORNEY
Maine Bar # 3283

MY COMMISSION ENDS: _____


DATED: 7-29-2009



KENNETH W. LEHMAN, ESQ.
Attorney for Leslie N. Tripp, M.D.

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE


DATED: 7/31/09



GARY R. HATFIELD, M.D., Acting Chairman

STATE OF MAINE DEPARTMENT
OF THE ATTORNEY GENERAL

DATED: 7/31/09



DENNIS E. SMITH
Assistant Attorney General

Effective Date: