

**State of New Hampshire
New Hampshire Board of Medicine
Concord, New Hampshire 03301**

In the Matter of:
Thomas Marks, MD
(License #7357)

Docket No. 2023-MED-Marks-0117

VOLUNTARY PRELIMINARY AGREEMENT NOT TO PRACTICE

The New Hampshire Board of Medicine ("Board") first granted Thomas Marks, MD ("Respondent") a license to practice as a Medical Doctor ("MD") on June 12, 1986. The Respondent was issued license number 7357.

On or about January 25, 2023, the Board received information the Claremont, NH Police Department charged, and arrested the Respondent on 1 Count Aggravated Felonious Sexual Assault, 1 Count Attempted Aggravated Felonious Sexual Assault, and 2 Counts of Sexual Assault involving a patient of the Respondent, in violation of statutes and administrative rules governing the practice of medicine in the State of New Hampshire. The Respondent was arraigned on these criminal charges on or about January 25, 2023, and currently remains in custody at the Sullivan County House of Corrections.

On January 26, 2023, the New Hampshire Board of Medicine held an emergency meeting where the Board emergently suspended the Respondent's license to practice medicine in the State of New Hampshire. An emergency hearing on this matter is scheduled before the Board on Wednesday February 1, 2023 at 9:30 AM. In lieu of an emergency hearing on the matters before the Board the Respondent enters into a *Voluntary* Preliminary Agreement Not to Practice with the Board as follows:




1. Recognizing that professional misconduct allegations are now pending against me before the Board, I, Thomas Marks, MD voluntarily agree not to practice as a Medical Doctor effective upon my signing this *Voluntary Preliminary Agreement Not to Practice*.
2. I admit to no violations of NH RSA Chapter 329 or any administrative rules, ethical provisions, or any other laws, statutes, or regulations, adopted by the Board.
3. Understanding that this *Voluntary Preliminary Agreement Not to Practice* and the restrictions herein shall remain until further order of the Board, I hereby specifically waive any statute of limitations, or laches defense, which might be then available, including but not limited to, those based on RSA 332-G: 8 and RSA 332-G: 9.
4. I understand that this *Voluntary Preliminary Agreement Not to Practice* shall remain in place until such time the ongoing investigation into this matter is completed and the adjudicatory process has been completed.
5. In the event that I apply for a renewal of my license while this agreement is in effect, I voluntarily agree to waive any statutory or administrative time deadlines regarding the Board's final action on any such license renewal application. I understand that by waiving such deadlines, the Board's final action on any such license renewal application will be automatically deferred until after the disposition of this Board matter and that my license will not expire while this Preliminary Agreement is in effect.
6. I voluntarily enter into this *Voluntary Preliminary Agreement Not to Practice* with the Board and state that no promises or representations have been made to me other than those terms and conditions expressly stated herein.



7. I further understand that this document shall become a permanent part of my file and will be maintained by the Board as a public document.
8. I have had the opportunity to seek and obtain the advice of an attorney of my choosing in connection with my decision to sign this *Voluntary Preliminary Agreement Not to Practice*.
9. I am of sound mind and not under the influence of any substance that would impair my judgement at the time I sign this Preliminary Agreement.
10. I understand that my failure to comply with the terms of this *Voluntary Preliminary Agreement Not to Practice* shall constitute unprofessional conduct under Chapter RSA 329 and may subject me to discipline under RSA 329: 17.

FOR RESPONDENT

Date: February 7, 2023


Respondent (Thomas Marks, MD)

FOR THE BOARD

This *Voluntary Preliminary Agreement Not to Practice* is hereby accepted in accordance with the binding terms and conditions set forth above.

Date: 2/7/2023 EB
3/1/2023

Emily R. Baker
(Signature)

Emily R. Baker
Print Name
Authorized Representative of the
New Hampshire Board of Medicine