

COPY

February 1, 1982

Denis Mazerolle, M.D.
DOCTOR'S CENTER
Presque Isle Road
Caribou, ME 04736

Dear Dr. Mazerolle:

Attached please find the Memorandum of Decision in your case. As indicated in the decision, the Board has concluded that you violated the provisions of 32 M.R.S.A. §3282(4) and (5). The Board has further determined to place you on probation for two years pursuant to its authority under 32 M.R.S.A. §3282(3). The probation and conditions of probation are set forth in the decision.

If you intend to appeal the decision of the Board to the Superior Court, and if you wish more detailed findings of fact in order to prosecute the appeal, the Board will be happy to supply more complete findings of fact upon the request of your attorney.

Sincerely,

THE BOARD OF REGISTRATION
IN MEDICINE

Edward F. Bradley, Jr.
Hearing Examiner

MEMORANDUM OF DECISION
FINDINGS OF FACT
AND
CONCLUSION OF LAW

The Board of Registration in Medicine held hearings on June 10, 1981, in Caribou, Maine, to consider evidence relevant to complaints raised against Dr. Mazerolle. Dr. Mazerolle attended the hearing and was represented by counsel who actively participated. The Board took testimony from both expert and lay witnesses and reviewed documents relating to the case. Subsequently, the hearing transcript was produced and distributed to the Board members for review. Counsel for Dr. Mazerolle and the counsel for the State submitted briefs in support of their positions. After reviewing all the material submitted, the Board met in executive session on September 15, 1981, to discuss the case and to decide the issues presented. The findings of the Board, and its conclusions, are presented below.

The hearing was held to consider complaints against Dr. Mazerolle which related to his treatment and care of several female patients during the period 1977 - 1979. While the complaints were based on Dr. Mazerolle's treatment in specific cases, each case raised similar issues. In each instance, it was alleged that Dr. Mazerolle had used more drastic surgical techniques than were medically indicated and that his medical records were inadequate to permit evaluation of the diagnosis and treatment provided. The Board heard testimony from nine witnesses, including Dr. Mazerolle, and reviewed documents and reports concerning Dr. Mazerolle's practice as well as medical records kept by Dr. Mazerolle during the period from 1977 to present. Testimony from officials of the State Department of Human Services and from medical experts from the University of Massachusetts School of Medicine was taken with respect to Dr. Mazerolle's medical practice

and his opinion regarding the treatment of the patients upon which the complaints were raised. Expert medical testimony regarding his practice was based upon medical reports kept contemporaneously with the treatment in question as well as the explanations offered by Dr. Mazerolle at the hearing.

After full consideration of the evidence on June 10, 1981, and full discussion with Dr. Mazerolle and his attorney on September 15, 1981, the Board made the following findings:

1. Dr. Mazerolle has kept inadequate medical records;
2. In at least some of the cases considered, the surgical procedures performed by Dr. Mazerolle were not indicated and more conservative procedures should have been performed

Based on these findings, the Board concludes that Dr. Mazerolle has violated the provisions of 32 M.R.S.A. 3282, 4 and 5, and places him on probation for two (2) years pursuant to authority conferred in 32 M.R.S.A. 3282(3). As conditions of probation, the Board directs Dr. Mazerolle to meet the following conditions:

1. Every six months, Dr. Mazerolle must provide the Board with summaries of surgical procedures performed on women under the age of 35, including but not limited to pathological reports written for each case;
2. Every six months, Dr. Mazerolle must make his medical records available for Board inspection and review;
3. Dr. Mazerolle must complete 75% of his continuing medical education requirements within the specialty of OB-GYN.

Unanimously adopted, this 15th day of September, 1981.