





- (11) On January 9, 2013, the Licensee, through his legal representative, submitted a document to the Board's Physician Health and Compliance Unit, which he claimed was the list of meetings he submitted to PHS to demonstrate his attendance at meetings. This document includes listings for a physician group meeting at Bournemouth Hospital for the following dates: April 4, 2012; April 11, 2012; April 18, 2012; April 25, 2012; May 2, 2012; May 9, 2012; May 16, 2012; May 23, 2012; May 30, 2012; June 13, 2012; June 20, 2012; June 27, 2012; and October 3, 2012.
- (12) In a January 16, 2013 email from the Licensee, which was submitted to the Physician Health and Compliance Unit by the Licensee's legal representative, the Licensee states that he did not attend this group until September 5, 2012. In this email, the Licensee also states that he never informed Physician Health Services that he attended physician support group meetings at Bournemouth Hospital until September 5, 2012 and that he never identified anyone named Melissa as his contact for this group meeting. These statements are contradictory to the documents referenced in items (9) and (11) above.
- (13) The Licensee has not submitted any documentation that he attended all of the required meetings, and, in fact, the documentation that he has submitted evidences that he did not.

Any Petition to Stay Suspension in this matter will be contingent upon the Licensee's completion of an independent psychiatric evaluation, including behavioral health assessment, by either a Board-approved evaluator. Board approval of any evaluator must be given before beginning any evaluation. In addition, any Petition to Stay Suspension will be contingent upon the Board's approval of a worksite monitoring plan and substance use monitoring plan. Furthermore, any stay of suspension will be contingent upon continued monitoring of the Licensee's practice of medicine subject to terms and conditions deemed warranted by the Board at the time of the Petition to Stay Suspension, including, but not limited to, any recommendations made by the Board-approved evaluator.

The Licensee may request a hearing before a single designated Board member hearing officer on this matter. The purpose of the hearing is to determine, solely as a matter of fact, whether the Licensee has been in compliance with his Letter of Agreement. A request for a hearing shall be made in writing and directed to the Executive Director of the Board. The Board must receive any request by 5:00 p.m., Friday, February 22, 2013. If such a request is determined to raise an issue of fact as to whether the Licensee has been in compliance with paragraphs J and Y of his Letter of Agreement, the Board will promptly schedule a hearing at a mutually convenient time.

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The Licensee shall provide a complete copy of this Order, with all exhibits and attachments, within ten (10) days by certified mail, return receipt requested, or by hand delivery to the following designated entities: the Drug Enforcement Administration, Boston Diversion Group; the Massachusetts Department of Public Health's Drug Control Program; any in- or out-of-state hospital, nursing home, clinic, other licensed facility, or municipal, state, or federal facility at which he practices medicine; any in- or out-of-state health maintenance organization with whom he has privileges or any other kind of association; any state agency, in- or out-of-state, with which he has a provider contract; any in- or out-of-state medical employer, whether or not he practices medicine there; and the state licensing boards of all states in which he has any kind of license to practice medicine. The Licensee shall also provide this notification to any such designated entities with which he becomes associated in the year following the Board's issuance of this Order. The Licensee is further directed to certify to the Board within ten (10) days that he has complied with this directive.

Date: February 6, 2013

Candace Lapidus Sloane, MD  
Candace Lapidus Sloane, M.D.  
Chair