

STATE OF MAINE
BOARD OF REGISTRATION IN MEDICINE

IN RE:)
MARIA H. PETRIGALLA, M.D.,)
of Parma, Ohio) DECISION OF ADJUDICATORY
HEARING REGARDING RENEWAL
OF LICENSURE

On October 7, 1986, the State of Maine Board of Registration in Medicine conducted an Adjudicatory Hearing, pursuant to 32 M.R.S.A. § 3282-A(1)(C), to determine whether it should renew Maria H. Petrigalla, M.D.'s license to practice medicine in the State of Maine.

In the course of the Adjudicatory Hearing, the Board considered three principle issues with respect to whether Dr. Petrigalla's license should be renewed. First, the Board considered whether Dr. Petrigalla's 1986 Re-registration Application fraudulently and/or deceitfully averred that Dr. Petrigalla is licensed to practice medicine in the State of Ohio. Pursuant to 32 M.R.S.A. § 3282-A(2)(A), if the Board were to find that such fraud or deceit occurred, that could constitute a ground for refusal to renew Dr. Petrigalla's license. Second, the Board considered whether Dr. Petrigalla's 1986 Re-registration Application fraudulently and/or deceitfully failed to reveal her felony convictions, which occurred in 1985 in Ohio. Pursuant to 32 M.R.S.A. § 3282-A(2)(A), if the Board were to find that such fraud or

deceit occurred, that could constitute a ground for refusal to renew Dr. Petrigalla's license. Third, the Board considered whether, if Dr. Petrigalla had been convicted on the seven (7) felony counts in Ohio, for illegal processing of drug documents, that conviction constitute sufficient grounds for refusal to renew Dr. Petrigalla's license, pursuant to: 5 M.R.S.A. § 5302; 5 M.R.S.A. § 10004; 32 M.R.S.A. § 3282-A(2)(G); or 32 M.R.S.A. § 3282-A(2)(J).

Based upon evidence received at the hearing, the Board makes the following Findings of Facts and renders the following Decision.

FINDING OF FACTS

1. The Board finds that Notice of the Adjudicatory Hearing was proper.
2. In 1966, Dr. Petrigalla was licensed to practice medicine in the State of Maine.
3. Sometime thereafter, Dr. Petrigalla was licensed to practice medicine in the State of Ohio.
4. On June 12, 1985, Dr. Petrigalla was convicted in the Court of Common Pleas, Cuyahoga County, Ohio on seven (7) counts of illegal processing of drug documents. Each count constituted a felony in the State of Ohio.
5. Effective October 9, 1985, Dr. Petrigalla's license to practice medicine was revoked by the State Medical Board of Ohio.

6. In Dr. Petrigalla's 1986 Re-registration Application to renew her license to practice medicine in Maine, she fraudulently and deceitfully misrepresented that, as of May 30, 1986, she was licensed to practice medicine in the State of Ohio. This misrepresentation on her license renewal application constitutes fraud and deceit, in violation of 32 M.R.S.A. § 3282-A(2)(A).

7. In Dr. Petrigalla's 1986 Re-registration Application, she fraudulently and deceitfully failed to state that she had been convicted of felonies in Ohio, referred to in Findings of Facts paragraph 4, above. This failure to state in her license renewal application that she had such felony convictions constitutes fraud and deceit, in violation of 32 M.R.S.A. § 3282-A(2)(A).

8. Dr. Petrigalla's explanations of the omissions on her Re-registration Application, by letters dated August 26, 1986 and September 4, 1986, which letters were admitted into evidence, are unsatisfactory to explain the material misstatements in her 1986 Re-registration Application.

DECISION

The Board's Re-registration Applications are the principle means by which the Board follows the careers of licensed practitioners, especially those practicing outside of the State of Maine. In this case, Dr. Petrigalla was convicted in Ohio

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on seven (7) felony counts, which she failed to disclose in her 1986 Re-registration Application. Furthermore, Dr. Petrigalla misrepresented that she was licensed to practice medicine in the State of Ohio, whereas, in fact, her Ohio license had been revoked more than 7 months before she submitted her Re-registration Application.

The Board finds that Dr. Petrigalla fraudulently and deceitfully misrepresented these material facts in her Re-registration Application, and it further finds that such actions constitute serious and material violations of 32 M.R.S.A. § 3282-A(2)(A). Therefore, the Board hereby refuses to renew Dr. Petrigalla's license to practice medicine in the State of Maine.

DATED: 3/10/87

STATE OF MAINE
BOARD OF REGISTRATION IN
MEDICINE

Edward F. Bradley, Jr.
by: Edward F. Bradley, Jr., Esq.
Chairman