

BOARD OF MEDICAL PRACTICE

In re: George A. Idelkope, M.D.)
) Docket No. MPN 066-0517
)

STIPULATION AND CONSENT ORDER

NOW COME George A. Idelkope, M.D., and the State of Vermont, by and through Vermont Attorney General Thomas J. Donovan, Jr., and hereby stipulate and agree to the following in the above-captioned matter:

1. George A. Idelkope, M.D. ("Respondent") holds Vermont medical license number 042.0006958 originally issued by the Vermont Board of Medical Practice on June 8, 1983.
2. Jurisdiction in this matter rests with the Vermont Board of Medical Practice ("the Board"), pursuant to 26 V.S.A. §§ 1353-1357, 3 V.S.A. §§ 809-814, and other authority.

FINDINGS OF FACT

3. The Board opened this matter in May of 2017 as a result of Respondent self-reporting to the Board that he recently entered into a Settlement Agreement with the State of New Hampshire Board of Medical Practice. The matter was assigned to the North Investigative Committee of the Board ("the Committee").
4. Respondent practices family medicine at Hinsdale Family Health Center in Hinsdale, New Hampshire.
5. The State of New Hampshire Board of Medical Practice ("New Hampshire Board") began an investigation upon receiving notice that Respondent was named as a

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defendant in a medical malpractice case in New Hampshire for allegedly failing to diagnose colon cancer in a patient. The New Hampshire Board conducted an investigation into these allegations.

6. Respondent entered into a Settlement Agreement with the New Hampshire Board on May 5, 2017. See, In the Matter of George A. Idelkope, M.D. A copy of the Settlement Agreement is attached hereto as Exhibit 1.
7. The Settlement Agreement with the New Hampshire Board provides alleged facts concerning Respondent's alleged failure to diagnose colon cancer in a patient. Respondent stipulated in the New Hampshire Board Settlement Agreement that if a disciplinary hearing had taken place, hearing counsel for the New Hampshire Board may have presented evidence consistent with the alleged facts to support a conclusion that Respondent engaged in unprofessional conduct in violation of RSA 329:17, VI (c), (d), and (k).
8. The unprofessional conduct as defined in RSA 329:17, VI (c), (d), and (k) is as follows:
 - (c) Has displayed medical practice which is incompatible with the basic knowledge and competence expected of persons licensed to practice medicine or any particular aspect or specialty thereof.
 - (d) Has engaged in dishonest or unprofessional conduct or has been grossly or repeatedly negligent in practicing medicine or in performing activities ancillary to the practice of medicine or any particular aspect or specialty thereof, or has intentionally injured a patient while practicing medicine or performing such ancillary activities.

(k) Has engaged in dishonest or unprofessional conduct or has been grossly or repeatedly negligent in practicing medicine or has unreasonably delayed medical record transfer, or violated RSA 332-I.

9. The Settlement Agreement with the New Hampshire Board sets forth the following discipline:

- a A Reprimand.
- b Completion of a total of eighteen hours of continuing medical education ("CME") courses in the following areas: five CME hours pertaining to medical record documentation, five CME hours pertaining to cancer screening and diagnosis, five CME hours pertaining to abdominal pain assessment, and three CME hours pertaining to work up of iron deficiency anemia.
- c Provide a copy of the Settlement Agreement to any current employer for a continuing period of one year from the effective date of the Settlement Agreement.

CONCLUSIONS OF LAW

10. The Board may find that failure to practice competently by reason of any cause on a single occasion constitutes unprofessional conduct. Failure to practice competently includes the performance of unsafe or unacceptable patient care, or failure to conform to the essential standards of acceptable and prevailing practice.

26 V.S.A. § 1354(b)(1)&(2).

11. Respondent acknowledges that it is the Board's position that if the State were to file charges against him it could satisfy its burden at a hearing and a finding adverse to him could be entered by the Board, pursuant to 26 V.S.A. § 1354(b)(2).

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12. Respondent agrees that the Board may enter as its facts and/or conclusions paragraphs 1 through 9 above, and further agrees that this is an adequate basis for the Board's actions set forth herein. Any representation by Respondent herein is made solely for the purposes set forth in this agreement.
13. Therefore, in the interest of Respondent's desire to fully and finally resolve the matter presently before the Board, he has determined that he shall enter into this agreement with the Board. Respondent enters no further admission here, but to resolve this matter without further time, expense and uncertainty; he has concluded that this agreement is acceptable and in the best interest of the parties.
14. Respondent acknowledges that he is knowingly and voluntarily entering into this agreement with the Board. He acknowledges and agrees that at all times and in all communications and proceedings related to this matter before the Board he has had the right to be represented by counsel. Respondent has carefully reviewed and considered this Stipulation and Consent Order.
15. Respondent agrees and understands that by executing this document he is waiving any right to challenge the jurisdiction and continuing jurisdiction of the Board in this matter, to be presented with a specification of charges and evidence, to cross-examine witnesses, and to offer evidence of his own to contest any allegations by the State.
16. The parties agree that upon their execution of this Stipulation and Consent Order, and pursuant to the terms herein, the above-captioned matter shall be administratively closed by the Board. Thereafter, the Board will take no further

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action as to this matter absent non-compliance with the terms and conditions of this document by Respondent.

17. This Stipulation and Consent Order is conditioned upon its acceptance by the Vermont Board of Medical Practice. If the Board rejects any part of this document, the entire agreement shall be considered void. Respondent agrees that if the Board does not accept this agreement in its current form, he shall not assert in any subsequent proceeding any claim of prejudice from any such prior consideration. If the Board rejects any part of this agreement, none of its terms shall bind Respondent or constitute an admission of any of the facts of the alleged misconduct, it shall not be used against Respondent in any way, it shall be kept in strict confidence, and it shall be without prejudice to any future disciplinary proceeding and the Board's final determination of any charge against Respondent.

18. Respondent acknowledges and understands that this Stipulation and Consent Order shall be a matter of public record, shall be entered in his permanent Board file, shall constitute an enforceable legal agreement, and may and shall be reported to other licensing authorities, including but not limited to: the Federation of State Medical Boards Board Action Databank and the National Practitioner Data Bank. In exchange for the actions by the Board, as set forth herein, Respondent expressly agrees to be bound by all terms and conditions of this Stipulation and Consent Order.

19. The parties therefore jointly agree that should the terms and conditions of this Stipulation and Consent Order be deemed acceptable by the Board, it may enter an order implementing the terms and conditions herein.

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ORDER

WHEREFORE, based on the foregoing, and the consent of Respondent, it is hereby ORDERED that:

1. Respondent shall be reprimanded for the conduct set forth above.
2. Respondent shall provide the Committee with written confirmation of completion of all terms and conditions of his Settlement Agreement with the New Hampshire Board no later than ten days after completion.
3. Upon successful completion of each CME course required by his Settlement Agreement with the New Hampshire Board, he shall provide the Committee with proof of attendance. Respondent shall also provide the Committee with a brief written narrative of each CME course which will document what he learned from each course, and how he will apply that knowledge to his practice. Respondent shall provide proof of attendance and the written narratives to the Committee within 30 days of completion of each course.
4. Respondent shall notify any and all current and future employers of the contents of this Stipulation and Consent Agreement and Order for a period of one year by providing a copy of said document to his current employer(s), and to any employer he may begin to work for a period of one year following approval of this Stipulation and Consent Agreement and Order.


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SIGNATURES

DATED at Montpelier, Vermont, this 25th day of October, 2017.


STATE OF VERMONT

THOMAS J. DONOVAN, JR.
ATTORNEY GENERAL

By: 

Kassandra P. Diederich
Assistant Attorney General
Office of the Attorney General
109 State Street
Montpelier, VT 05602-1001

DATED at Windsor, NH, Vermont, this 25th day of October, 2017.


George A. Idelkops, M.D.
Respondent

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AS TO GEORGE A. IDELKOPE, M.D.
APPROVED AND ORDERED
VERMONT BOARD OF MEDICAL PRACTICE

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DATED:

November 1st, 2017

ENTERED AND EFFECTIVE:

November 1st, 2017