

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2016-009

In the Matter of

PAUL ROBERT SKLAREW, M.D.

CONSENT ORDER

Pursuant to G.L. c. 30A, § 10, Paul Robert Sklarew, M.D. (Respondent) and the Board of Registration in Medicine (Board) (hereinafter referred to jointly as the "Parties") agree that the Board may issue this Consent Order to resolve the above-captioned adjudicatory proceeding. The Parties further agree that this Consent Order will have all the force and effect of a Final Decision within the meaning of 801 CMR 1.01(11)(d). The Respondent admits to the findings of fact specified below and agrees that the Board may make the conclusions of law and impose the sanction set forth below in resolution of investigative Docket No. 14-243.

Findings of Fact

1. The Respondent was born on August 20, 1955. He graduated from Albany Medical College of Union University in Albany, New York. He is certified in allergy and immunology by the American Board of Medical Specialties. He has been licensed to practice medicine in Massachusetts under certificate number 79011 since February 1994. He is affiliated with Martha's Vineyard Hospital, Nantucket Cottage Hospital, and Cape Cod Health Systems and has admitting privileges at Cape Cod Health Systems.

2. On October 4, 2003, Respondent was arrested and charged with the following criminal offenses: (a) driving under the influence of alcohol, (b) unlicensed operation of a motor vehicle, and (c) negligent operation of a motor vehicle.

3. On October 6, 2003, Respondent was arraigned on the charges in paragraph 2 in Barnstable District Court.

4. On January 22, 2004, a judge dismissed the charge of operating under the influence of alcohol.

5. On January 22, 2004, the judge continued without a finding the charges of unlicensed operation of a motor vehicle and negligent operation of a motor vehicle, with Respondent admitting sufficient facts to support those charges.

6. On January 22, 2004, the judge placed Respondent on probation for one year and thereafter on January 21, 2005, the judge discontinued Respondent's probation.

7. Respondent was advised by his attorney that, in regard to the above charges, he was not required to state in any criminal background check that he was ever convicted of a criminal offense.

8. In July 2004, Respondent submitted his Physician Registration Renewal Application, which contained Question 17, "Have you been charged with any criminal offense?" Respondent answered "no" to this question.

9. Respondent states that his renewal application answer was the result of his confusion between being "charged" with a criminal offense and being "convicted" of a criminal offense and that his incorrect response to Question 17 was an inadvertent mistake.

Conclusions of Law

A. The Respondent has violated G.L. c. 112, § 5, eighth par. (a) and 243 CMR 1.03(5)(a)1, in that he failed to disclose information that he was required to provide to the Board on his Physician Registration Renewal Application.

B. The Respondent has engaged in conduct which has the capacity to deceive or defraud in violation of 243 CMR 1.03(5)(a)10.

Sanction and Order

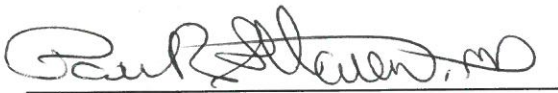
The Respondent's license is hereby reprimanded. The Respondent is also ordered to pay a fine in the amount of \$2,500. Said fine is payable within 90 days of the date on which the Board approves this Consent Order. The Board will not renew the license of any physician who fails to pay a fine in a timely manner; this step will be taken automatically and no further notice or process will apply. This sanction is imposed for each violation of law listed in the Conclusions section and not a combination of any or all of them.

Execution of this Consent Order

The Respondent shall provide a complete copy of this Consent 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: any in- or out-of-state hospital, nursing home, clinic, other licensed facility, or municipal, state, or federal facility at which the Respondent practices medicine; any in- or out-of-state health maintenance organization with whom the Respondent has privileges or any other kind of association; any state agency, in- or out-of-state, with which the Respondent has a provider contract; any in- or out-of-state medical employer, whether or not the Respondent practices medicine there; the state licensing boards of all states in which the Respondent has any kind of license to practice medicine; the Drug Enforcement

Administration Boston Diversion Group; and the Massachusetts Department of Public Health Drug Control Program. The Respondent shall also provide this notification to any such designated entities with which the Respondent becomes associated in the year following the date of imposition of this reprimand and fine. The Respondent is further directed to certify to the Board within ten (10) days that the Respondent has complied with this directive.

The Board expressly reserves the authority to independently notify, at any time, any of the entities designated above, or any other affected entity, of any action it has taken.



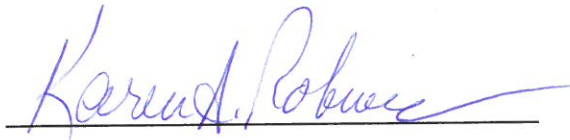
Licensee

1/8/16
Date



Attorney for the Licensee


1/11/16
Date



Complaint Counsel

1/14/16
Date

So ORDERED by the Board of Registration in Medicine this 11th day of February,
20 16.



Michael Henry, M.D.
Board Secretary