

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

In the Matter of:  
**Charlene A. Kreiensieck, PA**  
**License No.: 0377**  
(Misconduct Allegations)

**SETTLEMENT AGREEMENT**

In order to avoid the delay and expense of further proceedings and to promote the best interests of the public and the practice of medicine, the New Hampshire Board of Medicine (“Board”) and Charlene A. Kreiensieck, PA (“Respondent”), a physician assistant licensed by the Board, do hereby stipulate and agree to resolve certain allegations of professional misconduct now pending before the Board according to the following terms and conditions:

1. Pursuant to RSA 329:17, I; RSA 329:18; RSA 329:18-a; and Medical Administrative Rule (“Med”) 206 and 210, the Board has jurisdiction to investigate and adjudicate allegations of professional misconduct committed by physician assistants. Pursuant to RSA 329:18-a, III, the Board may, at any time, dispose of such allegations by settlement and without commencing a disciplinary hearing.
2. The Board first granted Respondent a license to practice medicine in the State of New Hampshire on January 3, 2001. Respondent holds license number 0377. Respondent practices internal medicine at Laconia Clinic located in Laconia, New Hampshire.
3. On or about November 28, 2017, the Board received information from the New Hampshire Board of Pharmacy that two different pharmacies reported Respondent was prescribing controlled substances on behalf of Michael Dipre, MD (“Dr. Dipre”),

a physician who did not have a valid DEA number and could not prescribe the controlled medication himself.

4. In response to this, the Board conducted an investigation and obtained information from various sources pertaining to Respondent's prescribing practices for controlled substances and/or inadequate documentation pertaining to those practices.
5. Respondent stipulates that if a disciplinary hearing were to take place, Hearing Counsel would seek to prove the following facts:
  - A. When the alleged conduct occurred, Respondent was practicing at Laconia Clinic. Dr. Dipre also practiced medicine with Respondent at Laconia Clinic during that time.
  - B. Pursuant to a February 8, 2013 Settlement Agreement ("2013 Settlement Agreement"), the Board suspended Dr. Dipre's privilege to prescribe controlled substances for a period of three (3) years. His prescribing privileges were restored on or about April 12, 2017.
  - C. During the period of suspension, Dr. Dipre's DEA number lapsed and he did not apply for a new DEA number until approximately February of 2018. Dr. Dipre was not authorized to prescribe controlled substances when the conduct at issue in this matter occurred.
  - D. On multiple occasions between April 12, 2017 and December 31, 2017, Respondent prescribed controlled substances to patients who were seen by Dr. Dipre, who did not have a valid DEA license, and for which there was absent and/or insufficient documentation that Respondent: (1) discussed the plan of

care with Dr. Dipre; (2) conducted her own clinical assessment of the patient's condition; and/or (3) made her own independent determination that the prescribed medications were indicated and appropriate.

- E. This practice, whereby Dr. Dipre entered the prescriptions for controlled substances into the system and Respondent then signed off as the prescriber, originated and was utilized by Dr. Dipre and Respondent during the three (3) year period that Dr. Dipre's privilege to prescribe controlled substances was suspended pursuant to the 2013 Settlement Agreement.
  - F. During that period of time, in approximately 2014, the Board became aware that Dr. Dipre and Respondent were using this system and reviewed the matter, ultimately determining that this practice did not violate the terms of the 2013 Settlement Agreement.
  - G. When the conduct at issue in this matter occurred, Respondent believed she was practicing consistent with the Board's 2014 determination, despite the fact that in 2016, the Board adopted rules pertaining to the prescribing of controlled substances. The conduct at issue in this matter is not in line with the requirements of these rules during the period of time the underlying conduct occurred.
6. The Board finds that, if proven, the foregoing facts could form a basis for the Board to conclude that Respondent violated RSA 329:17, VI (i) and/or (k); and/or Med 501.02 (d) and/or (e) and/or (i)(1).

7. Respondent acknowledges that, if proven, this conduct could constitute grounds for the Board to impose disciplinary sanctions against Respondent's license to practice as a physician assistant in the State of New Hampshire.
8. To avoid the delay and expense of a hearing, Respondent consents to the Board imposing the following discipline, pursuant to RSA 329:17, VII:
  - A. Respondent is REPRIMANDED.
  - B. Respondent is required to meaningfully participate in eight (8) hours of CONTINUING MEDICAL EDUCATION in the areas of documentation and/or prescribing practices. These hours shall be in addition to the hours required by the Board for renewal of licensure and shall be completed within one (1) year from the effective date of this *Settlement Agreement*. Within fifteen (15) days of completing these hours, Respondent shall notify the Board and provide written proof of completion.
  - C. Respondent is assessed \$250.00 for the COST OF INVESTIGATION. Respondent shall pay these costs in full within thirty (30) days of the effective date of this *Settlement Agreement*, as defined further below, by delivering a money order or bank check, made payable to "Treasurer, State of New Hampshire," to the Board's office at 121 South Fruit Street, Concord, New Hampshire, 03301.
  - D. Within ten (10) days of the effective date of this agreement, as defined further below, Respondent shall furnish a copy of the *Settlement Agreement* to any current employer for whom Respondent performs services as a physician

assistant or work which requires a medical license or directly or indirectly involves patient care, and to any agency or authority which licenses, certifies or credentials physicians, with which Respondent is presently affiliated.

- E. For a continuing period of one (1) year from the effective date of this agreement, Respondent shall furnish a copy of this *Settlement Agreement* to any employer to which Respondent may apply for work as a physician assistant or for work in any capacity which requires a license or directly or indirectly involves patient care, and to any agency or authority that licenses, certifies or credentials physicians, to which Respondent may apply for any such professional privileges or recognition.
9. Respondent's breach of any terms or conditions of this *Settlement Agreement* shall constitute unprofessional conduct pursuant to RSA 329:17, VI (d), and a separate and sufficient basis for further disciplinary action by the Board.
10. Except as provided herein, this *Settlement Agreement* shall bar the commencement of further disciplinary action by the Board based upon the misconduct described above. However, the Board may consider this misconduct as evidence in the event that similar misconduct is proven against Respondent in the future. Additionally, the Board may consider the fact that discipline was imposed by this Order as a factor in determining appropriate discipline should any further misconduct be proven against Respondent in the future.
11. This *Settlement Agreement* shall become a permanent part of Respondent's file, which is maintained by the Board as a public document.

12. Respondent voluntarily enters into and signs this *Settlement Agreement* and states that no promises or representations have been made to her other than those terms and conditions expressly stated herein.
13. The Board agrees that in return for Respondent executing this *Settlement Agreement*, the Board will not proceed with the formal adjudicatory process based upon the facts described herein.
14. Respondent understands that her action in entering into this *Settlement Agreement* is a final act and not subject to reconsideration or judicial review or appeal.
15. Respondent has had the opportunity to seek and obtain the advice of an attorney of her choosing in connection with their decision to enter into this agreement.
16. Respondent understands that the Board must review and accept the terms of this *Settlement Agreement*. If the Board rejects any portion, the entire *Settlement Agreement* shall be null and void. Respondent specifically waives any claims that any disclosures made to the Board during its review of this *Settlement Agreement* have prejudiced her right to a fair and impartial hearing in the future if this *Settlement Agreement* is not accepted by the Board.
17. Respondent is not under the influence of any drugs or alcohol at the time she signs this *Settlement Agreement*.
18. Respondent certifies that she has read this document titled *Settlement Agreement*. Respondent understands that she has the right to a formal adjudicatory hearing concerning this matter and that at said hearing she would possess the rights to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify

on her own behalf, to contest the allegations, to present oral argument, and to appeal to the courts. Further, Respondent fully understands the nature, qualities and dimensions of these rights. Respondent understands that by signing this *Settlement Agreement*, she waives these rights as they pertain to the misconduct described herein.

19. This *Settlement Agreement* shall take effect as an Order of the Board on the date it is signed by an authorized representative of the Board.

**FOR RESPONDENT**

Date: 11-7-19

Charlene Kreiensieck  
Charlene A. Kreiensieck, PA  
Respondent

Date: 11/12/19

Adam Pignatelli  
Adam Pignatelli, Esq.  
Counsel for Respondent

**FOR THE BOARD/\***

This proceeding is hereby terminated in accordance with the binding terms and conditions set forth above.

Date: December 13, 2019

Penny Taylor  
(Signature)

Penny Taylor  
(Print or Type Name  
Authorized Representative of the  
New Hampshire Board of Medicine

/\* Board members, recused:

N/A  
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