COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS. Board of Registration in Medicine

 Adjudicatory Case No. 2022-001

 )

In the Matter of )

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ARASH NIKTARASH, M.D. )

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**STATEMENT OF ALLEGATIONS**

 The Board of Registration in Medicine (Board) has determined that good cause exists to believe the following acts occurred and constitute a violation for which a licensee may be sanctioned by the Board. The Board therefore alleges that ARASH NIKTARASH, M.D. (Respondent) has practiced medicine in violation of law, regulations, or good and accepted medical practice as set forth herein. The investigative docket number associated with this order to show cause isDocket No. 20-259.

Findings of Fact

1. The Respondent graduated from Tehran University in 2003. He was first licensed to practice medicine in Massachusetts in 2013 under certificate number 254628. On August 10, 2015, the Respondent’s license to practice medicine in Massachusetts first lapsed. He submitted a lapsed license application and was re-licensed on January 11, 2018. On August 10, 2018, the Respondent’s license lapsed again, and he has not sought reinstatement.
2. The Respondent holds an active license in Colorado where he currently practices.
3. On May 19, 2020, the Colorado Medical Board disciplined the Respondent for failing to refer a patient with possible cardiac arrythmia to a cardiologist; and failing to maintain a complete medical record for said patient. *See* Colorado Medical Board Stipulation and Final Agency Order at Exhibit A and incorporated herein by reference.

Legal Basis for Proposed Relief

 A. The Respondent has violated G.L. c. 112, § 5, eighth par. (h) and 243 CMR 1.03(5)(a)12 by having been disciplined in another jurisdiction for reasons substantially the same as those set forth in G.L. c. 112, § 5 and 243 CMR 1.03(5), to wit: The Respondent has violated G.L. c. 112, § 5, eighth par. (h) and 243 CMR 1.03(5)(a)11 by violating a regulation of the Board—to wit, 243 CMR 2.07(13)(a), which requires a physician to: a) maintain a medical record for each patient, which is adequate to enable the licensee to provide proper diagnosis and treatment; and b) maintain a patient’s medical record in a manner which permits the former patient or a successor physician access to them.

The Board has jurisdiction over this matter pursuant to G.L. c. 112, §§ 5, 61 and 62. This adjudicatory proceeding will be conducted in accordance with the provisions of G.L. c. 30A and 801 CMR 1.01.

Nature of Relief Sought

 The Board is authorized and empowered to order appropriate disciplinary action, which may include revocation or suspension of the Respondent's license to practice medicine. The Board may also order, in addition to or instead of revocation or suspension, one or more of the following: admonishment, censure, reprimand, fine, the performance of uncompensated public service, a course of education or training or other restrictions upon the Respondent's practice of medicine.

# Order

Wherefore, it is hereby **ORDERED** that the Respondent show cause why the Board should not discipline the Respondent for the conduct described herein.

 By the Board of Registration in Medicine,

 Signed by Julian N. Robinson, M.D.

 Julian N. Robinson, M.D.

 Board Chair

Date: January 6, 2022

To obtain a copy of the out-of-state disciplinary order, please contact the appropriate state’s medical licensing board directly. A list of state medical boards and contact information is available at <https://www.fsmb.org/contact-a-state-medica-board/>. You may also obtain a copy of the out-of-state disciplinary order by submitting a public records request (PRR) with the Massachusetts Board of Registration in Medicine. PRR forms and additional information can be found at <https://www.mass.gov/board-of-registration-in-medicine-public-records>.