



JOHN ELIAS BALDACCI
GOVERNOR

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE
137 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0137

EDWARD DAVID, M.D.J.D.
CHAIRMAN

RANDAL C. MANNING
EXECUTIVE DIRECTOR

July 12, 2006

***SENT VIA FIRST CLASS AND CERTIFIED MAIL 7003 3110 0004 1522 6876
RESTRICTED DELIVERY, RETURN RECEIPT REQUESTED***

Richard Brackett, P.A.-C
Rt. 1 Box 182
Litchfield, ME 04350

Re: Summary suspension of Physician's Assistant License

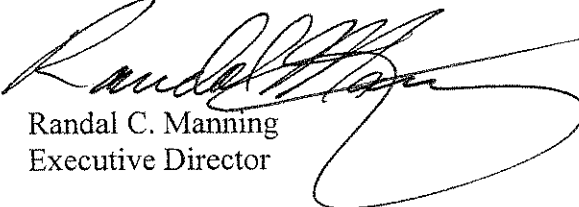
Dear Mr. Brackett:

This letter is to inform you that at the July 11, 2006 meeting of the Board of Licensure in Medicine the Board reviewed information and voted to issue a complaint against you. That complaint, together with the underlying information, will be sent to you under separate cover.

In addition, pursuant to Title 5 M.R.S.A. 10004(3) the Board voted to suspend your physician's assistant license effective immediately based upon the immediate jeopardy that your continued practice of medicine as a physician's assistant poses to the safety of the public. Your license is suspended effective July 11, 2006, for a period of thirty (30) days. An Adjudicatory Hearing will take place at a later date. Notice of the time date and location of the Adjudicatory Hearing will be sent to you forthwith.

Because your license is under suspension, immediately return the license to this office at the address above.

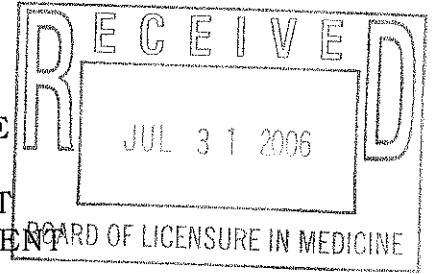
Sincerely,



Randal C. Manning
Executive Director

RCM/msl
cc: Dennis E. Smith, AAG
Barbara Eckhardt, Clerk IV

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE



In re:)
Richard Brackett, P.A.-C.)
Complaint No. CR06-222)

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 assistant in the State of Maine held by Richard Brackett, P.A.-C. The parties to the Consent Agreement are: Richard Brackett, P.A.-C. ("Mr. Brackett"), 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, Mr. Brackett was licensed as a physician assistant in the State of Maine. The Board first issued a physician assistant license to Mr. Brackett on September 3, 1987.

2. On July 11, 2006, the Board received and reviewed a facsimile letter purportedly from George M. Jones, M.D. indicating that he had ceased his supervision of Mr. Brackett effective June 15, 2006. Mr. Brackett had no other supervising physicians listed with the Board except Dr. Jones.

3. On July 11, 2006, the Board also received and reviewed a summary of information regarding the criminal investigation and eventual arrest of Mr. Brackett on July 6, 2006. Following the review of that material, and the facsimile letter, the Board voted to initiate a complaint against Mr.

Brackett's physician assistant license and to summarily suspend his license for thirty (30) days. The Board docketed the complaint as CR06-222.

3. This Consent Agreement is being offered and negotiated by and between the Office of the Attorney General and Mr. Brackett. Absent Mr. Brackett'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 August 15, 2006, the Board will resolve this matter by holding an adjudicatory hearing.

4. Absent the Board's acceptance of this Consent Agreement by ratifying it by a vote of the majority of the Board, the matter will proceed to an adjudicatory hearing.

COVENANTS

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

5. Mr. Brackett neither admits nor denies the basis of complaint CR06-222. However, Mr. Brackett concedes that the Board could reasonably conclude by the preponderance of the evidence that the alleged conduct occurred and could constitute grounds for discipline pursuant to 32 M.R.S.A. § 3282-A.

6. As discipline for complaint CR06-222, Mr. Brackett agrees to the IMMEDIATE AND PERMANENT REVOCATION of his physician assistant

license in the State of Maine. Mr. Brackett shall never again apply for licensure as a physician assistant in the State of Maine.

7. Mr. Brackett waives his right to a hearing before the Board or any court regarding all findings, terms and conditions of this Consent Agreement. Mr. Brackett agrees that this Consent Agreement and Order is a final order resolving the complaint CR06-222. 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.

8. The Board and the Office of the Attorney General may communicate and cooperate regarding Mr. Brackett or any other matter relating to this Consent Agreement.

9. 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.


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

11. The Board and Mr. Brackett agree that no further agency or legal action will be initiated against him by the Board based upon complaint CR06-222.

12. Mr. Brackett acknowledges by his signature hereto that he has read this Consent Agreement, that he has had an opportunity to consult with

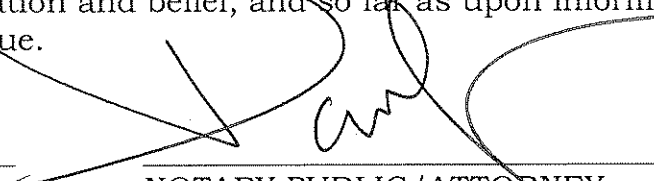
an attorney before executing this Consent Agreement, that he executed this Consent Agreement of his own free will and that he agrees to abide by all terms and conditions set forth herein.

I, RICHARD BRACKETT, P.A.-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: 7-28-06 
RICHARD BRACKETT, P.A.-C

STATE OF Maine
Andover, S.S.

Personally appeared before me the above-named Richard Brackett, P.A.-C, 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: 7-28-06 
NOTARY PUBLIC/ATTORNEY
at David J. V. Dyk

MY COMMISSION ENDS:

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

DATED:

9-12-06



EDWARD DAVID, M.D., Chairman

STATE OF MAINE OFFICE
OF THE ATTORNEY GENERAL

DATED:

9/12/06



DENNIS E. SMITH
Assistant Attorney General

Effective Date: