



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Division of Health Professions Licensure
Board of Respiratory Care
239 Causeway Street, Suite 500, Boston, MA 02114

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VIA U.S. FIRST CLASS CERTIFIED MAIL, # 7014 0510 0001 0374 8964
RETURN RECEIPT REQUESTED

September 26, 2014

Gregg A. Perkoski
redacted

Re: In the Matter of Gregg A. Peroski, RT3014
Docket No. REP-2012-014

Dear Mr. Perkoski:

This letter acknowledges receipt by the Board of Respiratory Care (Board) of two signed, originals of the Consent Agreement for Reprimand (Agreement) between you and the Board in resolution of the above-referenced complaint. The Board has now signed the Agreement, and submits a copy for your records. Please note carefully that the effective date of the Agreement is September 19, 2014 as stated on the signature page of the agreement.

A copy of this letter and the Agreement will remain in complaint files Docket No. REP-2012-014. The file will be retained for no less than three (3) years in accordance with state public records laws.

Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "David Murphy", written over a horizontal line.

David Murphy, Board Counsel
Board of Respiratory Care

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF RESPIRATORY CARE

IN THE MATTER OF)
Gregg A. Perkoski)
License No. RT3014)
License Expiration Date 5/31/2014)
_____)

DOCKET NO. REP-2012-014

CONSENT AGREEMENT FOR REPRIMAND

The Massachusetts Board of Respiratory Care ("Board") and Gregg A. Perkoski ("Licensee"), who has held a license to practice as a Respiratory Therapist ("RT") issued by the Board, License No. RT3014, do hereby stipulate and agree that the following information shall be entered into and become a permanent part of the Licensee's records maintained by the Board¹.

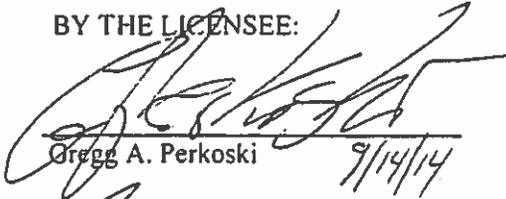
1. The Licensee agrees that he has entered into this Consent Agreement for Reprimand in resolution of the Board's investigation of a complaint filed against his right to renew his RT license identified as Docket No. REP-2012-014 ("complaint"). The complaint alleges that the Licensee, on or about July 26, 2010 entered into a consent agreement with the State of Maine Board of Respiratory Care Practitioners ("Maine Board") in which he accepted a formal reprimand for admitted unprofessional conduct with respect to record keeping pursuant to his respiratory care therapist license from the state of Florida ("Florida License"). The disciplinary action by the Maine Board was a consequence of conduct that, on May 4, 2010, resulted in the State of Florida Board of Respiratory Care ("Florida Board") accepting the Licensee's voluntary relinquishment of his license to practice as a respiratory care therapist in the state of Florida. The underlying facts that resulted in the action taken against the Licensee by the Florida Board relate to a failure by the licensee to properly document and record a patient's treatment regimen, including the administration of albuterol, atrovent, and additional medication. On or about December 5, 2012, the Licensee acknowledged his failure to disclose the discipline imposed by the Maine Board in his Massachusetts renewal application.
2. In connection with the allegations contained in the complaint, the Licensee acknowledges that his conduct as described in Paragraph 1, above, constitutes unprofessional conduct warranting disciplinary action by the Board pursuant to 261 Code of Massachusetts Regulations ("CMR") 4.04(5) and constitutes conduct that undermines the public confidence in the integrity of the profession warranting disciplinary action by the Board. *See Sugarman v. Board of Registration in Medicine*, 422 Mass. 338, 342 (1996); *Raymond v. Board of Registration of Medicine*, 387 Mass. 708, 713 (1982) (boards have authority to protect image of profession and discipline licensees for conduct that

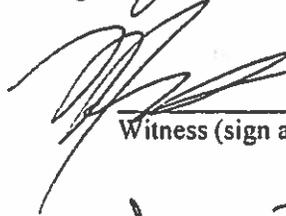
¹ "RT license" or "license" shall refer to both an active license and to the right to renew such license

undermines public's confidence in integrity of profession, as reasonably related to promotion of public health, welfare, and safety).

3. In full resolution of the complaint, and without the necessity of additional proceedings before the Board, the Board hereby imposes, and the Licensee hereby accepts a REPRIMAND in connection with the complaint. The Licensee understands that a reprimand constitutes disciplinary action by the Board.
4. The Board agrees that in return for the Licensee's execution of this Consent Agreement, the Board will not pursue further disciplinary action against his right to renew his RT license in connection with the complaint.
5. The Licensee certifies that he has read this Consent Agreement. The Licensee understands that entering into this Consent Agreement is a final act and not subject to reconsideration or judicial review.
6. The Licensee states that he has used legal counsel in connection with his decision to enter into this Consent Agreement or, if he has not used legal counsel, that the decision not to do so has been one taken of his own free will.
7. The Licensee understands that after the Effective Date, the Consent Agreement constitutes a public record of disciplinary action by the Board. The Board may forward a copy of this executed Consent Agreement to other licensing boards, law enforcement entities, and other individuals or entities as required or permitted by law. The Licensee agrees to return to the Board, either by hand or certified mail, two (2) duplicate originals of this Consent Agreement signed, witnessed and dated, within fourteen (14) days of his receipt of the Consent Agreement from the Board.
8. The Licensee understands that he has a right to formal adjudication concerning the allegations against him and that during said adjudication he would possess the right to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on his own behalf, to contest the allegations, to present oral argument, to appeal to the courts, and all other rights as set forth in the Massachusetts Administrative Procedures Act, M.G.L. c. 30A, and the Standard Adjudicatory Rules of Practice and Procedures Act, 1.01 *et seq.* The Licensee further states that he understands that in executing this document entitled "Consent Agreement for Reprimand," he is knowingly and voluntarily waiving his right to a formal adjudication of the complaint and to the rights listed above.

BY THE LICENSEE:


Gregg A. Perkoski 9/14/14

 9-15-14
Witness (sign and date)

Marta Perkoski
Witness Print Name

BY THE BOARD:



9/19/14
Effective Date of Consent Agreement

FOR BOARD USE:

A copy of a fully signed Consent Agreement for Reprimand was sent to the
~~Licensor~~ Licensee's attorney on 9/26/14 by Certified Mail

No. 7014 0510 0001 6374 8964