

Dr. Meryl Nass: State Agency Defends Punishment for Ellsworth Doctor Who Criticized COVID-19 Policies

By [Steve Robinson](#)

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A Maine state agency met Tuesday for the first of several hearings that will determine whether an Ellsworth doctor who was an outspoken critic of state and federal COVID-19 policies will ever be able to practice medicine in the state again.

The Board of Licensure in Medicine ([BOLIM](#)), a state agency that regulates medical licensing in Maine, suspended **Dr. Meryl Nass's** medical license on January 12 following an investigation that started with an activist's complaint that she was spreading misinformation in media interviews and on the Internet.

At the start of the pandemic in 2020, Nass, who practices internal medicine, began offering \$60 consults with patients who had COVID-19 or feared they might contract the disease. None of Nass's patients complained about the care they received from her during the COVID-19 pandemic. Instead, the BOLIM action against her originated from activists who flagged her public comments as "misinformation" in emails to BOLIM.

The BOLIM investigation into Nass that started with complaints over supposed misinformation eventually grew to include Nass's disclosure that she lied to a pharmacist in order to obtain Hydroxychloroquine for a patient, along with allegations that she did not keep competent patient records while engaging in telemedicine consultations.

Nass and her counsel **Gene Libby** said Tuesday in an opening statement that Nass was targeted for punishment by BOLIM because she wasn't willing to toe the government-approved line on COVID-19 treatments.

"Although Dr. Nass was targeted for her speech, the Board latched on to alleged deficiencies in Dr. Nass's simple consultation with patients seeking treatment with Ivermectin and Hydroxychloroquine," Libby said in the statement.

“The BOLIM, a regulatory extension of policies enacted by Governor Mills, was intent on silencing her,” Libby said.

Nass attracted the ire of top Democrats and government officials with her comments to media and the legislature in late 2021. She irked Democratic **Gov. Janet Mills** and House Speaker **Ryan Fecteau** (D-Biddeford) when she spoke with lawmakers one month before her suspension on December 14, 2021. According to other emails included in Libby’s opening statement, Mills’ staff and Democratic lawmakers circulated negative talking points about Nass aimed at undermining her credibility.

At the time, BOLIM was already investigating Nass as the result of the complaints over her supposedly spreading misinformation. Nass’s [alleged] self-admission that she had lied to a pharmacist led to subpoenas for medical records involving three patients, records BOLIM and the Attorney General’s office later used as evidence against her.

Libby, Nass’s attorney, contends that his client is the victim of an overreaching state that tried to punish Nass for speaking out against state and federal pandemic policies. Lacking any legal authority to punish Nass for criticizing the government, BOLIM is instead targeting her other infractions — a medical version of [Lavrentiy Beria](#)’s infamous comment: “Show me the man and I’ll show you the crime.”

“The board is trying to bootstrap discipline against Dr. Nass for picayune record keeping violations only because she had the courage to speak out,” he said. “The board immediately suspended her license, demanded a neuropsychological examination and the Boards Executive Director encouraged media ‘[hit pieces](#)’ in collaboration with reporters at Maine Public Radio and elsewhere.”

BOLIM Chair **Maroulla Gleaton**, reached by phone, declined to comment for this story and referred inquiries to BOLIM staffer Timothy Terranova.

Terranova did not respond to a message left on his work phone.

COVID Complaints and Criticism

From the beginning of the pandemic, Nass had been outspoken in her blog about COVID-19 treatments, the evolving medical news, and government pandemic policies. Nass advocated for prescribing Ivermectin as a prophylactic, and recommended hydroxychloroquine to treat patients with positive COVID-19 diagnoses. She criticized the controversial mRNA vaccines developed by Pfizer-BioNTech, Moderna, and other major pharmaceutical companies.

At the same time, Nass began consulting with patients across Maine, offering a \$60, 30-minute telemedicine consultation and ongoing counseling thereafter via phone calls and texts. She was one of the few doctors in the state willing to prescribe Ivermectin and Hydroxychloroquine to her patients.

All of the patients involved in the BOLIM complaint recovered from COVID-19 after receiving prescriptions for either Ivermectin or Hydroxychloroquine. None of them complained to BOLIM about the care they received from Nass. Rather than patient complaints, the case against Nass began with emails from left-wing activist and retired truck driver Steven Demitriou and Katherine Moors, an Ellsworth therapist.

Demitriou complained to BOLIM on October 26, 2021 that Nass was spreading

misinformation in online video interviews, later providing a transcript of an interview she'd done. Moors filed her complaint on November 7, 2021, telling BOLIM that Nass was "spreading COVID misinformation on [Twitter](#)." As the result of the citizen complaints filed against Nass, BOLIM began corresponding with her, effectively warning her to stop publicly expressing criticism of COVID-19 treatments and policies.

On Jan. 11, Nass continued to criticize government COVID-19 policies. She submitted testimony to the State Legislature's Health and Human Services Committee in support of [LD 867](#), a bill to limit state mandated vaccinations. The bill, which [died](#) in the House of Representatives in March, would have placed a 5-year moratorium on controversial mandates for the mRNA COVID-19 vaccines.

"No matter what claims have been made regarding these vaccines, they are not 'safe and effective'," Nass told lawmakers in her [testimony](#).

"'Safe and effective' is an FDA 'term of art' that may only be applied to licensed drugs and vaccines," she said. "All currently available COVID vaccines in the United States are unlicensed and experimental."

That same day, BOLIM decided to suspend her license, a decision which was formalized the following day on Jan. 12.

That same day, Gov. Mills' sister **Dora Mills**, the Chief Improvement Officer at Maine Health, emailed **Renee Fay LeBlanc**, a BOLIM board member, regarding an interview Nass did on the Voice of Maine radio program, flagging Nass's comments as misinformation. It's unclear whether BOLIM's decision was affected by Dora Mills' email lobbying for action to be taken against Nass.

Click to read [Dora Mills email lobbying for the suspension of Dr. Nass's medical license](#).

BOLIM issued the following statement regarding its action against Dr. Nass:

On January 12, 2022, the Maine Board of Licensure in Medicine ("the Board") issued an Immediate Suspension Order suspending Dr. Nass's license to practice medicine in Maine for a thirty day period ending on February 11, 2022 based on preliminary findings that Dr. Nass engaged in the practice of fraud, deceit or misrepresentation in connection with services rendered within the scope of the license issued, engaged in conduct that evidences a lack of ability or fitness to discharge the duty owed by the licensee to a patient or that evidences a lack of knowledge or ability to apply principles or skills to carry out the practice for which the licensee is licensed, engaged in unprofessional conduct, and violated Board rules which constituted an immediate jeopardy to the health and physical safety of the public who might receive her medical

The board further ordered Dr. Nass to submit to a neuropsychological evaluation by a psychologist of their choosing, an action typically reserved for doctors who are suspected of having substance abuse problems, which is not the case with Nass.

But Nass pushed back, questioning the board's authority to investigate comments she had made as a private citizen and demanding that the board define what constituted "misinformation." The board never informed Nass what statements it considered misinformation, but BOLIM statements regarding Nass shed some light on the offending material.

According to the initial [complaint](#) against Nass, BOLIM described as “misinformation” Nass stating that she would not comply with masking and vaccine orders, her complaint that the federal government was not allowing the public to know how many people are immune from less severe or asymptomatic COVID cases, and her belief that widespread vaccinations for COVID-19 “don’t make scientific or medical sense.”

In the complaint, BOLIM seemed especially concerned with Nass’s statements about mandatory vaccines and follow up “boosters” leading to universal vaccine passports, electronic IDs, and greater government surveillance. The board also cited as “misinformation” Nass expressing concern over mandated vaccinations for children and the effect of mRNA vaccines on pregnant women.

Click to read [Nass-Meryl-Order-Directing-Evaluation](#).

In response to the suspension, Nass filed a lawsuit arguing that the First Amendment of the U.S. Constitution affords her the fundamental right to speak her mind in public settings, such as before a committee of the Maine State Legislature or in an interview with a journalist. She further argued that her prescribing decisions were ethically sound, in the best interest of all her patients, and that her telephone consultations were in keeping with pandemic era rules around telemedicine.

“It was as if I was a country bumpkin who knew nothing,” Nass said in an interview with The Maine Wire.

“That was the story presented to the board,” she said. “I wrote the first review article on the anthrax vaccines in the medical literature. I’ve testified to six congressional committees and to seven state legislatures on these issues of bioterrorism, anthrax, small pox, vaccine injuries, and gulf war syndrome,” she said.

For Nass, the suspension of her license is the culmination of a nationwide campaign waged by the Federation of State Medical Boards (FSMB), a non-profit, to punish doctors who spoke out against state and federal COVID-19 policies. In the Fall 2021 BOLIM newsletter, Maroulla Gleaton, the BOLIM Chair, endorsed a position taken by FSMB that doctors who “spread COVID-19 vaccine misinformation” ought to have their licenses revoked.

Nass maintains that Ivermectin and Hydroxychloroquine are safe drugs that are effective in treating COVID-19 when used correctly, but pharmacists in Maine were scared to prescribe the drugs because of statements from the Maine Board of Pharmacy and the fear that they might lose their licenses.

“This was basically government by innuendo,” she said.

Ivermectin and Hydroxychloroquine

At the Tuesday hearing, the only allegations against Nass involved her decision to prescribe either ivermectin or Hydroxychloroquine to three patients, and her medical record keeping.

Ivermectin and Hydroxychloroquine are both old drugs that were considered safe and non-controversial until the rise of COVID-19 and the acrimonious debates over vaccines and alternative treatments. Ivermectin, discovered in 1975 as a treatment for animal parasites, was approved for human use in 1987 and is one of the most [common](#) prescription drugs on the planet. [Hydroxychloroquine](#) became popular shortly before World War II to treat malaria

in American soldiers facing the mosquito-borne illness in the South Pacific. After the war ended, doctors found the drug had benefits for those suffering from lupus and rheumatoid arthritis.

When COVID-19 became an epidemic, both drugs were thrust into the public conversation by media personalities, some health officials, and politicians, including President Donald Trump. As a result, they became lightning rods for criticism by government health authorities, like the NIH's Dr. Anthony Fauci. The drugs transformed quickly from time-tested, safe medicines into dangerous snake oil peddled by quacks using disinformation and misinformation.

Read Attorney Gene Libby's opening statement in defense of Meryl Nass Below:

Read [Gene-Libby-Opening-Statement-for-Nass-Defense](#).

October 11 Hearing

During the hearing on Tuesday, **Assistant Attorney General Tim Steigelman** grilled Nass for four hours over her communications with the three patients, regularly becoming combative with Nass and her attorney.

At one point, Steigelman asked whether Nass recorded vital signs during a telemedicine consult, seeming to misunderstand the nature of telemedicine. In another instance, the AAG questioned whether Nass got the proper HIPPA permissions to discuss the medical care of two elderly patients with their son who was living in the same house and also suffering from COVID-19.

None of the original claims about misinformation came up during the hearing, and the overwhelming thrust of the governments arguments orbited her communications with ailing Mainers during her \$60 COVID-19 telemedicine consultations.

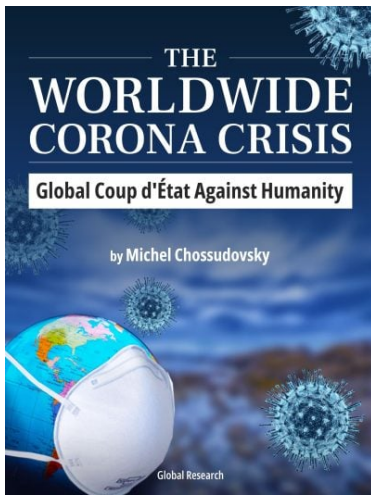
"In the end analysis," Libby said in a phone interview, "the evidence will establish that it was really an abuse of the regulatory process against a doctor who the establishment decided wasn't playing on the same team."

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Steve Robinson is the Editor-in-Chief of *The Maine Wire*.

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