

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION IN MEDICINE

MIDDLESEX, ss

Adjudicatory Case No. 2015-010
(RM-15-64)

)
In the Matter of)
)

Mohamad Ossiani, M.D.)
_____)

FINAL DECISION AND ORDER

This matter came before the Board for disposition on the basis of the Administrative Magistrate's Recommended Decision, dated January 29, 2016, incorporating a Stipulation of the parties, which is attached hereto and incorporated by reference. There were no Objections to the Recommended Decision. Each party filed a Memorandum on Disposition. After full consideration of the Recommended Decision and the Memoranda on Disposition, the Board adopts the Recommended Decision, including the Stipulated Facts, Conclusions of Law and Sanction proposed by the Parties.

In situations where prescriptions have been issued with no medical records maintained, the Board has often sanctioned with a reprimand and fine. See, *In the Matter of Joy G. Harrison, M.D.*, Board of Registration in Medicine, Adjudicatory Case No. 2005-002 (Consent Order, January 19, 2005) (reprimand, \$1,500 fine, 30 hours of additional CME credits for prescribing Vicodin to a fellow hospital employee on eight occasions, over the course of approximately one year, and in quantities of thirty or fifty pills on each occasion, often without indicating that no refills were permitted); *In the Matter of Robert A. Newton, M.D.*, Board of Registration in Medicine, Adjudicatory Case No. 03-08-XX (Consent Order, March 19, 2003) (reprimand and \$5,000 fine for writing approximately twenty-six prescriptions for Schedules III and IV drugs for daughter over the course of thirteen months and failure to maintain medical records for same); and *In the Matter of Benjamin Gerson, M.D.*, Board of Registration in Medicine, Adjudicatory Case No. 96-14-XX (Consent Order, October 25, 1995) (reprimand and \$2,500 fine for prescribing large quantities of Schedules III through V drugs for self-use and for family members).

In cases where there has been non-treatment related accessing of medical records, the Board has imposed a reprimand and fine. See, In the Matter of Antonio Bullon, M.D., Board of Registration in Medicine, Adjudicatory Case No. 2013-056 (Consent Order, November 20, 2013) (reprimand and fine of \$2,500 for accessing medical records of several co-workers without a treatment-related purpose); and *In the Matter of Boris Murillo, M.D.*, Board of Registration in Medicine, Adjudicatory Case No. 2007-065 (Consent Order, December 19, 2007) (reprimand and \$2,500 fine for reviewing medical records of co-workers for non-medical reasons).

Consistent with Board precedent, the Board hereby REPRIMANDS the Respondent and imposes a FINE of \$3,000.00, payable within sixty (60) days of this Final Decision and Order. The Board will not renew the license of any physician who fails to pay a fine in a timely manner; this step will be taken automatically and no further notice or process will apply.

The sanction is imposed for each violation of the law, and not a combination of any or all of them.

The Respondent shall provide a complete copy of this Final Decision and 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 he becomes associated in the year following the Board's issuance of the Final Decision and Order. 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.

Date: June 2, 2016

Candace Lapidus Sloane, MD

Candace Lapidus Sloane, M.D.
Chair
Board of Registration in Medicine