

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2016-007

\_\_\_\_\_  
In the Matter of )  
 )  
 )  
SHARAD KOTHARI, M.D. )  
\_\_\_\_\_ )

**STATEMENT OF ALLEGATIONS**

The Board of Registration in Medicine (Board) has determined that good cause exists to believe the following acts occurred and constitute a violation for which a licensee may be sanctioned by the Board. The Board therefore alleges that Sharad Kothari, M.D. (Respondent) has practiced medicine in violation of law, regulations, or good and accepted medical practice as set forth herein. The investigative docket number associated with this order to show cause is Docket No. 14-016.

**Biographical Information**

1. The Respondent was born on on August 30, 1975. He graduated from Dr. S.N. Medical College, University of Rajasthan, India in 2002. He has been licensed to practice medicine in Massachusetts under certificate number 253041 since 2012. He is also licensed to practice medicine in Connecticut.

**Factual Allegations**

2. On or about December 6, 2013, the Respondent spoke with the superintendent of his building who told him that she was experiencing pain.

3. On or about December 6, 2013, the Respondent prescribed his superintendent 60 tablets of the analgesic Tramadol outside of the office setting. The superintendent stated that she would follow-up with the Respondent at his office.

4. The Respondent did not take an adequate medical history of his superintendent nor did he conduct an adequate physical examination.

5. The Respondent did not create a medical record for his superintendent.

Legal Basis for Proposed Relief

A. The Respondent has violated G.L. c. 112, § 5, eighth par. (b) and 243 CMR 1.03(5)(a)2 by committing an offense against a provision of the laws of the Commonwealth relating to the practice of medicine, or a rule or regulation adopted thereunder—to wit:

1. G.L. c. 94C, § 19(a), which requires that physicians issue prescriptions for controlled substances for legitimate purpose and in the usual course of the physician's medical practice; and

2. 243 CMR 2.07(13)(a), which requires a physician to:

a. maintain a medical record for each patient, which is adequate to enable the licensee to provide proper diagnosis and treatment; and

b. maintain a patient's medical record in a manner which permits the former patient or a successor physician access to them.

The Board has jurisdiction over this matter pursuant to G.L. c. 112, §§ 5, 61 and 62. This adjudicatory proceeding will be conducted in accordance with the provisions of G.L. c. 30A and 801 CMR 1.01.

### Nature of Relief Sought

The Board is authorized and empowered to order appropriate disciplinary action, which may include revocation or suspension of the Respondent's license to practice medicine. The Board may also order, in addition to or instead of revocation or suspension, one or more of the following: admonishment, censure, reprimand, fine, the performance of uncompensated public service, a course of education or training or other restrictions upon the Respondent's practice of medicine.

### Order

Wherefore, it is hereby **ORDERED** that the Respondent show cause why the Board should not discipline the Respondent for the conduct described herein.

By the Board of Registration in Medicine,

Candace Lapidus Sloane, MD

Candace Lapidus Sloane, M.D.  
Board Chair

Date: February 11, 2016