

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2019-041

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In the Matter of )  
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 )  
Omair Shakil, M.D. )  
\_\_\_\_\_ )

**CONSENT ORDER**

Pursuant to G.L. c. 30A, § 10, Omair Shakil, 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. 16-279.

**Findings of Fact**

1. The Respondent graduated from Aga Khan Medical College in Pakistan in November 2010. The Board issued him a limited license to practice medicine in Massachusetts on May 22, 2013, under certificate number 25655. The Board subsequently renewed his limited license on June 30, 2016, at which time the Respondent was enrolled in a residency program at Beth Israel Deaconess Medical Center (BIDMC) in the Department of Anesthesia, Critical Care, and Pain Management.

2. In or about June 2016 the Respondent fell asleep while participating in a lengthy surgical procedure at BIDMC.

3. On July 1, 2016, the Respondent began a three-month rotation at Children's Hospital.

4. During the first two weeks of that rotation an attending anesthesiologist observed that the Respondent appeared to be falling asleep during a conversation she was having with him. When she inquired if he was all right, the Respondent reported that he was fine.

5. On or about July 15, 2016 the Respondent fell asleep while participating in a surgical procedure at Children's Hospital.

6. The Respondent did not inform the attending anesthesiologist prior to the start of the July 15, 2016 surgery that he was drowsy or had experienced problems staying awake during work hours at BIDMC and Children's Hospital.

7. The Respondent was placed on administrative leave while the residency program investigated the matter.

8. On October 5, 2016, the Respondent was terminated from BIDMC's residency program.

9. In 2017, the Respondent was diagnosed with two sleep disorders: mild obstructive sleep apnea and idiopathic hypersomnia. His treating physicians opined that his sleep disorders likely affected his performance and alertness during his residency at BIDMC.

#### Conclusion of Law

The Respondent engaged in conduct that undermines the public confidence in the integrity of the medical profession. *See Raymond v. Board of Registration in Medicine*, 387 Mass. 708 (1982); *Levy v. Board of Registration in Medicine*, 378 Mass. 519 (1979).

### Sanction and Order

The Respondent's limited license to practice medicine is admonished, retroactive to July 15, 2016.

### Execution of this Consent Order

Complaint Counsel, the Respondent, and the Respondent's counsel 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 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 entire document shall be null and void; thereafter, neither of the parties nor anyone else may rely on the Findings of Fact or Conclusions of Law contained herein.


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 he 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; and 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 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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Omair Shakil, M.D.  
Licensee

04/21/2021  
\_\_\_\_\_  
Date

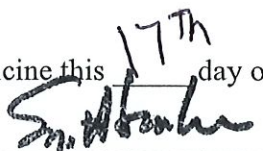
  
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Paul Cirel, Esq.  
Attorney for the Licensee

4/26/2021  
\_\_\_\_\_  
Date

  
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Lisa L. Fuccione  
Complaint Counsel

5/7/21  
\_\_\_\_\_  
Date

So ORDERED by the Board of Registration in Medicine this 17<sup>th</sup> day of June, 2021.

  
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George Abraham, M.D.  
Board Chair