

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No.

In the Matter of

HOOSHANG POOR, M.D.

CONSENT ORDER

Pursuant to G.L. c. 30A, § 10, Hooshang Poor, 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 Nos. 20-565 and 22-287.

Findings of Fact

1. The Respondent is a 1977 graduate of the University of Pahlavi Faculty of Medicine in Shiraz, Iran. Since 1982, he has been licensed to practice medicine in Massachusetts under certificate number 50091. The Respondent specializes in geriatric medicine and sees patients at several nursing homes. He is associated with New England Baptist Hospital.

2. The Massachusetts Prescription Awareness Tool (MassPAT) displays all Schedules II-V federally controlled substances dispensed to patients.

3. On or about December 5, 2014, physicians were required to check MassPAT prior to prescribing opioids listed in Schedules II and III.

4. From 2014 to 2020, the Respondent prescribed opioids listed in Schedules II and III to numerous nursing home patients.

5. From 2014 to 2020, the Respondent did not check MassPAT prior to prescribing opioids listed in Schedules II and III.

6. The Respondent informed Board staff he did not check MassPAT because he understood that nursing home patients were considered in-patient and therefore were exempt from MassPAT requirements.

7. On May 26, 2022, the Respondent entered into settlement agreement with the U.S. Attorney's Office and the Commonwealth of Massachusetts Attorney General's Office in which he agreed to pay \$100,000 for failure to check MassPAT prior to writing 51 prescriptions between January 5, 2019, and June 5, 2020.

Conclusion of Law

A. Pursuant to G.L. c. 112, §5, eighth par. (b), and 243 C.M.R. 1.03(5)(a) 2, the Board may discipline a physician upon proof satisfactory to a majority of the Board that said physician has committed an offense against any provisions of the laws of the Commonwealth relating to the practice of medicine, or any rule or regulation adopted thereunder, to wit:

1. 105 CMR 700.00 as it pertains to mandatory review of the MassPAT for the issuance of certain prescriptions.

Sanction and Order

The Respondent's license is hereby REPRIMANDED. This sanction is imposed for the violation of law listed in the Conclusion section.

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, the Respondent, and the Respondent's counsels 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 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 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.



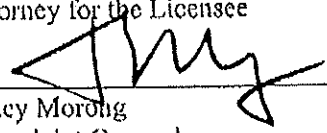
Hooshang Poor, M.D.
Licensee

6/27/23
Date



Vincent Dunn
Attorney for the Licensee


6/26/23
Date



Tracy Morong
Complaint Counsel

June 26, 2023
Date

So ORDERED by the Board of Registration in Medicine this 3rd day of August, 2023.



Holly Oh, M.D.
Vice Chair