

Original

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

**BOARD OF REGISTRATION
IN DENTISTRY**

IN THE MATTER OF)
DR. RASHMI C. PATEL)
License No. DN1855279)
Expiration: March 31, 2016)

Docket No. DEN-2014-0057

AGREEMENT FOR VOLUNTARY SURRENDER

The Massachusetts Board of Registration in Dentistry (the "Board") and Dr. Rashmi C. Patel ("Licensee") hereby stipulate and agree the following information shall be entered into and become a permanent part of the Licensee's record maintained by the Board.

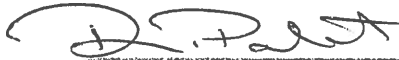
1. The Board and Licensee enter into this Agreement for Voluntary Surrender (hereinafter "Agreement") to resolve the complaint pending against the Licensee before the Board identified at Docket No. DEN-2014-0057 ("Complaint").
2. The Board and Licensee acknowledge and agree to the following facts:
 - a. On or about October 14, 2009, Licensee was issued a license to practice dentistry in Massachusetts, license no. DN1855279 (hereinafter "License").
 - b. On or about April 21, 2014, the Connecticut Department of Public Health's Dental Commission ordered Licensee's Connecticut dental license be summarily suspended based on the allegations set forth in Statement of Charges docketed as Petition No. 2014-153. A copy of the Summary Suspension Order and Statement of Charges is appended hereto at Exhibit A.
 - c. On or about December 17, 2014, the Connecticut Department of Public Health's Dental Commission issued its Memorandum of Decision on Petition No. 2014-153 ("Decision") and ordered Licensee's Connecticut dental license be disciplined, as delineated in Exhibit B, which is attached hereto and incorporated by reference into the Agreement.
 - d. The Board and Licensee acknowledge the Complaint is based on the discipline of his Connecticut dental license as set forth in the Decision.

3. The Board and Licensee acknowledge and agree that Licensee's conduct described in Paragraph 2 is grounds for the Board to take discipline pursuant to M.G.L. c. 112, § 61, 234 CMR 9.05(21) and Anusavice v. Board of Registration in Dentistry, 451 Mass. 786, 889 N.E.2d 953 (2008).
4. As of the date of execution of the Agreement by the Board ("Effective Date"), the Licensee's License shall be **VOLUNTARILY SURRENDERED** for an indefinite period, during which time Licensee may not engage in any activity for which a license to practice dentistry is required by M.G.L. c 112, §§ 43-53, 61.
5. Licensee shall return his License and any permits issued to him by the Board, whether current or expired, to the Board's office at 239 Causeway Street, Boston, Massachusetts, 02114, by hand or by certified mail, within ten days (10) days of the Effective Date.
6. Upon signing the Agreement, Licensee shall notify in writing the Massachusetts Department of Public Health's Drug Control Program and the United States Drug Enforcement Agency of this Agreement and turn over any controlled substance registrations issued to him to those respective agencies.
7. Licensee shall inform any and all jurisdictions in which he holds or has held a license to practice dentistry of the voluntary surrender of his dental license in Massachusetts within 10 days of the Effective Date. The Licensee shall provide the Board with a copy of said notification within 10 days notifying all jurisdictions.
8. The Agreement and its contents shall be incorporated into the records maintained by the Board. The Agreement is a public record within the meaning of M.G. L. c. 4, § 7 and is subject to disclosure to the public and equivalent state licensing boards.
9. The Board agrees in return for Licensee's execution of the Agreement, the Board will forgo prosecuting the Complaint. Any and all other rights of the Board to take action within the scope of its authority are expressly reserved.
10. The Licensee understands and agrees his failure to accept the terms of the Agreement shall nullify the representations contained in Paragraph 9, and permit the Board to initiate formal adjudicatory action under the State Administrative Procedure Act, M.G.L. c. 30A and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.00 *et seq.*, including but not limited to the summary suspension of his License.
11. The Licensee may not petition the Board for reinstatement of his License until such time as the Connecticut State Dental Commission has reinstated his Connecticut dental license and he is allowed to practice dentistry in Connecticut.
12. Said petition shall conform to the requirements of 234 CMR 4.16. As a condition of reinstatement, the Licensee may be required to enter into a Post-Surrender Agreement for Probation as the Board deems reasonably necessary for the protection of the public health safety and welfare. The Licensee may be required to appear before the Board or comply

with any requirements of the Board, which are reasonably necessary in the best interests of the public health, safety and welfare.

13. The Licensee understands entering into the Agreement is a final act and not subject to reconsideration, collateral attack or judicial review in any form or forum.
14. A waiver by the Board of any provision of the Agreement at any time shall not constitute a waiver of any other provision of the Agreement, nor shall it constitute a waiver by the Board of its right to enforce such provision at any future time.
15. Licensee has read and knowingly and voluntarily enters into the Agreement. Licensee states he has consulted legal counsel regarding the Agreement or, if Licensee did not consult legal counsel, he voluntarily waives his right to such counsel.
16. The Licensee understands he has the right to a formal adjudicatory hearing concerning the allegations set forth in the Complaint. At a hearing he would have the right to confront and cross-examine witnesses, call witnesses, present evidence, testify on his own behalf, contest the allegations, present oral argument, seek judicial review and to all other rights set forth in the State Administrative Procedure Act, M.G.L. c. 30A and 801 CMR 1.00 *et seq.* By executing the Agreement, Licensee knowingly and voluntarily waives his right to a formal adjudicatory hearing and to all of the above-enumerated rights set forth in the State Administrative Procedure Act, M.G.L. c. 30A and 801 CMR 1.00 *et seq.*

Licensee

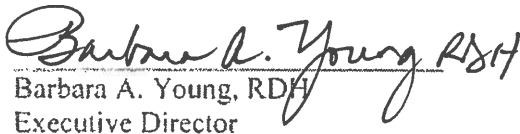


Dr. Rashmi C. Patel

7-14-15

Date Signed

Board of Registration in Dentistry



Barbara A. Young, RDH
Executive Director

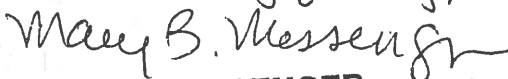
11.17.15

Date Signed

11.17.15

Effective Date

Sworn to before me by Dr. Rashmi C. Patel this
14th day of July, 2015.



MARY B. MESSENGER
NOTARY PUBLIC
MY COMMISSION EXPIRES APR. 30, 2016