

THE COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

Board of Registration in Medicine,
Petitioner

v.

David Brendel, M.D.,
Respondent

Division of Administrative Law Appeals

One Congress Street, 11th Floor
Boston, MA 02114
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Docket No. RM-12-234

Appearance for Petitioner:

Gloria Brooks, Esq.
Board of Registration in Medicine
200 Harvard Mill Square, Suite 330
Wakefield, MA 01880

Appearance for Respondent:

Jennifer Herlihy, Esq.
Megan M. Grew, Esq.
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75 Federal Street, 10th floor
Boston, MA 02110

Administrative Magistrate

James P. Rooney

Summary of Decision

Psychiatrist who engaged in a sexual relationship with a former patient is subject to discipline by the Board.

RECOMMENDED DECISION

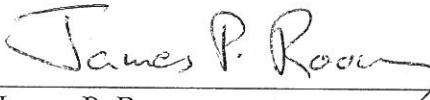
On May 16, 2012, the Board of Registration in Medicine issued a Statement of Allegations ordering David Brendel, M.D., who is a psychiatrist, to show cause why he should not be disciplined for having a sexual relationship with a former patient.

On April 6, 2017, by mutual agreement among the parties, Complaint Counsel filed a Stipulation of Facts and Conclusions of Law. The stipulation is signed by Dr. Brendel, his attorney, and Complaint Counsel. The Stipulation is attached as Exhibit 1.

Other than the Stipulation and the admissions of fact it contains, I have not taken evidence with respect to the facts of this matter.¹ I adopt the facts as stipulated. The conclusions of law set forth in the Stipulation are warranted and I therefore adopt them as well.

Based on the foregoing, I recommend that the Board impose such discipline on Dr. Brendel as it deems appropriate in light of the facts and conclusions of law as stipulated by the parties. I note that the parties have recommended a reprimand as a sanction.

DIVISION OF ADMINISTRATIVE LAW APPEALS



James P. Rooney
First Administrative Magistrate

Dated: April 13, 2017

¹ Magistrate Richard Heidlage held a hearing on this matter in 2013, but did not issue a recommended decision on the merits.