

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

BOARD OF REGISTRATION
IN MEDICINE

ADJUDICATORY NO. 2020-045

In the Matter of)

JEFFREY A. BUCCI, M.D.)
_____)

CONSENT ORDER

Jeffrey A. Bucci, M.D. (Respondent) and the Complaint Counsel agree that the Board of Registration in Medicine (Board) may issue this Consent Order with all the force and effect of a Final Decision within the meaning of 801 C.M.R. 1.01(11)(d). The Respondent admits to the findings of fact described below and agrees the Board may make conclusions of law and impose a sanction in resolution of Docket No. 16-387.

BIOGRAPHICAL INFORMATION

1. The Respondent was born on October 22, 1970. He has been certified by the American Board of Psychiatry. He graduated from Tulane University School of Medicine in 2003. The Respondent has been licensed to practice medicine in Massachusetts since 2009 under certificate number 238671.

FINDINGS OF FACT

2. In October 2016, Respondent was one of two owners of the North Shore Psychiatric Center. At that time, he and the other owner were experiencing business disagreements.

3. In October 2016, Respondent was also employed at Boston Children's Hospital ("BCH") and Pediatric Health Care Associates ("PHCA") in Peabody.

4. On October 20, 2016, the Board received a report from an individual at North Shore Psychiatry Center, alleging that the Respondent had been abusing alcohol. According to the report, there was a need for well-being checks on the Respondent.

5. At the instigation of the reporter the Boxford police conducted two "safety checks" at Respondent's home. On both occasions the police left without incident or concern.

6. The report also alleged that the Respondent:

(a) had repeatedly taken sick days and cancelled patient's appointments;

(b) had taken money from the practice, and used the business credit card for personal expenses; and

(c) failed to follow up as needed with patients, including completing paperwork and returning calls.

7. Respondent has acknowledged his abuse of alcohol in 2016 but has disputed the other allegations in the report.

8. Neither BCH nor PHCA made any complaints or reports to the Board concerning Respondent or his behavior in 2016, or otherwise.

9. The Board's Vice-Chair accepted the Respondent's Voluntary Agreement Not to Practice (VANP) on October 25, 2016. The full Board ratified the VANP on November 3, 2016.

10. On June 7, 2017, the Respondent entered into a Physician Health Services (PHS) Substance Use Monitoring Contract which required abstinence from substances of abuse.

11. In a letter dated January 7, 2020, the Director of PHS stated that the Respondent had been compliant with his PHS contract since he entered into it on June 7, 2017.

CONCLUSIONS OF LAW

A. The Respondent has violated G.L. c. 112, § 5 (c) and 243 CMR 103(5)(a)3 by engaging in conduct that places into question his competence to practice medicine.

B. The Respondent has engaged in conduct that undermines the public confidence in the integrity of the medical profession, in violation of the standards set forth in Levy v. Board of Registration in Medicine, 378 Mass. 519 (1979), and Raymond v. Board of Registration in Medicine, 387 Mass. 708 (1982).

SANCTION

The Respondent's inchoate right to renew his license is hereby indefinitely suspended. The Respondent may petition to stay the indefinite suspension upon documentation of his consistent compliance for eighteen (18) months with a Physicians Health Services (PHS) Substance Use Monitoring Contract.

Any petition for a stay of the suspension must be accompanied by the following:

- a copy of the Respondent's PHS contract;
- documentation as to the results of all random screens performed pursuant to the PHS contract;
- a letter from PHS Director Steven Adelman, M.D., as to the Respondent's consistent compliance with all terms of the contract; and
- a copy of the Respondent's discharge report from Bradford (in Atlanta).

Any stay of suspension will be at the Board's discretion and will be contingent upon the Respondent entering into a five-year Probation Agreement that shall include, but not be limited to:

- required ongoing compliance with a PHS monitoring contract;
- practice pursuant to a Board-approved practice plan with workplace monitoring utilizing a Board-approved workplace monitor;
- treatment by a Board-approved health care provider(s);
- a provision prohibiting early termination of the Probation Agreement;
- and such other terms as the Board may require.

This sanction is imposed for Conclusions of Law A and B individually and not for any combination of them.

EXECUTION OF THIS CONSENT ORDER

Complaint Counsel, the Respondent, and the Respondent's counsel agree that the approval of this Consent Order is left to the discretion of the Board. The signature of Complaint Counsel, the Respondent, and the Respondent's counsel are expressly conditioned on the Board accepting this Consent Order. If the Board rejects this Consent Order in whole or in part, then the entire document shall be null and void; thereafter, neither of the parties nor anyone else may rely on these stipulations in this proceeding.


As to any matter in this Consent Order left to the discretion of the Board, neither the Respondent, nor anyone acting on his behalf, has received any promises or representations regarding the same.

The Respondent waives any right of appeal that he may have resulting from the Board's acceptance of this Consent Order.

The Respondent shall provide a complete copy of this Consent 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 Unit. The Respondent shall also provide this notification to any such designated entities with which he becomes associated within one year of the imposition of the indefinite suspension. The Respondent is further directed to certify to the Board within ten (10) days that he has complied with this directive.

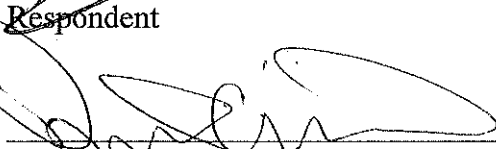
The Board expressly reserves the authority to independently notify, at any time, any of the entities designated above, or any other affected entity, of any action it has taken.



Jeffrey A. Bucci, M. D.
Respondent

3/4/2020


Date



Paul R. Cirel, Esq.
Attorney for Respondent

3/4/2020

Date



Stephen C. Hoctor
Complaint Counsel

3/9/20

Date

So ordered by the Board of Registration in Medicine this 22 day of October, 2020.

A handwritten signature in black ink, appearing to read "G. Abraham", written over a horizontal line.

George Abraham, M.D.
Board Chair