

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2021-027

In the Matter of

NANCY VENDITTI, M.D.

CONSENT ORDER

Pursuant to G.L. c. 30A, § 10, Nancy Venditti, 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. 19-067.

Findings of Fact

1. The Respondent was born on March 16, 1959. She graduated from Tufts University School of Medicine in 1987. She is certified by the American Board of Internal Medicine. She has been licensed to practice medicine in Massachusetts under certificate number 73231 since August 1990. She is affiliated with Partners Health Care.

2. From approximately August 2014 until her resignation on March 5, 2018, the Respondent worked as an internist at AFC Doctor's Express, a privately owned urgent care center.

3. Among the staff at the urgent care center was Employee A, a Muslim male, with whom she had a genial working relationship with light-hearted banter until the events that are the subject of this complaint.

4. At a December 2017 holiday party, at which point the Respondent had not seen Employee A for several months, the Respondent noticed Employee A's longer beard, indicated that it looked frightening, implying he looked like a terrorist, and stated that had she seen him in a mall she would have moved to the other end of the mall in fear.

5. In February 2018, one morning before the urgent care center was open to patients, the Respondent saw Employee A again, noticed his beard had grown longer. She asked him if she could call him "Osama," referencing Osama Bin Laden.

6. Employee A was very upset, as he viewed the matter as racist, and reported the incident to his supervisor.

7. While the Respondent maintains that she apologized immediately, Employee A has no recollection of the apology.

8. In mitigation, the Respondent obtained coaching from a psychiatrist who specializes in physician sensitivity, and she gained a thorough understanding of the inherent power relationship between physicians and their supervisees, and that supervisees are disempowered from being able to candidly respond to a physician's insensitive statement or use of inappropriate language.

Conclusion of Law

A. The Respondent has violated G.L. c. 112, § 5, eighth par. (h) and 243 CMR 1.03(5)(a)11 by violating a rule or regulation of the Board. Specifically, the Respondent

engaged in conduct that is contrary to Board Policy 01-01, Disruptive Physician Behavior (Adopted June 13, 2001).

B. 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's license is hereby Admonished. 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

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 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 these stipulations in this proceeding.

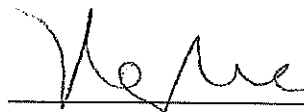
As to any matter in this Consent Order left to the discretion of the Board, neither the Respondent, nor anyone acting on her behalf, has received any promises or representations regarding the same.

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,

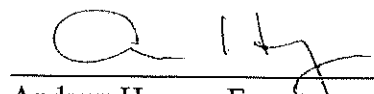
clinic, other licensed facility, or municipal, state, or federal facility at which s/he practices medicine; any in- or out-of-state health maintenance organization with whom the Respondent has privileges or any other kind of association; any state agency, in- or out-of-state, with which the Respondent has a provider contract; any in- or out-of-state medical employer, whether or not the Respondent practices medicine there; 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 admonishment. 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.



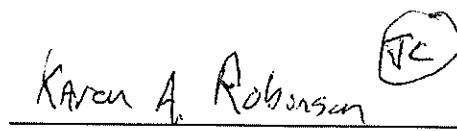
Nancy Venditti, M.D.
Licensee

3/3/2021
Date



Andrew Hyams, Esq.
Attorney for the Licensee


3/3/2021
Date



Karen A. Robinson, Esq.
Complaint Counsel

3/15/2021
Date

So ORDERED by the Board of Registration in Medicine this 3 day of June, 2021.



George Abraham, M.D.
Board Chair