

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
OF PHYSICIAN ASSISTANTS

In the Matter of
Conrad Loehlein
PA License No. 1396
License Expired March 1, 2015

Docket No. PA-2014-004

RECEIVED BY
JUL 23 2015
MULTI-BOARD

CONSENT AGREEMENT FOR VOLUNTARY SURRENDER
OF LICENSEE'S RIGHT TO RENEW

The Massachusetts Board of Registration of Physician Assistants (Board) and Conrad Loehlein (Licensee), a Physician Assistant (licensed by the Board, License No. 1396, do hereby stipulate and agree that the following information shall be entered into and become a permanent part of the Licensee's record maintained by the Board:

1. The Licensee acknowledges that a complaint has been filed with the Board against his Massachusetts Physician Assistant (PA) license (license¹) related to the conduct set forth in paragraph 2, identified as Docket No. PA-2014-004, ("the Complaint").
2. The Licensee admits that while holding a Physician Assistant (PA) license, he removed [a] prescription pad[s] from his place of employment without authorization and, on various dates in June, July and December of 2014, he issued prescriptions to his spouse, without having a supervising physician and in violation of law (M.G.L.c. 94C), Board regulations and Massachusetts Drug Control regulations at 105 CMR 7.00. The Licensee acknowledges that his conduct constitutes failure to comply with the Board's regulations at 263 Code of Massachusetts Regulations (CMR) 5.05 (1), (3a-g), and 263 CMR 5.07 (1), (3), (4), (5), (7), (9), (10), and warrants disciplinary action by the Board under Massachusetts General Laws (G.L.) Chapter 112, section 61 and Board regulations at 263 CMR 6.00, Grounds for Disciplinary Actions. The Licensee further admits that he voluntarily surrendered his Drug Enforcement Administration (DEA) authorization to the DEA on May 6, 2015.
3. The Licensee agrees to **SURRENDER** his right to renew his Physician Assistant (PA) license commencing with the date on which the Board signs this Agreement (Effective Date).

¹ The term "license" applies to both a current license and the right to renew an expired license.
Loehlein, C.
PA-2014-004

4. After the Effective Date of this Agreement and when the Licensee can complete to the satisfaction of the Board all of the requirements set forth in this Paragraph the Licensee may petition the Board for reinstatement of his license. The petition must be in writing and must include the following documentation of the Licensee's ability to practice as a Physician Assistant (PA) in a safe and competent manner, all to the Board's satisfaction:
- a. Evidence of completion of all continuing education required by Board regulations for the two (2) renewal cycles immediately preceding the date on which the Licensee submits his petition ("petition date");
 - b. Written verification sent directly to the Board from each of the Licensee's medical care providers, which meets the requirements set forth in **Attachment B 1**;
 - c. Authorization for the Board to obtain a Criminal Offender Record Information (CORI) report of the Licensee conducted by the Massachusetts Department of Criminal Justice Information Services.
 - d. Documentation that the Licensee has completed, at least one (1) year prior to the petition date, all requirements imposed upon him in connection with all criminal and/or administrative matter(s) arising from, or related to, the conduct identified in Paragraph 2². Such documentation shall be certified and sent directly to the Board by the appropriate court or administrative body and shall include a description of the requirements and the disposition of each matter.
 - e. Certified documentation from the state board of Physician Assistants of each jurisdiction in which the Licensee has ever been licensed to practice as a Physician Assistant (PA), sent directly to the Massachusetts Board identifying his license status and discipline history, and verifying that his Physician Assistant (PA) license is, or is eligible to be, in good standing and free of any restrictions or conditions.
5. In addition to the items identified in Paragraph 4, the Licensee shall submit *either* a substance abuse (addictionologists) evaluation, prepared within thirty (30) days of the petition date and sent directly to the Board, which meets the requirements set forth in **Attachment B 3**, and verifies that the Licensee does not have and has never had any type of substance abuse, dependency or addiction problem, *or* the following documentation of the Licensee's stable and fully sustained recovery from substance abuse, dependency and/or addiction for three (3) years immediately prior to the petition date, all to the Board's satisfaction:

² If there have been no criminal or administrative matters against the Licensee arising from or in any way related to the conduct identified in Paragraph 2, the Licensee shall submit an affidavit so attesting.

- a. The results of random supervised urine tests for substances of abuse sent directly to the Board and collected from the Licensee according to the conditions and procedures outlined in **Attachment A**, no less than fifteen (15) times per year during the two (2) years immediately preceding the petition date. All such results are required to be negative.
 - b. Documentation that the Licensee has obtained a sponsor and has regularly attended Alcoholics Anonymous (AA) and/or Narcotics Anonymous (NA) meetings at least three (3) times per week during the two (2) years immediately preceding the petition date. This documentation must include a letter of support from the Licensee's sponsor and signatures verifying the required attendance.
 - c. Documentation prepared within thirty (30) days of the petition date and sent directly to the Board from a licensed mental health provider verifying that the Licensee has regularly attended group or individual counseling or therapy, or both, conducted by the mental health provider. Such documentation shall specify the frequency and length of the therapy and/or counseling and shall include a summary of the Licensee's progress in therapy and specific treatment recommendations for the Licensee's sustained recovery from substance abuse, dependency and addiction.
6. The Board may choose to reinstate the Licensee's license if the Board determines that reinstatement is in the best interests of the public at large. Any reinstatement of the Licensee's license may be conditioned upon the Licensee entering into a consent agreement for the PROBATION of his license for a duration, and including requirements, that the Board determines at the time of relicensure to be reasonably necessary in the best interests of the public health, safety and welfare.
 7. The Licensee agrees that he will not practice as a Physician Assistant in Massachusetts from the Effective Date unless and until the Board reinstates his license³.
 8. The Board agrees that in return for the Licensee's execution of this Agreement it will not prosecute the Complaint.
 9. The Licensee understands that he has a right to formal adjudicatory hearing 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

³ The Licensee understands that practice as a PA includes, but is not limited to, seeking and/or accepting a paid or voluntary position as a PA, or a paid or voluntary position requiring that the applicant hold a current PA license. The Licensee further understands that if he accepts a voluntary or paid position as a PA, or engages in any practice of nursing after the Effective Date and before the Board formally reinstates his license, evidence of such practice shall be grounds for the Board's referral of any such unlicensed practice to the appropriate law enforcement authorities for prosecution, as set forth in G. L. c. 112, ss. 65 and 9H.

oral argument, to appeal to the courts, and all other rights as set forth in the Massachusetts Administrative Procedures Act, G. L. c. 30A, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 *et seq.* The Licensee further understands that by executing this Agreement he is knowingly and voluntarily waiving his right to a formal adjudication of the complaints.

10. The Licensee acknowledges that he has used legal counsel in connection with the Complaint and this Agreement.
11. The Licensee acknowledges that after the Effective Date, the Agreement constitutes a public record of disciplinary action by the Board. The Board may forward a copy of this Agreement to other licensing boards, law enforcement entities, and other individuals or entities as required or permitted by law.
12. The Licensee certifies that he has read this Agreement. The Licensee understands and agrees that entering into this Agreement is a final act and not subject to reconsideration, appeal or judicial review.

7-7-15
Witness (sign and date)

Conrad P. Loehlein 7/17/15
Licensee (sign and date)

Witness (print name)

Mary Phillips 7/27/15
Mary Phillips, J.D.
Executive Director
Board of Registration of Physician
Assistants

7/27/15
Effective Date of Surrender Agreement

Fully Signed Agreement Sent to Licensee on 7/28/15 by Certified
Mail No. 7014 0510 0001 0375 2213