

STATE OF MAINE  
BOARD OF LICENSURE IN MEDICINE

In re: )  
Christina S. Morris, M.D. )      CONSENT AGREEMENT  
Complaint No. CR12-180 )  
Application for Licensure )

This document is a Consent Agreement, effective when signed by all parties, regarding disciplinary action against the license to practice medicine in the State of Maine held by Christina S. Morris, M.D. The parties to the Consent Agreement are: Christina S. Morris, M.D. (“Dr. Morris”), 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.A. § 8003(5)(B) and 32 M.R.S.A. § 3282-A.

STATEMENT OF FACTS

1. Pursuant to Title 32 Chapter 48 the Legislature endowed the Board with the power and duty to regulate the practice of physicians and physician assistants licensed by the Board, including setting standards of practice and investigating complaints. Pursuant to 10 M.R.S. § 8008 the Legislature provided that the sole purpose of the Board is to “protect the public health and welfare” and that “other goals or objectives may not supersede this purpose.”
2. The Board issued Dr. Morris a temporary license to practice medicine in Maine on October 24, 2011, and which expired on April 24, 2012. Dr. Morris specializes in Family Practice. Dr. Morris was certified by the American Board of Family Medicine (“ABFM”) from August 1, 2008 to August 24, 2012; however she is no longer certified by the ABFM according to the ABFM website.
3. On or about September 23, 2011, the Board received an application from Dr.

Morris for a permanent Maine medical license. On or about July 23, 2012, the Board received an addendum from Dr. Morris to her permanent Maine medical license. In that addendum, Dr. Morris indicated that:

- a. In January 2012 she was diagnosed with a mental health condition as well as alcohol abuse for which she was receiving treatment;
- b. In April 2012, she completed an in-patient treatment program for substance abuse;
- c. In July 2012, she was placed on a deferred disposition for a misdemeanor charge of Reckless Conduct.

As a result of receiving this additional information, the Board staff obtained copies of the police investigative reports regarding two incidents involving Dr. Morris that occurred on January 7, 2012 and one incident that occurred on February 12, 2012, which later event involved a violation of bail conditions by her having contact with her husband regarding taking their dog to the veterinarian. In addition, the Board received information from the Maine Medical Professionals Health Program (“MPHP”) indicating that Dr. Morris became a participant in that program following the incidents in January 2012, and that Dr. Morris’ treatment providers had cleared her to return to practice following intensive treatment. The MPHP is a “professional review committee” as defined by 24 M.R.S. § 2502(4-A):

“Professional review committee” means a committee of health care Practitioners formed by a professional society for the purpose of identifying and working with health professionals who are disabled or impaired by virtue of physical or mental infirmity or by the misuse of alcohol or drugs, as long as the committee operates pursuant to protocols approved by the various licensing boards that license the health professionals the committee serves.

24 M.R.S. § 2502(5) defines a “professional society” as “a state professional organization of physicians, surgeons or osteopathic physicians.” The MPHP is, therefore, a professional review committee that is organized and operated by the Maine Medical Association, a private professional society of Maine physicians. The primary purpose of the MPHP is to operate a comprehensive monitoring and advocacy program offering limited confidentiality subject to the limits of state law and the reporting requirements within the various written protocols the MPHP has with a number of professional licensing boards, including the Maine Board of Licensure in Medicine.

4. On September 11, 2012, the Board reviewed the foregoing information and voted to initiate a complaint against Dr. Morris’ temporary Maine medical license pursuant to 32 M.R.S. § 3282-A alleging that Dr. Morris’ conduct amounted to violations of 32 M.R.S. § 3282-A(2)(B), (C) & (F). The Board docketed the complaint as CR12-180 and sent it to Dr. Morris for a response. In addition, the Board sent Dr. Morris medical releases for her to execute in order to allow the Board to obtain copies of her medical and substance abuse treatment records. In addition, the Board voted to table further action regarding her application for a permanent Maine medical license.

5. On October 26, 2012, the Board received a written response from Dr. Morris to complaint CR12-180. In her response, Dr. Morris described the events that occurred on January 7 and February 12, 2012. Dr. Morris described her history of mental illness, her success in treatment and in achieving multiple professional degrees, and the personal circumstances that led to the events of January 7, 2012. At the time of the events, Dr. Morris described a tremendous level of stress associated with her personal circumstances, including a new training program, and a lack of a local therapist or physician to treat her and manage her medications. Dr. Morris

admitted an error in judgment by self-prescribing certain non-controlled medications, and acknowledged that the mixture of her medications and alcohol resulted in a worsening of her mental state. In addition, Dr. Morris described the treatment she received following the events of January 7 and February 12, 2012, her participation in the MPHP, and her readiness to return to the practice of medicine.

6. The Board subsequently received information from various sources regarding Dr. Morris's diagnosis and treatment, her ability to return to the active practice of medicine, and recommended conditions upon her return to the active practice of medicine.

7. On January 8, 2013, the Board reviewed complaint CR12-180, including all investigative information obtained to date. In addition, the Board voted to un-table her application for a permanent Maine medical license. Following its review, the Board voted to offer Dr. Morris a Consent Agreement to resolve complaint CR12-180 and her pending application for a permanent Maine medical license without further proceedings. The Consent Agreement proposed by the Board would have placed conditions upon Dr. Morris' Maine medical license, including: abstinence from alcohol and any drugs not legitimately prescribed to her; successful participation in the MPHP pursuant to a contract approved by the Board (including urine monitoring); successful participation in treatment for substance abuse and mental health issues; a Board-approved practice monitor; and limited hours of medical practice.

8. On August 2, 2013, the legal counsel for Dr. Morris informed the legal counsel to the Board that Dr. Morris no longer wished to pursue medical licensure or practice in Maine. As a result, Dr. Morris wishes to withdraw her application for licensure.

9. On August 15, 2013, the Kennebec County District Attorney's Office confirmed that on July 10, 2013, Dr. Morris successfully completed her deferred disposition agreement, which resulted in the dismissal of the misdemeanor charge of Reckless Conduct.

10. This Consent Agreement has been negotiated by and between Dr. Morris and legal counsel for the Board. Absent acceptance of this Consent Agreement by Dr. Morris by signing it and dating it in front of a notary 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 1, 2013, the Board may take any action permitted by law regarding complaint CR12-180 and Dr. Morris' application for a permanent Maine medical license.

11. By signing this Consent Agreement, Dr. Morris waives, in her personal capacity and through legal counsel, any and all objections to, and hereby consents to the presentation of this proposed Consent Agreement to the Board for possible ratification. Dr. Morris waives, in her personal capacity and through legal counsel, forever any arguments of bias or otherwise against any of the Board members in the event that the Board fails to ratify this proposed Consent Agreement.

#### COVENANTS

12. Dr. Morris admits that the foregoing facts constitute grounds to discipline her temporary Maine medical license and to deny her application for a permanent Maine medical license pursuant to 32 M.R.S.A. § 3282-A(2)(C): A professional diagnosis of a mental or physical condition that has resulted or may result in the licensee performing services in a manner that endangers the health or safety of patients.

13. Based upon Dr. Morris's admission in paragraph 12, Dr. Morris agrees to accept the following discipline of her temporary Maine medical license:

a. A Warning. As a medical professional, Dr. Morris should be aware that it is unethical to self-prescribe any medications absent a genuine medical emergency. Dr. Morris had the opportunity and responsibility to locate a physician who was willing and able to treat her illnesses. The Board urges Dr. Morris to abstain from self-treatment, including but not limited to abstaining from using alcohol and any other drug that is not specifically prescribed to her by her medical provider. In addition, the Board urges Dr. Morris to obtain treatment for her substance abuse and mental health issues. Had Dr. Morris continued to pursue a permanent medical license in Maine, the Board would have imposed these types of conditions on her license, as well as her successful participation in the MPHP and monitoring, to ensure the safety of the public.

b. Notification to Employer(s)/Potential Employers/Licensing Jurisdictions. Dr. Morris shall provide a copy of this Consent Agreement to any medical employer(s) or potential medical employer(s), and to any jurisdiction in which she holds or seeks a medical license.

14. The Board agrees to allow Dr. Morris to withdraw her application for a permanent Maine medical license, which withdrawal shall become effective upon execution of this Consent Agreement. However, in the event that Dr. Morris files an application for a Maine medical license in the future, the Board shall be able to consider the facts and circumstances underlying this Consent Agreement, as well as the Consent Agreement itself, in determining whether or not to grant her a Maine medical license and/or whether to grant her a Maine medical license with probation, conditions, or restrictions. In addition, Dr. Morris acknowledges that the Board may provide any and all information regarding this matter to: governmental licensing or disciplinary

authorities of any jurisdiction; to any health care providers or health care entities within or outside of Maine that are concerned with granting, limiting, or denying a physician's application for employment or privileges; and to other state or federal agencies.

15. Dr. Morris has been represented by Kenneth W. Lehman, Esq. who participated in the negotiation of the terms of this Consent Agreement on her behalf.

16. This Consent Agreement is not appealable, constitutes disciplinary action, is reportable to the National Practitioner Data Bank, the Federation of State Medical Boards, and other licensing jurisdictions, and is effective until modified or rescinded in writing by all of the parties hereto.

17. 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.

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

19. For the purposes of this Consent Agreement, the term "execution" shall mean the date on which the final signature is affixed to this Consent Agreement.

**I, CHRISTINA S. MORRIS, M.D., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I HAVE HAD AN OPPORTUNITY TO DISCUSS THIS MATTER WITH LEGAL COUNSEL, AND HAVE KNOWINGLY DECLINED TO DO SO. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS, INCLUDING A RIGHT TO A HEARING OR TO LEGAL REVIEW OF THIS DOCUMENT. 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:

8/28/2013

  
CHRISTINA S. MORRIS, M.D.

STATE OF Rhode Island  
County of Kent, S.S.

Personally appeared before me the above-named Christina S. Morris, M.D., and swore to the truth of the foregoing based upon her own personal knowledge, or upon information and belief, and so far as upon information and belief, she believes it to be true.

DATED: 8/28/13   
NOTARY PUBLIC  
MY COMMISSION ENDS: 7/18/2017

DATED: August 29, 2013   
KENNETH W. LEHMAN, ESQ.  
Attorney for Dr. Morris

STATE OF MAINE  
BOARD OF LICENSURE IN MEDICINE

DATED: 9/10/13   
MAROULLA S. GLEATON M.D., Chairman

STATE OF MAINE DEPARTMENT  
OF THE ATTORNEY GENERAL

DATED: 9/10/13   
DENNIS E. SMITH  
Assistant Attorney General

APPROVED  
EFFECTIVE: 9/10/13