

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:)
)
Lawrence Merial Raines, III, M.D.,) CONSENT ORDER
)
Respondent.)

This matter is before the North Carolina Medical Board ("Board") regarding information provided to the Board concerning Lawrence Merial Raines, III, M.D. ("Dr. Raines"). Dr. Raines makes the following admissions and the Board makes the following findings and conclusions:

STATUTORY AUTHORITY

The Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted to it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto.

FINDINGS OF FACT

Dr. Raines was first issued a license to practice medicine by the Board on or about September 17, 1994, license number 9401309.

At all times relevant hereto, Dr. Raines practiced psychiatry in Cary, North Carolina.

On November 15, 2015, Dr. Raines received a private letter of the concern from the Board for his failure to provide a timely

response to a Board request for information regarding a patient's complaint. The private letter of concern stated, in relevant part, "Despite your evident responsiveness to [Patient A], you failed to provide a timely response to the Board's request for your answer to the complaint, requiring numerous written, email, and phone contacts. It is the Board's expectation you will respond to it in a more timely manner should it be required in the future."

On July 8, 2017, the Board received a complaint from Patient B alleging that Dr. Raines was unresponsive to multiple attempts to schedule a follow up appointment.

On July 10, 2017, the Board mailed a letter to Dr. Raines' office address notifying him of the complaint. The letter asked Dr. Raines to provide a response to Patient B's complaint within 45 days as required by 21 NCAC 32N .0107. Enclosed with the letter was an Order to Produce the medical record of Patient B.

21 NCAC 32N .0107 states in relevant part, "A licensee shall submit a written response to a complaint received by the Board within 45 days from the date of a written request by Board staff. The Board shall grant up to an additional 30 days for the response where the licensee demonstrates good cause for the extension of time. The response shall contain accurate and complete information. Where a licensee fails to respond in the time and manner provided herein, the Board may treat that as a failure to

respond to a Board inquiry in a reasonable time and manner as required by G.S. 90-14(a)(14)."

Dr. Raines did not respond to the Board's July 10, 2017 letter.

Dr. Raines did not provide Patient B's medical record as ordered.

On September 14, 2017, the Board mailed a second letter to Dr. Raines' office address asking him to respond to Patient B's complaint within 45 days. Dr. Raines was also sent a second Order to Produce the medical record of Patient B.

Dr. Raines did not respond to the Board's September 14, 2017 letter.

Dr. Raines did not provide Patient B's medical record as ordered.

On December 21, 2017, a Board investigator interviewed Dr. Raines at his residence. The Board investigator informed Dr. Raines that a complaint had been filed against him and that the Board had previously sent two letters asking him to respond to the complaint.

The Board investigator served Dr. Raines a third letter asking him to respond to Patient B's complaint. Dr. Raines signed a copy of the letter acknowledging that he had 15 days to respond to Patient B's complaint.

Dr. Raines did not respond to the complaint as requested by the Board investigator.

On February 9, 2018, a Board investigator served Dr. Raines with an Order to Appear at the Board's offices at 8:00am on Thursday, May 18, 2018. The Order informed Dr. Raines that he was to appear before the Board to discuss the complaint filed in July 17, 2017.

Dr. Raines did not appear at the Board's office on May 18, 2018 as ordered.

CONCLUSIONS OF LAW

Dr. Raines acknowledges that his failure to submit a written response to the Board within 45 days from the date of a written request by Board staff constitutes a failure to respond to a Board inquiry in a reasonable time and manner as required by G.S. 90-14(a)(14), which is grounds under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition, or limit Dr. Hayes' license to practice medicine or to deny any application he may make in the future.

Dr. Raines acknowledges that his failure to produce Patient B's medical record, as required by the Board's Orders to Produce mailed to Dr. Raines on July 10, 2017 and September 14, 2017, constitutes a failure to respond to a Board inquiry in a reasonable time and manner as required by G.S. 90-14(a)(14), which is grounds under that section of the North Carolina General Statutes for the

Board to annul, suspend, revoke, condition, or limit Dr. Raines license to practice medicine or to deny any application he may make in the future.

Dr. Raines acknowledges that his failure to appear at the Board's offices on May 18, 2018, as required by the Board's February 9, 2018 Order to Appear, constitutes a failure to respond to a Board inquiry in a reasonable time and manner as required by G.S. 90-14(a)(14), which is grounds under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition, or limit Dr. Raines license to practice medicine or to deny any application he may make in the future.

PROCEDURAL STIPULATIONS

Dr. Raines acknowledges and agrees that the Board has jurisdiction over him and over the subject matter of this case.

Dr. Raines knowingly waives his right to any hearing and to any judicial review or appeal in this case.

Dr. Raines acknowledges that he has read and understands this Consent Order and enters into it voluntarily.

Dr. Raines desires to resolve this matter without the need for more formal proceedings.

The Board has determined that it is in the public interest to resolve this case as set forth below.

ORDER

NOW, THEREFORE, with Dr. Raines's consent, it is ORDERED that:

1. Dr. Raines' license to practice medicine in North Carolina is hereby SUSPENDED for 1 year. The suspension is immediately STAYED subject to the following conditions:

- a. Dr. Raines shall maintain a contract with NCPHP and abide by its terms, including the timely payment of any fees required by NCPHP.
- b. Dr. Raines shall meet with the Board or members of the Board for an investigative interview at the Board's regularly scheduled meeting in January 2019 and at such other times as requested by the Board.
- c. Dr. Raines shall respond to all inquiries within 14 days from the date of a written request by Board staff.

2. Dr. Raines is FINED \$1,000.00. Dr. Raines shall pay the fine within 30 days of the date of this consent order.

3. Dr. Raines shall obey all laws. Likewise, he shall obey all rules and regulations involving the practice of medicine.

4. Upon request, Dr. Raines shall provide the Board with any information the Board deems necessary to verify compliance with the terms and conditions of this Consent Order.

5. If Dr. Raines fails to comply with any of the terms of this Consent Order, that failure shall constitute unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and shall be grounds, after any required notice and hearing, for the Board to annul, suspend or revoke his license to practice medicine and to deny any application he might make in the future or then have pending for a license to practice medicine.

6. This Consent Order shall take effect immediately upon its execution by both Dr. Raines and the Board, and it shall continue in effect until specifically ordered otherwise by the Board.

7. Dr. Raines hereby waives any requirement under any law or rule that this Consent Order be served on him.

8. Upon execution by Dr. Raines and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to persons, entities, agencies and clearinghouses as required and permitted by law including, but not limited to, the Federation of State Medical Boards and the National Practitioner Data Bank.

By Order of the North Carolina Medical Board this the 18th
day of February, 2019.

NORTH CAROLINA MEDICAL BOARD

By: Barbara E. Walker, D.O.
Barbara E. Walker, D.O.
President

Consented to this the 15 day of FEBRUARY, 2019.

Lawrence Merial Raines, III, M.D.
Lawrence Merial Raines, III, M.D.

State of North Carolina

County of Chatham

I, ~~MEN~~ Jennifer L Rowe, do hereby certify that
Lawrence Merial Raines, III, M.D. personally appeared before me
this day and acknowledged the due execution of the foregoing
instrument.

Witness my hand and official seal this the 15th day of
February, 2019.

Jennifer L Rowe
Notary Public

(Official Seal)

My Commission Expires: 11/28/2021

JENNIFER L ROWE
Notary Public
Durham Co., North Carolina
My Commission Expires Nov. 28, 2021