

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2021-027

In the Matter of

NANCY VENDITTI, M.D.

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 NANCY VENDITTI, 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 is Docket No. 19-067.

Biographical Information

1. The Respondent was born on March 16, 1959. She graduated from Tufts University School of Medicine in 1987. She is certified by the American Board of Internal Medicine. She has been licensed to practice medicine in Massachusetts under certificate number 73231 since August 1990. She is affiliated with Partners Health Care.

Factual Allegations

2. From approximately August 2014 until her resignation on March 5, 2018, the Respondent worked as an internist at AFC Doctor's Express, a privately owned urgent care center.

3. Among the staff at the urgent care center was Employee A, a Muslim male, with whom she had a genial working relationship with light-hearted banter until the events that are the subject of this complaint.

4. At a December 2017 holiday party, at which point the Respondent had not seen Employee A for several months, the Respondent noticed Employee A's longer beard, indicated that it looked frightening, implying he looked like a terrorist, and stated that had she seen him in a mall she would have moved to the other end of the mall in fear.

5. In February 2018, one morning before the urgent care center was open to patients, the Respondent saw Employee A again, noticed his beard had grown longer. She asked him if she could call him "Osama," referencing Osama Bin Laden.

6. Employee A was very upset, as he viewed the matter as racist, and reported the incident to his supervisor.

7. While the Respondent maintains that she apologized immediately, Employee A has no recollection of the apology.

8. In mitigation, the Respondent obtained coaching from a psychiatrist who specializes in physician sensitivity, and she gained a thorough understanding of the inherent power relationship between physicians and their supervisees, and that supervisees are disempowered from being able to candidly respond to a physician's insensitive statement or use of inappropriate language.

Legal Basis for Proposed Relief

A. Pursuant to G.L. c. 112, §5, eighth par. (h) and 243 CMR 1.03(5)(a)11, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician

has violated a rule or regulation of the Board. Specifically the Respondent engaged in conduct that is contrary to Board Policy 01-01, Disruptive Physician Behavior (Adopted June 13, 2001).

B. 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 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.

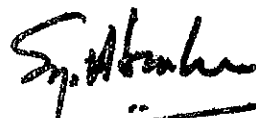
Nature of Relief Sought

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,



George Abraham, M.D.
Board Chair

Date: June 3, 2021