

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2015-007

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In the Matter of )  
)  
)  
JAFAR KOUAIE, M.D. )  
\_\_\_\_\_ )

CONSENT ORDER

Jafar Koupaie, M.D. (Respondent) and the Complaint Counsel agree that the Board of Registration in Medicine (Board) may issue this Consent Order, in lieu of convening an adjudicatory hearing, with all of 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 sanctions set forth below in resolution of Docket Number 13-139.

FINDINGS OF FACT

1. The Respondent was born on May 13, 1944. He graduated from University of Pahlavi Faculty of Medicine in Iran in 1971. He has been licensed to practice medicine in Massachusetts under certificate number 54177 since 1985. He is board certified in dermatology.
2. On January 25, 2012, the Respondent was arrested for Threats to Commit a Crime.
3. On January 26, 2012, the Respondent was arraigned at Dedham District Court.
4. The victim and the Respondent were in the midst of a divorce.

5. In January 2012, the Respondent became angry when he learned that the victim had his cell phone service cancelled.

6. The Respondent went to the victim's home, where she lives with their two children, and discovered that the victim had changed the locks.

7. The Respondent began banging on the door and threatened to kill the victim and the children if the victim did not open the door.

8. On January 30, 2013, after a jury trial, the Respondent was found guilty on one count of Threats to Commit a Crime. He was placed on probation until February 16, 2014.

#### CONCLUSIONS OF LAW

1. The Respondent has violated 243 CMR 1.03(5)(a)7 in that he has been convicted of a crime.

2. 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 is hereby reprimanded. The Respondent must enter into a Probation Agreement. The Probation Agreement must contain the following conditions: 1) completion of a Board-approved intensive course in anger management, such as Massachusetts Medical Society and Physician Health Services, Inc.'s Managing Workplace Conflict, within one year of the approval of the Consent Order and 2) completion of six additional continuing professional development course hours focusing on professionalism also within one year of the approval of the Consent Order.

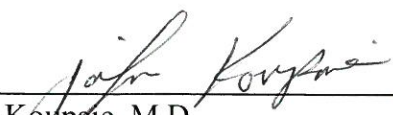
#### EXECUTION OF THIS CONSENT ORDER

The parties agree that the approval of this Consent Order is left to the discretion of the Board. The signature of the Respondent, his attorney, and Complaint Counsel are expressly conditioned on the Board accepting this Consent Order. If the Board rejects this Consent Order in whole or in part, then the stipulations contained herein 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 that this Consent Order leaves 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 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 he practices medicine; any in- or out-of-state health maintenance organization with whom he has privileges or any other kind of association; any state agency, in- or out-of-state, with which he has a provider contract; any in- or out-of-state medical employer, whether or not he practices medicine there; the state licensing boards of all states in which he 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 he has complied with this directive.

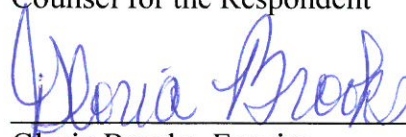
The Board expressly reserves the authority to independently notify, at any time, any of the entities designated above, or any other affected entity, of any action it has taken.

  
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Jafar Koupaie, M.D.  
Respondent

12/02/14  
\_\_\_\_\_  
Date

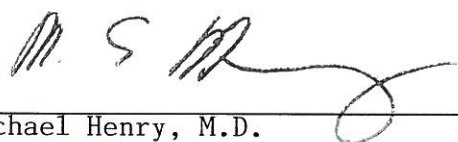
  
\_\_\_\_\_  
W. Scott Liebert, Esquire  
Counsel for the Respondent

12/5/2014  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Gloria Brooks, Esquire  
Complaint Counsel

1/15/15  
\_\_\_\_\_  
Date

So ordered by the Board of Registration in Medicine this 19th day of February, 2015

  
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Michael Henry, M.D.  
Board Member