COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS. Board of Registration in Medicine

Adjudicatory Case No. 2017-002

)

In the Matter of )

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FRANK A. FEDELE, M.D. )

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**CONSENT ORDER**

Pursuant to G.L. c. 30A, § 10, Frank A. Fedele, 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 No. 15-134.

Findings of Fact

1. The Respondent was born on November 11, 1957. He graduated from the Cornell University Medical College in 1983. He is certified by the American Board of Internal Medicine in Internal Medicine with subspecialty certification in Interventional Cardiology and Cardiovascular Disease. He has been licensed to practice medicine in Massachusetts under certificate number 150975 since 1996. He has privileges at Portsmouth Regional Hospital.
2. The Respondent is licensed to practice medicine in New Hampshire.
3. On June 5, 2015, the New Hampshire Board of Medicine disciplined the Respondent. The New Hampshire Board of Medicine’s Settlement Agreement, which sets forth the basis for discipline, is attached hereto at Attachment A and incorporated herein by reference.

Conclusion of Law

* 1. The Respondent has violated 243 CMR 1.03(5)(a)12 in that he has been disciplined in another jurisdiction by the proper licensing authority for reasons substantially the same as those set forth in G.L. c. 112, § 5 or 243 CMR 1.03(5)—specifically:
     1. 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); and

Sanction and Order

The Respondent’s license is hereby reprimanded. This sanction is imposed for each violation of law listed in the Conclusion section and not a combination of any or all of them.

Execution of this Consent Order

The Respondent shall provide a complete copy of this Consent Orderwith 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 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.

Signed by Frank A. Fedele, M.D. 8/14/2016

Frank A. Fedele, M.D. Date

Licensee

Signed by Robert Carey 8/8/16

Robert Carey Date

Attorney for the Licensee

Signed by James Paikos 8/15/16

James Paikos Date

Complaint Counsel

So ORDERED by the Board of Registration in Medicine this 5th day of January, 2017 .

Signed by Candace Lapidus Sloane, M.D.

Candace Lapidus Sloane, M.D.

Board Chair

To obtain a copy of the out-of-state disciplinary order, please contact the appropriate state’s medical licensing board directly. A list of state medical boards and contact information is available at <https://www.fsmb.org/contact-a-state-medica-board/>. You may also obtain a copy of the out-of-state disciplinary order by submitting a public records request (PRR) with the Massachusetts Board of Registration in Medicine. PRR forms and additional information can be found at https://www.mass.gov/board-of-registration-in-medicine-public-records.