

COPY

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

KESTUTIS KEMEZYS, M.D.,)
) CONSENT AGREEMENT
)

This document is a Consent Agreement between Kestutis Kemezys, M.D., the State of Maine Board of Licensure in Medicine (the "Board") and the State of Maine Department of Attorney General, pursuant to 10 M.R.S.A. § 8003(5)(A-1) and 32 M.R.S.A. § 3282-A.

STATEMENT OF FACTS

1. On or about October 30, 1995, Dr. Kemezys was employed by First Care Health Center. He treated a patient who presented to the Clinic with new complaints of chest pain and failed to diagnose an evolving acute myocardial infarction. The patient was sent home.
2. On October 31, 1995, the same patient was brought to the Emergency Room at Southern Maine Medical Center where he was diagnosed with an acute myocardial infarction. He was hospitalized immediately.
3. On November 14, 1995, the Board ordered a summary suspension of Dr. Kemezys' license. The Board also issued a Complaint alleging violations of 32 M.R.S.A. § 3282-A(2)(E). In lieu of an adjudicatory hearing, Dr. Kemezys has chosen to enter into this Consent Agreement.

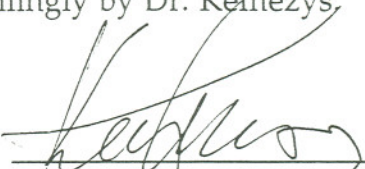
COVENANTS

WHEREFORE, the Board, Dr. Kemezys and the Department of the Attorney

General agree to the following:


1. The Board will lift the suspension and restore Dr. Kemezys' license in inactive status.
2. When Dr. Kemezys' license expires in August, 1996, Dr. Kemezys agrees not to renew his license and he will retire permanently from the practice of medicine.
3. Dr. Kemezys understands that this Consent Agreement is a final Board Order resolving this matter. By executing this Consent Agreement, Dr. Kemezys has waived all rights to a hearing before the Board or in the courts or to appeal the matter which is the subject of this Agreement. Dr. Kemezys has had the advice of counsel with respect to the negotiation and signing of this Consent Agreement. This Agreement is entered into freely and willingly by Dr. Kemezys.

Dated: 5.2.96



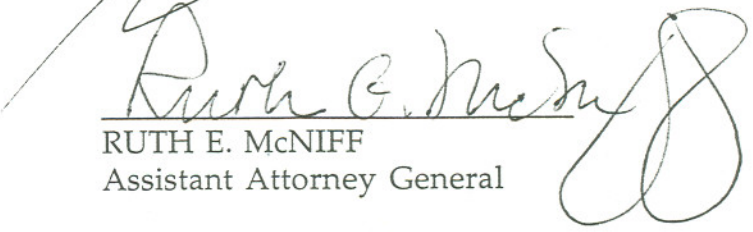
KESTUTIS KEMEZYS, M.D.

Dated: 5/14/96



EDWARD DAVID, M.D.
Board of Licensure in Medicine

Dated: 5/14/96



RUTH E. McNIFF
Assistant Attorney General

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EXECUTIVE DIRECTOR

WILLIAM C. McPECK
ASST. EXECUTIVE DIRECTOR

November 15, 1995

Kestutis Kemezys, M.D.
P.O. Box 486
Skowhegan, ME. 04976

First Care Health Center
20 Heath Street
Old Orchard Beach, ME. 04064

FILE COPY

RE: Emergency Summary Suspension

Dear Dr. Kemezys:

Pursuant to its authority under Title 32 MRSA Sections 3282-A, 3286 and 5 MRSA 10004 the Maine Board of Licensure in Medicine has voted to summarily suspend your license to practice medicine and surgery in Maine. The suspension becomes effective upon your receipt of notice from the Board by either telephone or written notification.

On November 14, 1995 the Board received information that on or about October 30, 1995 you treated patient [REDACTED] who presented to First Care following a period of reported chest pressure which was apparently new symptomatology for [REDACTED]. Apparently, despite the fact that the electrocardiogram showed an evolving acute inferior myocardial infarction and the blood work showed elevated CPK's with a positive MB fraction, you sent the patient home.

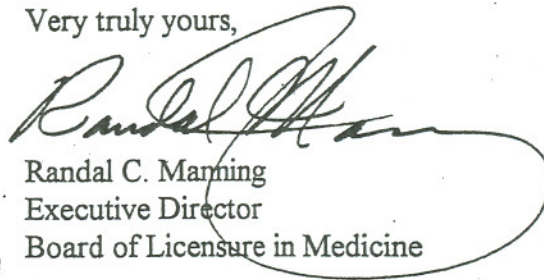
Due to the serious nature of this incident, the Board questioned your competency to practice medicine. The Board is also aware of two previous consumer complaints of which you have notice. The Board questions your ability to practice medicine with reasonable skill and safety to patients. The Board found the health and safety of Maine citizens may be in immediate jeopardy and thus summarily suspended your license at its meeting on November 14, 1995. This letter is written notification of that suspension.

Pursuant to Title 32 MRSA Section 3286, the Board is directing that you submit to neurological and psychiatric examinations, at your own expense, with a board certified psychiatrist and a board certified neurologist who must also be approved by the Board prior to your examinations. These examinations must be completed with reports available to the Board by December 6, 1995. I would be happy to work with you to find suitable examiners.

Kestutis Kemezys, M.D.
First Care Health Center
November 15, 1995
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As required by law, the Board will hold a hearing on December 13, 1995 at 1:30 P.M. to further investigate these complaints and take whatever action may be necessary to protect the public. In addition, the Board will seek an injunction in the Maine Administrative Court to enforce and continue the suspension if, for some reason, a hearing is not held or concluded within the 30 days required by law.

Very truly yours,



Randal C. Manning
Executive Director
Board of Licensure in Medicine

RCM:acm

cc: Richard S. Berne, Esquire