

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Board of Registration in Medicine

Adjudicatory Case No. 2025-003

In the Matter of

ANDREW MICHAEL EPSTEIN, D.O.

**CONSENT ORDER**

Pursuant to G.L. c. 30A, § 10, Andrew Michael Epstein, D.O. (“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 No. 24-020.

**Findings of Fact**

1. The Respondent graduated from Midwestern University, Arizona Campus in 2012. He has been licensed to practice medicine in Massachusetts under license number 1013129 since April 6, 2023. His practice specialty is Family Medicine/Family Practice. He is not board-certified. He resides in Tucson, Arizona and maintains business mailing addresses at personal mailbox facilities in Tucson, Arizona and Boston, Massachusetts. He is not affiliated with any hospital.
2. The Respondent is licensed to practice osteopathic medicine in North Carolina.
3. On or about January 4, 2024, Dr. Epstein entered a Consent Order with the North Carolina Medical Board for a reprimand and restriction and prohibition from using his North

Carolina medical license to prescribe the drug Ketamine and any other drug that may contain Ketamine and he was required to complete continuing education hours in medical record documentation.

4. The North Carolina discipline was based on the Respondent's inappropriate prescribing of ketamine to telehealth patients. Specifically, the North Carolina Consent Order provides that for four telehealth patients the Respondent failed to conduct urine drug screens before prescribing ketamine; conduct and document physical examinations and obtain comprehensive medical histories before prescribing ketamine; ensure protocols were in place regarding patient monitoring, follow-up, assessment for side effects, and adverse reactions; and establish guidelines for prescribing, dispensing, and monitoring the use of ketamine to prevent its misuse.

5. The North Carolina Consent Order provides that the Respondent's conduct, as described above, constitutes unprofessional conduct, including, but not limited to, a departure from, or the failure to conform to the standards of acceptable and prevailing medical practice, within the meaning of North Carolina General Statutes § 90-14(a)(6), which is grounds to annul, suspend, revoke, condition, or limit the Respondent's license to practice medicine in North Carolina or to deny any application he may make in the future.

#### Conclusions of Law

A. The Respondent violated 243 C.M.R. 1.03(5)(a)(12) by being disciplined by the North Carolina Medical Board for reasons substantially the same as those set forth in G.L. c. 112, § 5 or 243 C.M.R. 1.03(5). More specifically, the conduct upon which the North Carolina discipline was based is substantially similar to conduct for which this Board may impose discipline under 243 CMR 1.03(5)(3) (conduct which places into question the physician's competence to practice medicine, including but not limited to gross

misconduct in the practice of medicine, or practicing medicine fraudulently, or beyond its authorized scope, or with gross incompetence, or with gross negligence on a particular occasion or negligence on repeated occasions).

#### Sanction and Order

The Respondent's license is hereby REPRIMANDED.

#### Execution of this Consent Order

Complaint Counsel and the Respondent agree that the approval of this Consent Order is left to the discretion of the Board. The signature of Complaint Counsel and the Respondent are expressly conditioned on the Board accepting this Consent Order. If the Board rejects this Consent Order in whole or in part, then the entire document shall be null and void; thereafter, neither of the parties nor anyone else may rely on these stipulations in this proceeding.

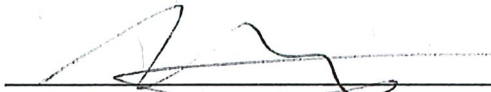
As to any matter in this Consent Order left to the discretion of the Board, neither the Respondent, nor anyone acting on his behalf, has received any promises or representations regarding the same.

The Respondent waives any right of appeal that he may have resulting from the Board's acceptance of this Consent Order.

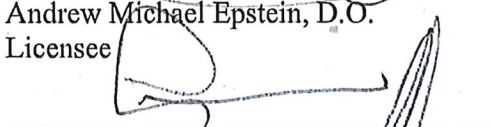
The Respondent shall provide a complete copy of this Consent Order within ten (10) days by certified mail, return receipt requested, or by hand delivery to the following designated entities: any in- or out-of-state hospital, nursing home, clinic, other licensed facility, or municipal, state, or federal 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. If the Respondent chooses to utilize electronic mail to notify any of the aforementioned designated entities, the Respondent shall obtain written confirmation of their receipt of a complete copy of this Consent Order from those designated entities. The Respondent shall also provide this notification to any such designated entities with which the Respondent becomes associated in the year following the date of imposition of this reprimand . 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.

  
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Andrew Michael Epstein, D.O.  
Licensee

12/12/2024  
\_\_\_\_\_  
Date

  
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Lawrence A. Katz, Esq.  
Licensee's Counsel

1/3/25  
\_\_\_\_\_  
Date

  
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Sheryl M. Bourbeau, Esq.  
Complaint Counsel

1/13/2025  
\_\_\_\_\_  
Date

So ORDERED by the Board of Registration in Medicine this 23<sup>rd</sup> day of January,  
2025.

  
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Booker T. Bush, M.D.  
Board Chair