

The record demonstrates that on April 9, 2019, the Respondent was found guilty of Conspiracy to Pay and Receive Health Care Bribes and Kickbacks, and three counts of Offering or Paying and Soliciting or Receiving Illegal Remuneration in Violation of the anti-Kickback Statute and Aiding and Abetting, and was sentenced in the federal court to 42 months of incarceration, a year of supervision upon his release, and a fine of \$40,339.37. In doing so, the Respondent engaged in conduct that violates 243 CMR 1.03(5)(a)7 – “conviction of any crime”, M.G.L. c. 112, §5, ninth par. (g) – conviction of a crime that “reasonably calls into question his ability to practice medicine”. 243 CMR 1.03(5)(a)12 – being disciplined in another jurisdiction for conduct subject to discipline

under G.L. c. 112, sec. 5, ninth par. (g), including 243 CMR 1.03(5)(a)7, and 243 CMR 1.07(13)(a) and (b), and, lacks good moral character and has 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).

When determining the appropriate sanction where there has been criminal conduct, the Board takes into consideration the nature of the offense, whether the criminal conduct occurred during the course of the practice of medicine or was related to the practice of medicine, the impact of the physician's misconduct and any mitigating or aggravating circumstances. The Board determined that the fraud was related to the practice of medicine and found no mitigating or aggravating circumstances.

The Board hereby REVOKES the Respondent's inchoate right to renew, effective as of the date of this Final Decision and Order.

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 for the duration of this revocation. 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. The Respondent has the right to appeal this Final Decision and Order within thirty (30) days, pursuant to G.L. c. 30A, §§14 and 15, and G.L. c. 112, § 64.

Date: November 18, 2021

A handwritten signature in black ink, appearing to read 'JNR', with a horizontal line extending to the right.

Julian N. Robinson, M.D.
Chair
Board of Registration in Medicine