

THE COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

Board of Registration in Medicine,
Petitioner

v.

John Fattore, M.D.,
Respondent

Division of Administrative Law Appeals
98 North Washington Street, 4th Floor
Boston, MA 02114
(617) 727-7060
www.state.ma.us/dala

Docket No. RM-14-457

Appearance for Petitioner:

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

Appearance for Respondent:

Douglas A. Morgan, Esq.
Rebecca G. Capozzi, Esq.
McCarthy, Bouley & Barry, P.C.
47 Thorndike Street
Cambridge, MA 02141

Administrative Magistrate

James P. Rooney

Summary of Decision

Doctor who took two lorezepam pills meant for a patient and who showed up for work on August 29, 2014 impaired by alcohol is subject to discipline by the Board.

RECOMMENDED DECISION

On September 10, 2014, the Board of Registration in Medicine issued a Statement of Allegations ordering John Fattore, M.D. to show cause why he should not be disciplined for practicing medicine while impaired by drugs or alcohol, which conduct placed in question his competence to practice medicine. On the same day, the Board summarily suspended his

license to practice medicine and referred the matter to the Division of Administrative Law Appeals.

On July 24, 2015, by mutual agreement among the parties, Complaint Counsel filed a Stipulation of Facts and Conclusions of Law. The stipulation is signed by Dr. Fattore, his lawyer, 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. 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. Fattore as it deems appropriate in light of the facts and conclusions of law as stipulated by the parties.

DIVISION OF ADMINISTRATIVE LAW APPEALS

James P. Rooney

James P. Rooney
First Administrative Magistrate

Dated:

AUG - 3 2015