

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2012-007

_____)
 In the Matter of)
)
 ANTHONY SCHEPSIS, M.D.)
 _____)

CONSENT ORDER

Pursuant to G.L. c. 30A, § 10, Anthony Schepsis, M.D. (Respondent) and the Board of Registration in Medicine (Board) (hereinafter referred to jointly as the "Parties") agree that the Board may issue this Consent Order to resolve the above-captioned adjudicatory proceeding. The Parties further agree that this Consent Order will have all the force and effect of a Final Decision within the meaning of 801 CMR 1.01(11)(d). The Respondent admits to the findings of fact specified below and agrees that the Board may make the conclusions of law and impose the sanction set forth below in resolution of investigative Docket Number 11-033.

Findings of Fact

1. The Respondent was born on December 17, 1952. He graduated from the Boston University School of Medicine in 1976. He has been licensed to practice medicine in Massachusetts under license number 44599 since 1979.

2. On September 29, 2011, the Board Chair, accepted the Respondent's Voluntary Agreement Not to Practice Medicine (VANP). The full Board ratified the VANP on October 19, 2011.

3. In August 2009, the Respondent began writing Vicodin prescriptions in the name of a friend, which Respondent then filled for his personal use.

4. The Respondent's friend was not aware of the prescriptions and was never the Respondent's patient.

5. The Respondent practiced medicine while he was taking Vicodin from the prescriptions he had written in his friend's name.

6. On April 26, 2011, the Respondent voluntarily entered in-patient substance abuse treatment at the Betty Ford Clinic, which he successfully completed on July 15, 2011.

7. Also on April 26, 2011, the Respondent entered into a Substance Use Monitoring contract with Physician Health services Program of the Massachusetts Medical Society (PHS) with which he has remained fully compliant.

Conclusion of Law

A. The Respondent has violated G.L. c. 112, § 5, ninth par. (c) and 243 CMR 1.03(5)(a)3 by engaging in conduct that places into question the Respondent's competence to practice medicine.

B. The Respondent has violated G.L. c. 112, §5 ninth par. (d) and 243 CMR 1.03(5)(a)4 by practicing medicine while his ability to do so was impaired.

C. The Respondent has violated 243 CMR 1.03(5)(a)10 by practicing while engaging in conduct that has the capacity to deceive or defraud.

D. The Respondent has violated 243 CMR 1.03(5)(a)18 by committing misconduct in the practice of medicine.

E. The Respondent has engaged in conduct that undermines the public confidence in the integrity of the medical profession. *See Levy v. Board of Registration in Medicine*, 378 Mass. 519 (1979); *Raymond v. Board of Registration in Medicine*, 387 Mass. 708 (1982).

Sanction and Order

The Respondent's license is indefinitely suspended. The Respondent may petition the Board for a stay of the suspension upon documentation of eighteen months of continuous sobriety and documented compliance with his Physician Health Services (PHS) Substance Use Monitoring Contract. Any stay of suspension will be at the Board's discretion and will be contingent upon the Respondent's entering into a five year Probation Agreement pursuant to terms and conditions that the Board deems appropriate at the time, including but not limited to ongoing compliance with the PHS Substance Use Monitoring Contract, a Board-approved practice plan with a Board-approved workplace monitor. In addition, the Respondent shall refrain from reapplying for his DEA registration for a period of eighteen months.

Execution of this Consent Order

The Respondent shall provide a complete copy of this Consent Order and 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 the Respondent practices medicine; any in- or out-of-state health maintenance organization with whom the Respondent has privileges or any other kind of association; any state agency, in- or out-of-state, with which the Respondent has a provider contract; any in- or out-of-state medical employer, whether or not the Respondent practices medicine there; the state licensing boards of all states in which the Respondent has any kind of license to practice

medicine; the Drug Enforcement Administration Boston Diversion Group; and the Massachusetts Department of Public Health Drug Control Program. The Respondent shall also provide this notification to any such designated entities with which the Respondent becomes associated for the duration of this suspension. The Respondent is further directed to certify to the Board within ten (10) days that the Respondent 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.

Signed by Anthony Schepsis, M.D.
Anthony Schepsis, M.D.
Licensee

1/5/12
Date

Signed by Paul Cirel
Paul Cirel, Esquire
Attorney for the Licensee

1/9/12
Date

Signed by Gloria Brooks
Gloria Brooks
Complaint Counsel

1/12/12
Date

So ORDERED by the Board of Registration in Medicine this 1st day of February, 2012.

Signed by Peter Paige
Peter Paige, M.D.
Chairman