

CHARLES D. CLEMETSON

v.

BOARD OF LICENSURE IN MEDICINE et al.

Submitted on Briefs June 27, 2018

Decided July 3, 2018

Panel: SAUFLEY, C.J., and ALEXANDER, MEAD, GORMAN, HJELM, and HUMPHREY, JJ.

MEMORANDUM OF DECISION

Charles D. Clemetson appeals from a judgment of the Superior Court (Cumberland County, *L. Walker, J.*) affirming, pursuant to M.R. Civ. P. 80C, the decision and order of the Board of Licensure in Medicine imposing conditions of probation on Clemetson's license to practice medicine as a sanction for his violation of a prior Board order. *See* 32 M.R.S. § 3282-A(2)(P) (2017). Contrary to Clemetson's contentions, the conditions of probation imposed by the Board did not effectively revoke his license and he was therefore not entitled to a de novo review of the Board's decision and order. *See* 10 M.R.S. § 8003(5) (2017); *Zablonty v. State Bd. of Nursing*, 2014 ME 46, ¶ 16, 89 A.3d 143. Also, contrary to Clemetson's other arguments, the Board did not abuse its discretion by imposing the probation conditions, its decision and order did not contain any errors of law, and the Board's findings are supported by substantial evidence in the record.¹ *See* 5 M.R.S. § 11007(3)-(4) (2017); 10 M.R.S. § 8003(5)(A-1)(4); *Nicholson v. Bd. of Licensure in Med.*, 2007 ME 141, ¶ 7, 935 A.2d 660.

¹ After careful consideration of Clemetson's motion for oral argument, we deny it.

The entry is:

Judgment affirmed.

Edward S. MacColl, Esq., Thompson, MacColl & Bass, LLC, P.A., Portland, for
appellant Charles D. Clemetson

Janet T. Mills, Attorney General, and Michael B. Miller, Asst. Atty. Gen., Office of
the Attorney General, Augusta, for appellees Board of Licensure in Medicine
and State of Maine

Cumberland County Superior Court docket number AP-2017-09
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