

## COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS

BOARD OF REGISTRATION  
IN MEDICINE

Adj. Case No: 2017-045

In the Matter of

Alan S. Rockoff, M.D.

## PROBATION AGREEMENT

## I. COMPLIANCE WITH AGREEMENT

The Respondent agrees that violation of this Probation Agreement ("Agreement"), including such provisions which survive this Agreement, shall constitute sufficient grounds for the immediate suspension of the Respondent's license to practice medicine, or any such lesser sanction as the Board of Registration in Medicine ("Board") may deem fit to impose, without prior notice to the Respondent. The Respondent hereby waives any claim or defense to any subsequent action by the Board to suspend the Respondent's license or impose such other lesser sanction, for any such violation or violations, except that the Respondent shall be entitled to defend against the assertion of a violation of this Agreement. The Respondent acknowledges and agrees that by entering into this Agreement, the Respondent is relinquishing important procedural and substantive rights.

## II. PARTIES

The parties to this Probation Agreement are the Board of Registration in Medicine (“Board”) and Alan S. Rockoff, M.D. (“Respondent”).

### **III. JURISDICTION**

The parties agree that the Board has the authority to enter into this Agreement, and that the Board may enforce the terms of this Agreement in accordance with applicable laws and regulations and the provisions of this Agreement.

### **IV. CONDITIONS OF PROBATION**

During the probationary period, which shall be effective on the date the Board accepts this Agreement, the Respondent shall comply with each of the following requirements:

A. On or by December 1, 2017, the Respondent shall successfully implement all recommended changes to his practice, which were made as part of the practice audit referenced in the Consent Order in this matter.

B. The Respondent shall identify an evaluator to be approved by the Board, in advance, who will conduct a functional capacity evaluation focused on issues of coordination and fine motor dexterity. Within one week of the Board's approval of said evaluator, the Respondent must schedule the functional capacity evaluation.

C. The Respondent shall have the entity which conducted the aforementioned audit ("audit entity") return to his office in April 2018 to review fifty (50) charts, randomly selected by the board-approved evaluator to determine whether the Respondent has made the corrections for the service dates during the period of December 1, 2017 to April 1, 2018. Five (5) of the 50 charts must be charts of visits performed by physician extenders. The Respondent must arrange with the audit entity to submit the updated audit to the Board.

D. The Respondent agrees to accept any changes to this Agreement based on any supplemental reports issued by the audit entity.

E. The Respondent agrees that in ten (10) months following the adoption of this Agreement and the Consent Order in this matter the audit entity will return to his office and review fifteen (15) charts, randomly selected by the board-approved evaluator, five of which will be charts showing visits performed by physician extenders, to determine whether the Respondent has successfully made changes suggested in the original audit report.

F. The Respondent and the Board agree that "successfully made changes" means that at least eighty (80) percent of his charts are deemed a "1" in the audit entity's scoring scale and twenty (20) percent or fewer of the charts are deemed a "2" in the audit entity's scoring scale. Moreover, the Respondent and the Board agree that the Respondent will not have successfully made the changes suggested in the original audit report if any patient charts are deemed to be higher than a "2" in the audit entity's scoring scale.

G. The Respondent shall bear all costs associated with complying with this Agreement.

I. The Respondent shall appear before the Board, or a committee of its members, at such times as the Board requests, upon reasonable advance notice, commensurate with the gravity or urgency as determined by the Board or its committee.

J. The Respondent shall notify and provide, within ten (10) days of acceptance of this Agreement by the Board, a complete copy of this Agreement with all exhibits and attachments 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; and any in- or out-of-state medical employer, whether or not he practices medicine there; the Drug Enforcement Agency, Boston Diversion Group; the Massachusetts Bureau of Health Care Safety and Quality; and the state licensing boards of all states in which he has any kind of license to practice medicine. The Respondent shall also provide this notification to any such designated entities with which he becomes associated for the duration of this Probation Agreement. 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.


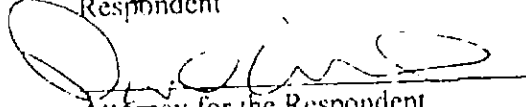
## V. TERMINATION OF PROBATION

A. The Respondent agrees to be subject to this Agreement until the Board determines, upon a petition for termination by the Respondent, that the Respondent has complied with all of the requirements of this Agreement. No petition for termination shall be filed until one year following the adoption of this Agreement.

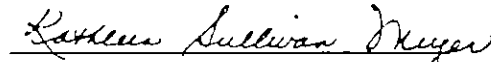
B. If the Respondent fails to comply with his obligations as set forth above, the Respondent's license to practice medicine may be immediately suspended, as agreed to in Section I.

11/5/17  
Date

11/5/17  
Date

  
Respondent  
  
Attorney for the Respondent

Accepted this 22 day of November 2017, by the Board of Registration in Medicine.

  
Kathleen Sullivan Meyer  
Vice Chair