COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION IN MEDICINE

MIDDLESEX, SS Adjudicatory Case

No. 2014-016

RM-14-196

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)

In the Matter of )

) FINAL DECISION AND ORDER

David Farrar, M.D. )

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This matter came before the Board for disposition on the basis of the Administrative Magistrate’s Recommended Decision (Recommended Decision), dated August 27, 2014, which is attached hereto and incorporated by reference. The Recommended Decision, incorporating a Stipulation signed by the Respondent and Petitioner, and Petitioner’s Memorandum on Disposition were considered by the Board on November 5, 2014. After full consideration of the Recommended Decision and the Petitioner’s Memorandum on Disposition, the Board adopts the Recommended Ruling and imposes the following sanction:

Sanction

The record demonstrates that the Respondent was convicted of a crime, conduct that calls into question his competence to practice medicine and conduct that undermines public confidence in the integrity of the medical profession. Therefore, it is proper for the Board to impose sanction for violation of 243 CMR 1.03(5)(a)7. *See also* Raymond v. Board of Registration in Medicine, 387 Mass. 708 (1982); Levy v. Board of Registration in Medicine, 378 Mass. 519 (1979).

The Board has chosen revocation of the inchoate right to renew a license as the sanction for physicians who have been convicted of serious criminal matters. *See* In the Matter of Mark S. Metzger, M.D., Board of Medicine, Adjudicatory Case No. 2013-016 (Final Decision and Order, October 23, 2013)(Board revoked inchoate right to renew license of physician convicted for Attempted Sexual Abuse in the First Degree against a 12 year old child, and self-prescribing controlled substances); In the Matter of Gerald Morris, M.D., Board of Medicine, Adjudicatory Case No. 2009-020, (Final Decision and Order, December 16, 2009)(Board revoked inchoate right to renew license of physician convicted for unlawful distribution of controlled substances, issuing internet prescriptions for other than legitimate medical purposes and not maintaining a medical record for each patient); In the Matter of Mukunda Mukherjee, M.D., Board of Medicine, Adjudicatory Case No. 2007-016, (Final Decision and Order, October 17, 2007)(Board revoked inchoate right to renew license of physician convicted for illegal distribution of controlled substances); and In the Matter of Devork Vorperian, M.D., Board of Medicine, Adjudicatory Case No. 2007-070, (Final Decision and Order, July 9, 2008)(Board revoked inchoate right to renew license of physician convicted of fraudulent billing practices where Respondent received kickbacks from a laboratory where he sent his Medicare and Medi-Cal patients).

The Respondent entered a Voluntary Agreement Not to Practice (VANP) as of August 31, 2012. The Respondent’s license to practice medicine lapsed as of October 11, 2012. In consideration of the Findings of Fact and Conclusions of Law in the Stipulation in the Recommended Decision, the Board hereby TERMINATES the Voluntary Agreement Not to Practice, and REVOKES the Respondent’s inchoate right to renew his license to practice medicine, retroactive to August 31, 2012, the date on which the Respondent entered into the VANP.

The Respondent shall provide a complete copy of this Final Decision and 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 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; the state licensing boards of all states in which he 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 he becomes associated for the duration of this revocation. The Respondent is further directed to certify to the Board within ten (10) days that he 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. The Respondent has the right to appeal this Final Decision and Order within thirty (30) days, pursuant to G.L. c. 30A, §§14 and 15, and G.L. c. 112, § 64.

Date: November 5, 2014 Signed by Candace Lapidus Sloane, M.D.

Candace Lapidus Sloane, M.D.

Chair

Board of Registration in Medicine