COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS. Board of Registration in Medicine

Adjudicatory Case No. 2019-024

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In the Matter of )

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KENNETH SERRA, 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 Kenneth Serra, 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. 17-433.

# Biographical Information

1. The Respondent was born on March 26, 1970. He graduated from the University of Colorado School of Medicine in 1997. He is certified by the American Board of of Radiology in Diagnostic Radiology. He has been licensed to practice medicine in Massachusetts under certificate number 235894 since August 6, 2008. He is also licensed to practice medicine in Illinois.

Factual Allegations

1. On November 27, 2017, the Department of Financial and Professional Regulation of the State of Illinois (State of Illinois) disciplined the Respondent when it accepted the Respondent’s Consent Order (Illinois Consent Order). In the Illinois Consent Order, the Respondent stipulated that the State of Illinois had the authority to discipline him under 225 ILCS 60/22 (A)(5); 68 Ill Admin. Code 1285.240; 20 ILCS 2105/2105-130. 225 ILCS 60/22(A)(5) states as a grounds for discipline: “Engaging in dishonorable, unethical, unprofessional conduct likely to deceive, defraud or harm the public.” In the Consent Order, the Respondent stipulated that his insurance carrier settled a lawsuit arising out of the Respondent’s alleged failure to diagnose a testicular torsion in interpreting a patient’s ultrasound. The Respondent stipulated that if true said allegations would subject him to discipline. The Illinois Consent Order is attached hereto as Attachment A and incorporated herein by reference.

Legal Basis for Proposed Relief

1. Pursuant to 243 CMR 1.03(5)(a)12, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician has been disciplined in another jurisdiction in any way by the proper licensing authority for reasons substantially the same as those set forth in M.G.L. c. 112, § 5 or 243 CMR 1.03(5)—to wit, pursuant to *Levy v. Board of Registration in Medicine*, 378 Mass. 519 (1979); *Raymond v. Board of Registration in Medicine*, 387 Mass. 708 (1982), the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician lacks good moral character and has engaged in conduct that undermines the public confidence in the integrity of the medical profession;

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 Candace Lapidus Sloane, M.D.

Candace Lapidus Sloane, M.D.

Board Chair

Date: May 2, 2019

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>.