

Adjudicatory Case No 2023-044

Victor Ferzoco MD

I COMPLIANCE WITH AGREEMENT

S b t d d C re Mo to g PA R 9 21 2023

If the Respondent does not comply with each requirement of this Agreement, or if the Board opens a Subsequent Complaint¹ during the probationary period the Respondent agrees to the following

a The Board may upon written notice to the Respondent as warranted to protect the public health safety or welfare

i EXTEND the probationary period and/or

ii MODIFY the Agreement requirements and/or

iii LIFT THE STAY OF SUSPENSION

b If the Board suspends the Respondent's license pursuant to this paragraph, the suspension shall remain in effect until

i The Board gives the Respondent written notice that the probationary period is to be resumed and under what terms or

ii The Board and the Respondent sign a subsequent agreement or

iii The Board issues a written final decision and order following adjudication of the allegations (1) of noncompliance with this Agreement and/or contained in the Subsequent Complaint

II PARTIES

The parties to this Agreement are the Board of Registration in Medicine ('the Board) and Victor Ferzoco M D (the Respondent)

¹ For purposes of this Agreement the term 'Subsequent Complaint' applies to a complaint opened after the effective date of this Agreement, which alleges that the Respondent engaged in conduct that violates Board statutes or regulations and/or (2) involves a criminal conviction or discipline imposed by another state medical licensing board other than reciprocal discipline for the same conduct resolved in the proceeding that resulted in this Agreement

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 The Respondent agrees to undergo monitoring by the Board for at least five years from the date of the Board's acceptance of this Agreement and for such further period thereafter as the Board may order pursuant to Part I of this Agreement. The Board may also extend the probationary period by the amount of time that the Respondent is not practicing medicine during the probationary period.

B The Respondent agrees to comply with the following requirements during the probationary period

- i He/she will comply with all laws and regulations governing the practice of medicine
- ii He/she will notify the Board in writing within ten (10) days of any change in his/her name or address
- iii He/she will timely renew his/her license to practice medicine
- iv He/she will respond to inquiries from Board staff in a timely manner
- v He/she will notify the Board in writing within seven (7) days of receiving notice of any complaint filed against his/her license to practice in any jurisdiction where he/she holds a license

C INTENTIONALLY OMITTED

D No later than 90 days following the adoption of this Agreement the Respondent shall undergo and submit the results of a practice audit by LifeGuard. The audit shall be of patients seen since January 2022 and who were prescribed opioids and benzodiazepines by the Respondent. The Respondent agrees to incorporate all recommendations to remediate deficiencies made by LifeGuard into this Agreement. The Respondent shall document remediation of all deficiencies identified by LifeGuard.

E The Respondent shall engage in the practice of medicine only under such conditions as the Board may impose and at a Board approved worksite. The Respondent may only practice medicine at **Faulkner Community Physicians at Hyde Park 1337 Hyde Park Ave Hyde Park MA 02136**. The Respondent shall have a Board approved worksite monitor. The Respondent shall document his/her remediation of any deficiencies identified by the audit through quarterly monitoring reports filed by a Board approved monitor. The Respondent's practice of medicine will be monitored by **Katherine E. Taylor M.D.** who shall file quarterly reports to the Board on a form provided by the Board. Respondent shall notify the Board within seven (7) days of any change in the Respondent's employment status including each change in Employer, each resignation or termination and each change in the name, address and telephone number of any Employer. Respondent shall notify the Board within seven (7) days of receiving notice that the above referenced monitor is no longer available to serve as monitor.

F All agreements whereby third parties are to provide written reports, releases, records or any other information to the Board including but not limited to reports of any assessment or audit under this Probation Agreement shall be submitted to the Board for approval within thirty (30) days after the Probation Agreement is approved by the Board. The Respondent agrees to

submit to the Board the results of any audit or clinical skills assessment and/or documentation of completion of any required continuing medical education credits. The Respondent agrees to waive any privileges he/she may have concerning such reports and disclosures to the Board by any such auditor, assessor, or evaluator.

G In the event that the Respondent seeks licensure to practice medicine in another state, the Respondent shall notify the Board of such fact and shall disclose to the licensing authority in such state his status with this Board. The Respondent shall submit to the Board copies of all correspondence and application materials submitted to another state's licensing authority.

H In the event the Respondent should leave Massachusetts to reside or practice out of the state, the Respondent shall promptly notify the Board in writing of the new location as well as the dates of departure and return. Periods of residency or practice outside Massachusetts will not apply to the reduction of any period of the Respondent's probationary licensure unless the Respondent enters into a monitoring agreement, approved by the Board, in the new location.

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

J The Respondent, and not the Board, shall be responsible for the payment of any fee or charge occasioned by the Respondent's compliance with this Probation Agreement.

K The Respondent may request that the Board modify any of the conditions set forth above. The Board may, in its discretion, grant such modification. Except for requests for modifications related to the identity of the Respondent's employment, the Respondent may make such a request not more than once in any one year period nor any sooner than one year from the date of this Probation Agreement.

L The Respondent shall provide a complete copy of this Probation Agreement 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 Drug Enforcement Administration Boston Diversion Group Department of Public Health Drug Control Program 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 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 If the Respondent complies with his or her obligations as set forth above the Board at the expiration of the five year period shall upon petition by the Respondent terminate the Respondent's probationary period and probation with the Board unless the Respondent's probation is extended in accordance with paragraph IV(A)

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

10-13-23
Date

10-13-23
Date

[Signature]
Respondent

[Signature]
Attorney for the Respondent

Accepted this 2nd day of November 2023 by the Board of Registration in
Medicine

[Signature]

Julian Robinson MD
Chair
Board of Registration in Medicine