

BEFORE THE  
NORTH CAROLINA MEDICAL BOARD

In re:	)	
	)	NOTICE OF CHARGES
Lawrence Merial Raines, III, M.D.,	)	AND ALLEGATIONS;
	)	NOTICE OF HEARING
Respondent.	)	

The North Carolina Medical Board ("Board") has preferred and does hereby prefer the following charges and allegations:

1. 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.

2. Respondent, Lawrence Merial Raines, III, M.D. ("Dr. Raines"), is a physician licensed by the Board on or about September 17, 1994, license number 9401309.

3. At all times relevant hereto, Dr. Raines practiced adult and addiction psychiatry in Cary, North Carolina.

4. On November 30, 2015, Dr. Raines received a private letter of the concern from the Board for his failure to provide a timely response to a Board's request for information regarding a patient's complaint. The private letter of concern stated, in relevant part, "Despite your evident responsiveness to [Patient], 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."

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

6. 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 A'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 A.

7. 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)."

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

9. Dr. Raines did not provide Patient A's medical record as Ordered.

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

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

12. Dr. Raines did not provide Patient A's medical record as Ordered.

13. 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.

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

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

16. 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.

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

18. Dr. Raines' 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. Raines' license to practice medicine or to deny any application he may make in the future.

19. Dr. Raines' failure to produce Patient A'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.

20. Dr. Raines' 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.

NOTICE TO DR. RAINES

Pursuant to N.C. Gen. Stat. § 90-14.2, it is hereby ordered that a hearing on the foregoing Notice of Charges and Allegations will be held before the Board, or a panel thereof, on Thursday, February 21, 2019, at 8:00 a.m. or as soon thereafter, at the offices of the Board at 1203 Front Street, Raleigh, North Carolina, to continue until completed. The hearing will be held pursuant to N.C. Gen. Stat. § 150B-40, 41, and 42, and N.C. Gen. Stat. § 90-14.2, 14.3, 14.5, 14.6, and 14.7 as well as 21 NCAC 32N .0110 and 21 NCAC 32N .0111. You may appear personally and through counsel, may cross-examine witnesses and present evidence on your own behalf.

You may, if you desire, file written answers to these charges preferred against you within thirty (30) days after the service of this notice.

Unless otherwise permitted by the Presiding Officer, all exhibits shall be provided to the Board electronically.

All preliminary motions, including motions for continuances, shall be received at the office of the Board no later than fourteen (14) days prior to the date of the hearing.

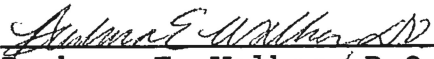
Pursuant to N.C. Gen. Stat. § 150B-40(c)(5) and 21 NCAC 32N .0110(c), it is further ordered that the parties shall arrange a pre-hearing conference at which they shall prepare and sign a stipulation on pre-hearing conference. The proposed pre-hearing stipulation shall be submitted to the undersigned no later than ten (10) days prior to the hearing date. The pre-hearing conference shall occur no later than seven (7) days prior to the hearing date.

The identity of Patient A is being withheld from public disclosure pursuant to N.C. Gen. Stat. § 90-8. However, this information will be provided to you upon your request.

The right to be present during the hearing of this case, including any such right conferred or implied by N.C. Gen. Stat. § 150B-40(d) or N.C. Gen. Stat. § 90-14.2(b), shall be deemed waived by a party or his counsel by voluntary absence from the Board's office at a time when it is known that proceedings, including deliberations, are being conducted, or are about to be conducted. In such event, the proceedings, including additional proceedings after the Board has retired to deliberate, may go forward without waiting for the arrival or return of counsel or a party.

This the 10th day of January, 2019.

NORTH CAROLINA MEDICAL BOARD

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

CERTIFICATE OF SERVICE


The undersigned does hereby certify that a copy of the foregoing NOTICE OF CHARGES AND ALLEGATIONS; NOTICE OF HEARING has been duly served upon the Respondent, by and through his counsel, by electronic mail and certified mail, return receipt requested and electronic mail to the following addresses:

[REDACTED]

Lawrence Merial Raines, III, M.D.  
1220 S.E. Maynard Road, Suite 204  
Cary, NC 27511-6944

[REDACTED]

This the 10th day of January, 2019.

  
\_\_\_\_\_  
Brian Blankenship  
Deputy General Counsel  
North Carolina Medical Board  
P.O. Box 20007  
Raleigh, NC 27619-0007  
1.800.253.9653, ext. 239

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BEFORE THE  
NORTH CAROLINA MEDICAL BOARD

In Re:	)	
	)	
Lawrence Merial Raines, III, M.D.,	)	SCHEDULING ORDER
	)	
Respondent.	)	

The undersigned Presiding Officer hereby enters the following Scheduling Order. This Scheduling Order may be later amended at the discretion of the Presiding Officer based upon information provided by the parties.

1. All preliminary motions, including motions for continuances, shall be filed no later than fourteen (14) days prior to the date of the hearing.

2. The pre-hearing conference will be held on Wednesday, February 13, 2019, at 11:00 am. The pre-hearing conference will be held via telephone and will not be recorded. The call-in instructions will be emailed in advance of the pre-hearing conference.

3. The proposed pre-hearing stipulation shall be submitted to the undersigned no later than ten (10) days prior to the hearing date.

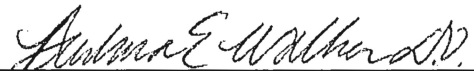
4. Unless otherwise permitted by the Presiding Officer, all exhibits shall be provided to the Board electronically. Exhibits that are stipulated into evidence, or agreed or ordered

to be admitted into evidence during the pre-hearing conference, shall be furnished to the Board along with the pre-hearing stipulation seven (7) days prior to the hearing date.

5. Discovery shall be completed on or before fourteen (14) days prior to the hearing date; however, depositions *de bene esse* may be taken outside the period of discovery.

This the 10th day of January, 2019.

NORTH CAROLINA MEDICAL BOARD

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

CERTIFICATE OF SERVICE

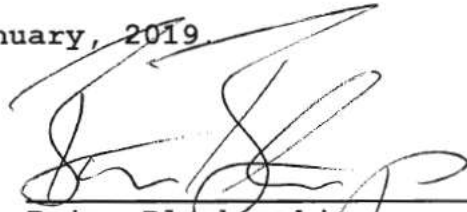
I, the undersigned attorney for the North Carolina Medical Board, hereby certify that I have served a copy of the foregoing SCHEDULING ORDER on Respondent by depositing a copy with the United States Postal Service, certified mail, return receipt requested and by electronic mail to the following:

[REDACTED]

Lawrence Merial Raines, III, M.D.  
1220 S.E. Maynard Road, Suite 204  
Cary, NC 27511-6944

[REDACTED]

This the 10th day of January, 2019.

  
\_\_\_\_\_  
Brian Blankenship  
Deputy General Counsel  
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Raleigh, NC 27619-0007  
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