

AGENDA
CONNECTICUT MEDICAL EXAMINING BOARD
Tuesday, July 21, 2020 at 1:30 PM

Department of Public Health
410 Capitol Avenue, Hartford Connecticut

CALL TO ORDER

I. APPROVAL OF MINUTES

June 16, 2020

II. OPEN FORUM

III. UPDATES

- A. Chair Updates
- B. DPH Updates

IV. NEW BUSINESS

- A. Joint Request to modify Memorandum of Decision
Kakara Gyambibi, MD - Petition No. 2017-160

V. OFFICE OF LEGAL COMPLIANCE

- A. Gayle Klein, M.D.- Petition No. 2018-695
Presentation of Consent Order Modification - Presented by David Tilles, Staff Attorney, DPH
- B. Ronald Buckman, M.D.- Petition No. 2018-1317
Presentation of Consent Order - Presented by David Tilles, Staff Attorney, DPH
- C. Kenneth Kramer, M.D.- Petition No. 2019-1368
Presentation of Consent Order - Presented by Brittany Allen, Staff Attorney, DPH

ADJOURN

[This meeting will be held by video conference at the following link](#)

[Connecticut Medical Examining Board - July 21, 2020 Teams Meeting](#)

[+1 860-840-2075](#) United States, Hartford (Toll)

Conference ID: 376 143 764#

e following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

CONNECTICUT MEDICAL EXAMINING BOARD MINUTES of June 16, 2020

The Connecticut Medical Examining Board held a meeting on Tuesday, June 16, 2020 by video conference.

BOARD MEMBERS PRESENT: Kathryn Emmett, Esq., Chairperson
Marie C. Eugene, DO
Robert Green, MD
Marilyn Katz, MD
Shawn London, MD
Edward McAnaney, Esq.
Brimal Patel, MD
Jean Rexford
Daniel Rissi, MD
Harold Sauer, MD
David Schwindt, MD
C. Steven Wolf, MD
Andrew Yuan, DO
Peter Zeman, MD

BOARD MEMBERS ABSENT: Allyson Duffy, MD
Michele Jacklin

Ms. Emmett called the meeting to order at 1:30 p.m.

I. MINUTES

The draft minutes of the April 21, 2020 meeting were reviewed. Dr. Zeman made a motion, seconded by Dr. Sauer to approve the minutes. The motion passed with all in favor except Mr. Andrews and Dr. Eugene who abstained.

The draft minutes of the May 21, 2020 meeting were reviewed. Mr. McAnaney made a motion, seconded by Dr. Wolf to approve the minutes. The motion passed with all in favor except Dr. Eugene who abstained.

II. OPEN FORUM

None

III. UPDATES

A. Chair Updates

- Monthly tracking of pending cases.
- Hearing assignments.

B. Department of Public Health

None.

IV. NEW BUSINESS

A. Request for modification of Memorandum of Decision - Si Ho Lam, MD - Petition No. 2009-2009101
Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board. Attorney Willie Dow was present on behalf of Dr. Lam. Staff Attorney Diane Wilan was present for the Department of Public Health.

Attorney Dow presented a request on behalf of Dr. Lam asking for hearing to consider a modification of a Memorandum of Decision dated October 16, 2013. Mr. McAnaney made a motion, seconded by Mr. Andrews to grant the request for a hearing. The motion passed with Mr. Andrews, Mr. McAnaney, Dr. Zeman, Dr. Yuan, Dr. Sauer, Dr. Katz, Dr. Patel and Ms. Emmett voting in favor. Ms. Rexford, Dr. Green, Dr. Wolf, Dr. Eugene, Dr. London and Dr. Schwindt were opposed.

B. Request for License Reinstatement Hearing - Nami Bayan, MD - Petition No. 2018-673

Assistant Attorney General Kerry Colson was present to provide counsel to the Board. Br. Bayan was present but was not represented. Staff Attorney Diane Wilan was present for the Department of Public Health.

Dr. Bayan addressed the Board regarding his request and supporting documentation asking for hearing to reinstate is his license which was suspended for two years pursuant to an April 16, 2019 Memorandum of Decision.

Mr. McAnaney made a motion, seconded by Dr, Sauer, to consider Dr. Bayan's request.

During discussion, Dr. Katz, Dr. Schwindt and Mr. McAnaney spoke in opposition to Dr. Bayan's request. Following discussion Dr. Bayan's request for a hearing was denied with all members voting to deny the request except for Dr. Eugen who abstained, and Dr, Wolf and Dr. Green who recused themselves from voting.

V. OFFICE OF LEGAL COMPLIANCE

A. Glen Rosenfeld, MD - Petition No. 2018-590

Staff Attorney Linda Fazzina, Department of Public Health, presented a Consent Order in this matter. Respondent and his attorney were not present.

Dr. Wolf made a motion, seconded by Dr, Green, to approve the Consent Order.

During discussion Dr. Zeman made a motion, seconded by Dr. Wolf, to table this matter to allow for respondent's attorney to be present. The motion to table passed unanimously.

VI. ADJOURNMENT

As there was no further business, the meeting was adjourned at 2:31 p.m.

Respectfully submitted,
Kathryn Emmett, Esq., Chairperson

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH
CONNECTICUT MEDICAL EXAMINING BOARD

In re: Kakra Gyambibi, M.D.

Petition No. 2017-160

JOINT MOTION TO MODIFY THE MEMORANDUM OF DECISION

The Department of Public Health and the respondent, Dr. Kakra Gyambibi, jointly move to modify the Memorandum of Decision by inserting the text in Attachment A. Respondent was not employed at the time that the Memorandum of Decision was issued and has not been employed at any time since that date, and therefore is in violation of the requirement that she obtain a practice supervisor within one month of the effective date of the Order. In the meantime, the two year period of probation continues to run.

The proposed modification would insert standard tolling language as appears in consent orders. It also would insert standard language for correction and enforcement of violations of the terms of the Order, as also appears in consent orders. These terms would apply retroactively from the original effective date of the Order. Paragraphs 3-8 of the original Order would be re-numbered as paragraphs 8-13 to accommodate the insertion.

Respectfully submitted, June 29, 2020.

DEPARTMENT OF PUBLIC HEALTH



By David Tilles

Staff Attorney

Office of Legal Compliance

KAKRA GYAMBIBI, M.D.



By Daniel J. Csuka

Moore Leonhardt & Associates LLC

67 Russ Street, Hartford, CT 06106

ATTACHMENT A

3. Any alleged violation of any provision of this Order may result in the following procedures at the discretion of the Department:
 - a. The Department shall notify respondent in writing by first-class mail that the term(s) of this Order have been violated, provided that no prior written consent for deviation from said term(s) has been granted.
 - b. Said notification shall include the acts or omission(s) which violate the term(s) of this Consent Order.
 - c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 3.a. above to demonstrate to the satisfaction of the Department that she has complied with the terms of this Order or, in the alternative, that she has cured the violation in question.
 - d. If respondent does not demonstrate compliance or cure the violation within the fifteen (15) days specified in the notification of violation to the satisfaction of the Department, she shall be entitled to a hearing before the Board which shall make a final determination of the disciplinary action to be taken.
 - e. Evidence presented to the Board by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Order.
4. In the event respondent does not practice as a physician and surgeon for periods of thirty (30) consecutive days or longer, respondent shall notify the Department in writing. Such periods of times shall not be counted in reducing the probationary period covered by this Order and such terms shall be held in abeyance. During such time period, respondent shall not be responsible for complying with the terms of probation of this Order.
5. If, during the period of probation, respondent practices as a physician and surgeon outside Connecticut, she shall provide written notice to the Department concerning such practice. During such time period, respondent shall not be responsible for complying with the terms of probation of this Order, and such time period shall not automatically be counted in

reducing the probationary period covered by this Order. Provided, however, that Respondent may comply with the terms of probation while practicing outside Connecticut if pre-approved by the Department, and any such period shall be counted in reducing the probationary period covered by this Order. In the event respondent intends to return to practice as a physician and surgeon in Connecticut, respondent shall provide the Department with thirty (30) days prior written notice and agrees to comply with all terms and conditions contained in paragraph 2 above.

6. In the event respondent violates any term of this Order, said violation may also constitute grounds for the Department to seek a summary suspension of her license before the Board.
7. Paragraphs 3-6 above apply retroactively to the original effective date of the Order. All other terms of said order are unchanged.

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Gayle Klein, M.D.

Petition No. 2018-695

MODIFIED CONSENT ORDER

"WHEREAS, Respondent has complied with all the terms of this consent order, except, due to circumstances beyond her control, has not provided the third and fourth reports, as required.

NOW THEREFORE, the Consent Order is modified such that the period of probation is extended until the Department receives the fourth required report, not to be later than December 31, 2020."

WHEREAS, Gayle Klein of Dayville (hereinafter "respondent") has been issued license number 048835 to practice as a physician and surgeon by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 370 of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges that:

1. During the course of approximately February through October 2017, respondent prescribed alprazolam on one or more occasions to Patient #1, an acquaintance, without maintain sufficient medical records for said prescriptions. On or around May 10, 2017, respondent inappropriately provided Patient #1 with a sublingual cannabidiol spray to address Patient #1's medical conditions.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-13c, including, but not limited to, §20-13c(4).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest this matter and agrees that for purposes of this or any future proceedings before the Connecticut Medical Examining Board (hereinafter "the Board"), this Consent Order shall have the same

effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 20-13c of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-13c of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives her right to a hearing on the merits of this matter.
2. Respondent's license number 048835 to practice as a physician and surgeon in the State of Connecticut is hereby reprimanded.
3. Respondent's license shall be placed on probation for a period of one year under the following terms and conditions:
 - i. Respondent shall obtain at her own expense, the services of a physician, pre-approved by the Department (hereinafter "supervisor"), to conduct a quarterly random review of twenty percent (20%) or twenty (20) of respondent's patient records, whichever is the larger number, for patients which respondent prescribes controlled substances or certifies for a medical marijuana certificate. In the event respondent has twenty (20) or fewer patients, the supervisor shall review all of respondent's patient records.
 - (1) Respondent shall provide a copy of this Consent Order to his practice supervisor. Respondent's supervisor shall furnish written confirmation to the Department of his or her engagement in that capacity and receipt of a copy of this Consent Order within fifteen (15) days of the effective date of this Consent Order.
 - (2) Respondent's supervisor shall conduct such review and meet with her not less than once every quarter for the duration of her probationary period.
 - (3) The supervisor shall have the right to monitor respondent's practice by any other reasonable means which he or she deems appropriate. Respondent shall fully cooperate with the supervisor in providing such monitoring.
 - (4) Respondent shall be responsible for providing written supervisor reports directly to the Department quarterly for the duration of the probationary period. Such supervisor's reports shall include documentation of dates and duration of meetings with respondent, number and a general description of the patient records and patient medication orders and prescriptions or certifications reviewed, additional monitoring techniques utilized, and

statement as to whether respondent is practicing with reasonable skill and safety. A supervisor report indicating that respondent is not practicing with reasonable skill and safety shall be deemed to be a violation of this Consent Order.

- ii. Within the first six months of probation, respondent shall attend and successfully complete coursework in professional ethics, documentation standards and controlled substance prescribing practices, pre-approved by the Department. Within fourteen days of the completion of such coursework, respondent shall provide the Department with proof, to the Department's satisfaction, of the successful completion of such courses.
4. All correspondence and reports are to be addressed to:
- Lavita Sookram, R.N., Nurse Consultant
Practitioner Compliance and Monitoring Unit
Department of Public Health
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308
5. All reports required by the terms of this Consent Order shall be due according to a schedule to be established by the Department of Public Health.
 6. Respondent shall comply with all state and federal statutes and regulations applicable to her licensure.
 7. Respondent shall pay all costs necessary to comply with this Consent Order.
 8. Any alleged violation of any provision of this Consent Order may result in the following procedures at the discretion of the Department:
 - a. The Department shall notify respondent in writing by first-class mail that the term(s) of this Consent Order have been violated, provided that no prior written consent for deviation from said term(s) has been granted.
 - b. Said notification shall include the acts or omission(s) which violate the term(s) of this Consent Order.
 - c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 8a above to demonstrate to the satisfaction of the Department that she has complied with the terms of this Consent Order or, in the alternative, that she has cured the violation in question.

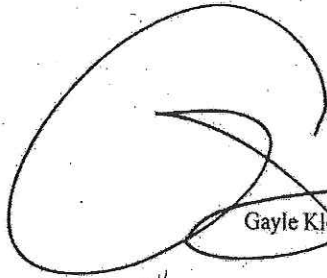
- d. If respondent does not demonstrate compliance or cure the violation within the fifteen (15) days specified in the notification of violation to the satisfaction of the Department, she shall be entitled to a hearing before the Board which shall make a final determination of the disciplinary action to be taken.
 - e. Evidence presented to the Board by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.
9. In the event respondent does not practice as a physician for periods of thirty (30) consecutive days or longer, respondent shall notify the Department in writing. Such periods of times shall not be counted in reducing the probationary period covered by this Consent Order and such terms shall be held in abeyance. During such time period, respondent shall not be responsible for complying with the terms of probation of this Consent Order. In the event respondent resumes the practice of physician, respondent shall provide the Department with thirty (30) days prior written notice. Respondent shall not return to the practice of medicine without written pre-approval from the Department. Respondent agrees that any return to the practice of medicine without pre-approval from the Department shall constitute a violation of this Consent Order and may subject the respondent to further disciplinary action.
10. If, during the period of probation, respondent practices medicine outside Connecticut, she shall provide written notice to the Department concerning such practice. During such time period, respondent shall not be responsible for complying with the terms of probation of this Consent Order, and such time period shall not be counted in reducing the probationary period covered by this Consent Order. Respondent may comply with the terms of probation while practicing outside Connecticut if pre-approved by the Department. In the event respondent intends to return to the practice of medicine in Connecticut, respondent shall provide the Department with thirty (30) days prior written notice and agrees to comply with all terms and conditions contained in paragraph 3 above.
11. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of her license before the Board.
12. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Practitioner Licensing and Investigations Section of the Healthcare Quality and Safety Branch of the Department.

13. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Board.
14. Respondent understands and agrees that this Consent Order shall be deemed a public document and the above violations shall be deemed true in any proceeding before the Board in which her compliance with this Consent Order or with §20-13c of the General Statutes of Connecticut, as amended, is at issue. Further, respondent understands and acknowledges that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank maintained by the United States Department of Health and Human Services and that all disciplinary actions will appear on her physician profile pursuant to Connecticut General Statutes 20-13j.
15. ~~In the event respondent violates a term of this Consent Order, respondent agrees~~ immediately to refrain from practicing as a physician, upon request by the Department, for a period not to exceed 45 days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation, and to submit to and complete a medical, psychiatric or psychological evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to cooperate with the Department in its investigation during said 45 day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that failure to cooperate with the Department's investigation shall be considered by the Board and shall, as a matter of law, constitute a clear and immediate danger as required pursuant to Connecticut General Statutes, sections 4-182(c) and 19a-17(c). The Department and respondent understand that the Board has complete and final discretion as to whether a summary suspension is ordered.
16. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department from taking action at a later time. The Department shall not be required to grant future extensions of time or grace periods.
17. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent agrees that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards and respondent waives any right to seek reconsideration or modification of this Consent Order pursuant to §4-181a of

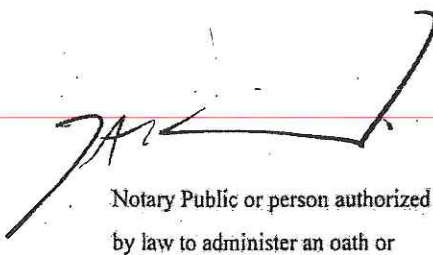
the General Statutes of Connecticut. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. Further, this Consent Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that she may have under the laws of the State of Connecticut or of the United States.

18. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
19. Respondent permits a representative of the Department to present this Consent Order and the factual basis for this Consent Order to the Board . Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted. Respondent hereby waives any claim of error that could be raised that is related to or arises during the course of the Board's discussions regarding whether to approve or reject this Consent Order and/or a Board member's participation during this process, through the Board member's review or comments, including but not limited to bias or reliance on evidence outside the administrative record if this matter proceeds to a hearing on a statement of charges resulting in a proposed decision by the Board and/or a panel of the Board and a final decision by the Board.
20. Respondent understands and agrees that she is responsible for satisfying all of the terms of this Consent Order during vacations and other periods in which she is away from her residence.
21. Respondent has the right to consult with an attorney prior to signing this document.
22. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the State's Attorney's Office where the allegation occurred or Bureau Chief of the applicable unit in the Chief State's Attorney's Office. The purpose of this Consent Order is to resolve the pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.
23. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

I, Gayle Klein, have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.


Klein, MD
Gayle Klein, M.D.

Subscribed and sworn to before me this 27th day of MAY 2020.


Notary Public or person authorized
by law to administer an oath or

affirmation

The above Consent Order having been presented to the duly appointed agent of the
Commissioner of the Department of Public Health on the _____ day of _____

I, Gayle Klein, have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

Gayle Klein, M.D.

Subscribed and sworn to before me this _____ day of _____ 2020.

Notary Public or person authorized
by law to administer an oath or affirmation

The above Consent Order having been presented to the duly appointed agent of the
Commissioner of the Department of Public Health on the 13th day of
July 2020, it is hereby accepted.

Christian D. Andresen
Christian D. Andresen, M.P.H., Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

The above Consent Order having been presented to the duly appointed agent of the _____
on the _____ day of _____ 2020, it is hereby ordered and accepted.

Kathryn Emmett, Esq., Chairperson
Connecticut Medical Examining Board

**CONNECTICUT MEDICAL EXAMINING BOARD
CONSENT ORDER COVER SHEET**

Respondent: Ronald Buckman, M.D.

Petition No. 2018-1317

BIOGRAPHICAL INFORMATION:

Medical School: University of Massachusetts

Year of Graduation: 1979

07/01/79 – 06/30/82 Resident Univ. of Conn./John Dempsey Hospital

Current employment: Office in Bolton, Connecticut

License: 022901 Issued: July 7, 1981

Current Practice: Family Medicine

Board Certification: Family Medicine (subspecialty: Sports Medicine)

Malpractice History: None known to DPH

Past History with DPH: No prior discipline

Investigation Commenced: November 28, 2018

THIS CONSENT ORDER DISCIPLINE:

- Reprimand
- \$4,000 civil penalty
- Probation for twelve months with the following terms:
 - Practice supervision, with chart review of specified category of cases
 - Courses in documentation already completed

DEPARTMENT SUMMARY OF THE CASE:

The Department reviewed a complaint from one of respondent's employees concerning various practice management issues. The Department did not confirm those complaints but in the course of that investigation requested and reviewed a small sample of charts for chronic pain patients. The Department obtained a consultant's opinion. The allegations in the consent order reflect the consultant's discussions of the reviewed charts.

WILL THIS RESULT IN A REPORT TO THE N.P.D.B. BANK?

- Yes

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH
CONNECTICUT MEDICAL EXAMINING BOARD**

In re: Ronald Buckman, M.D.

Petition No. 2018-1317

CONSENT ORDER

WHEREAS, Ronald Buckman, M.D., of Bolton, Connecticut (hereinafter "Respondent") has been issued license number 022901 to practice as a physician and surgeon by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 370 of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges that:

1. Respondent practices office-based Family Medicine. For two or more patients whom he treated over a course of many years for chronic pain with opioid medications, his course of care deviated from the standard of care in that:
 - a. On one or more office visits, Respondent prescribed and/or changed doses of Norco, Tramadol, and/or Vicodin, concurrent with Patient 1 taking Cyclobenzaprine, Gabapentin, and/or Trazadone from one or more other providers, with inadequate documentation that Respondent had provided or performed adequate physical and/or psychological examination, or that Respondent had adequate discussion with Patient 1 about drug interaction, side effects, and/or alternative treatment plans.
 - b. On one or more occasions in 2017 and 2018, Respondent failed to obtain a urine screen and/or failed adequately to document his interventions relating to abnormal findings in a urine screen report, including but not limited to positives for Cocaine and negatives for opioids; and/or.
 - c. On one or more office visits, Respondent prescribed and/or changed doses of Tramadol and/or Oxycodone, concurrent with Patient 2 taking Clonazepam from

another provider, without adequate documentation that Respondent provided or performed adequate physical and/or psychological examination, and/or without adequate documentation of discussion with Patient 2 about treatment goals, drug interaction, side effects, and/or alternative treatment plans.

- d. On one or more occasions in 2017 and 2018, Respondent failed to document his response to Patient 2's urine screen report negatives for opioids in spite of his prescriptions for opioids.

2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-13c, including, but not limited to:

- a. §20-13c(4); and/or
- b. §20-13c(5).

WHEREAS, Respondent has completed coursework satisfactory to the department in (a) management of chronic pain in a primary care practice and (b) documentation of long-term prescribing of controlled substances in a primary care practice.

WHEREAS, Respondent, in consideration of this Consent Order, while admitting no guilt or wrongdoing, has chosen not to contest this matter and agrees that for purposes of this or any future proceedings before the Connecticut Medical Examining Board (hereinafter "the Board"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14, and 20-13c of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17, and 20-13c of the General Statutes of Connecticut, Respondent hereby stipulates and agrees to the following:

1. Respondent waives his right to a hearing on the merits of this matter.
2. Respondent's license number 022901 to practice as a physician and surgeon in the State of Connecticut is hereby reprimanded.
3. Respondent shall pay a civil penalty of four thousand dollars (\$4,000.00) by certified or cashier's check payable to "Treasurer, State of Connecticut." The check shall reference the Petition Number on the face of the check, and shall be payable at the time Respondent submits the executed Consent Order to the Department.

4. Respondent's license shall be placed on probation for a period of twelve months under the following terms and conditions:

a. Respondent shall obtain at Respondent's own expense, the services of a licensed physician and surgeon who is board certified in either internal medicine or family medicine and who conducts an office-based primary care practice, pre-approved by the Department (hereinafter "supervisor"), to conduct a quarterly random review of fifteen (15) of Respondent's records for current patients to who he has prescribed opioid medications for longer than sixty days. In the event Respondent has fewer than fifteen such patients, the supervisor shall review each such patient's records.

- (1) Respondent shall provide a copy of this Consent Order to Respondent's practice supervisor. Respondent's supervisor shall furnish written confirmation to the Department of the supervisor's engagement in that capacity and receipt of a copy of this Consent Order within fifteen (15) days of the effective date of this Consent Order.
- (2) Respondent's supervisor shall conduct such review and meet with Respondent not less than once every three months for the entire probationary period.
- (3) The supervisor shall have the right to monitor Respondent's practice by any other reasonable means which the supervisor deems appropriate. Respondent shall fully cooperate with the supervisor in providing such monitoring.
- (4) Respondent shall be responsible for the supervisor providing written supervisor reports directly to the Department not less than once every three months for the entire probationary period. Such supervisor's reports shall include documentation of dates and duration of meetings with Respondent, number and a general description of the patient records and patient medication orders and prescriptions reviewed, additional monitoring techniques utilized, and statement as to whether Respondent is practicing with reasonable skill and safety and in accord with standards of documentation. A supervisor report indicating that Respondent is not practicing with reasonable skill and safety and in accord with standards of documentation shall be deemed to be a violation of this Consent Order.

5. All correspondence and reports are to be addressed to:

Lavita Sookram, R.N., Nurse Consultant
Practitioner Compliance and Monitoring Unit
Department of Public Health
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308
6. All reports required by the terms of this Consent Order shall be due according to a schedule to be established by the Department of Public Health.
7. Respondent shall comply with all state and federal statutes and regulations applicable to Respondent's licensure.
8. Respondent shall pay all costs necessary to comply with this Consent Order.
9. Any alleged violation of any provision of this Consent Order may result in the following procedures at the discretion of the Department:
 - a. The Department shall notify Respondent in writing by first-class mail that the term(s) of this Consent Order have been violated, provided that no prior written consent for deviation from said term(s) has been granted.
 - b. Said notification shall include the acts or omission(s) which violate the term(s) of this Consent Order.
 - c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 9.a.above to demonstrate to the satisfaction of the Department that Respondent has complied with the terms of this Consent Order or, in the alternative, that Respondent has cured the violation in question.
 - d. If Respondent does not demonstrate compliance or cure the violation within the fifteen (15) days specified in the notification of violation to the satisfaction of the Department, Respondent shall be entitled to a hearing before the Board which shall make a final determination of the disciplinary action to be taken.
 - e. Evidence presented to the Board by either the Department or Respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.
10. In the event Respondent does not practice as a physician and surgeon for periods of thirty (30) consecutive days or longer, Respondent shall notify the Department in writing. Such periods of times shall not be counted in reducing the probationary period covered by this

Consent Order and such terms shall be held in abeyance. During such time period, Respondent shall not be responsible for complying with the terms of probation of this Consent Order. In the event Respondent resumes practice as a physician and surgeon, Respondent shall provide the Department with thirty (30) days prior written notice. Respondent shall not return to practice as a physician and surgeon without written pre-approval from the Department. Respondent agrees that the Department, in its complete discretion, may require additional documentation from Respondent and/or require Respondent to satisfy other conditions or terms as a condition precedent to Respondent's return to practice. Respondent agrees that any return to practice as a physician and surgeon without pre-approval from the Department shall constitute a violation of this Consent Order and may subject the Respondent to further disciplinary action.

11. If, during the period of probation, Respondent conducts his practice as a physician and surgeon outside Connecticut, Respondent shall provide written notice to the Department concerning such practice. During such time period, Respondent shall not be responsible for complying with the terms of probation of this Consent Order, and such time period shall not be counted in reducing the probationary period covered by this Consent Order. Respondent may comply with the terms of probation while practicing outside Connecticut if pre-approved by the Department. In the event Respondent intends to return to practice as a physician and surgeon in Connecticut, Respondent shall provide the Department with thirty (30) days prior written notice and agrees to comply with all terms and conditions contained in paragraph 4 above.
12. In the event Respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of Respondent's license before the Board.
13. Legal notice shall be sufficient if sent to Respondent's last known address of record reported to the Practitioner Licensing and Investigations Section of the Healthcare Quality and Safety Branch of the Department.
14. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Board.
15. This Consent Order is a public document. Respondent understands and agrees that the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Board in which Respondent's compliance with this Consent Order or with §20-13c of the General Statutes of Connecticut, as amended, is at

- issue. Further, Respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank maintained by the United States Department of Health and Human Services, and that all disciplinary actions will appear on Respondent's physician profile pursuant to Connecticut General Statutes 20-13j.
16. In the event Respondent violates a term of this Consent Order, Respondent agrees immediately to refrain from practicing as a physician and surgeon, upon request by the Department, with notice to the Board, for a period not to exceed 45 days. During that time period, Respondent further agrees to cooperate with the Department in its investigation of the violation, and to submit to and complete a medical, psychiatric or psychological evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to cooperate with the Department in its investigation during said 45 day period shall constitute grounds for the Department to seek a summary suspension of Respondent's license. In any such summary action, Respondent stipulates that failure to cooperate with the Department's investigation shall be considered by the Board and shall, as a matter of law, constitute a clear and immediate danger as required pursuant to Connecticut General Statutes, sections 4-182(c) and 19a-17(c). The Department and Respondent understand that the Board has complete and final discretion as to whether a summary suspension is ordered.
 17. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department from taking action at a later time. The Department shall not be required to grant future extensions of time or grace periods.
 18. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent agrees that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards and Respondent waives any right to seek reconsideration or modification of this Consent Order pursuant to §4-181a of the General Statutes of Connecticut without the express consent and agreement of the Department. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. Further, this Consent Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of

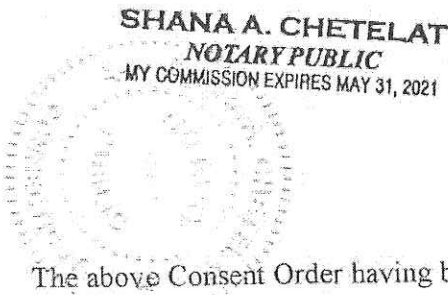
- Connecticut, provided that this stipulation shall not deprive Respondent of any rights that Respondent may have under the laws of the State of Connecticut or of the United States.
19. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
 20. Respondent permits a representative of the Department to present this Consent Order and the factual basis for this Consent Order to the Board. Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted. Respondent hereby waives any claim of error that could be raised that is related to or arises during the course of the Board's discussions regarding whether to approve or reject this Consent Order and/or a Board member's participation during this process, through the Board member's review or comments, including but not limited to bias or reliance on evidence outside the administrative record if this matter proceeds to a hearing on a statement of charges resulting in a proposed decision by the Board and/or a panel of the Board and a final decision by the Board.
 21. Respondent has the right to consult with an attorney prior to signing this document.
 22. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the State's Attorney's Office where the allegation occurred or Bureau Chief of the applicable unit in the Chief State's Attorney's Office. The purpose of this Consent Order is to resolve the pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense, nor is it an admission of any fact or allegation.
 23. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

* * * * *

I, Ronald Buckman, M.D., have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

Ronald Buckman
Ronald Buckman, M.D.

Subscribed and sworn to before me this 10th day of July 2020.



Shana A. Chetelat
Notary Public or person authorized
by law to administer an oath or affirmation

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 13th day of July 2020, it is hereby accepted.

Christian D. Andresen
Christian D. Andresen, M.P.H., Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

The above Consent Order having been presented to the duly appointed agent of the Connecticut Medical Examining Board on the _____ day of _____ 2020, it is hereby ordered and accepted.

Kathryn Emmett, Esq., Chairperson
Connecticut Medical Examining Board

**CONNECTICUT MEDICAL EXAMINING BOARD
CONSENT ORDER COVER SHEET**

Re: Kenneth Kramer, M.D.

Petition No.: 2019-1368

BIOGRAPHICAL INFORMATION:

Medical School: New York University
Year of Graduation: 1982

07/01/1982-06/30/1983	General Surgery	<i>Intern</i>	Yale-New Haven Hospital
07/01/1983-06/30/1984	General Surgery	<i>Resident</i>	Yale-New Haven Hospital
07/01/1984-06/30/1987	Orthopedic Surgery	<i>Resident</i>	Yale-New Haven Hospital
07/01/1987-06/30/1988	Spinal Surgery	<i>Fellowship</i>	University of Maryland

Current Employment: Connecticut Orthopaedic Specialists– Hamden CT
License: 028874 Issued: 03/04/1988
Type of Practice: Orthopaedic Surgery
Malpractice History: None known to Department
Past History with DPH: None
Other State License: None
Investigation Commenced: 12/06/2019

CONSENT ORDER:

- Reprimand

DEPARTMENT SUMMARY OF THE CASE:

- This petition was initiated based on a referral from the Facilities Licensing Investigations Section (“FLIS”), due to respondent’s administration of an epidural injection at the wrong site. Respondent admits that he initiated the injection inadvertently on the right side and, upon recognizing his error, immediately corrected the error and administered the injection on the left side. The respondent informed the patient of the error and the patient was doing well at the follow-up examination.
- Connecticut Orthopaedic Specialists placed the respondent on probationary status for six months. The respondent also completed coursework in Patient Safety and Medical Errors.

WILL THIS RESULT IN A REPORT TO THE N.P.D.B.?

- Yes.

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Kenneth M. Kramer, M.D.

Petition No. 2019-1368

CONSENT ORDER

WHEREAS, Kenneth M. Kramer of Hamden, CT (hereinafter "respondent") has been issued license number 028874 to practice as a physician and surgeon by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 370 of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges:

1. In or around August 21, 2019, respondent provided treatment to Patient 1 that failed to meet the standard of care in that he administered an epidural steroid injection at the wrong site.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-13c, including, but not limited to §20-13c(4).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing but, while admitting no guilt or wrongdoing, agrees that for purposes of this or any future proceedings before the Connecticut Medical Examining Board (hereinafter "the Board"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 20-13c of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-13c of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives his right to a hearing on the merits of this matter.
2. Respondent's license number 028874 to practice as a physician and surgeon in the State of Connecticut is hereby reprimanded.
3. Respondent shall comply with all state and federal statutes and regulations applicable to his licensure.
4. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Board.
5. Respondent understands and agrees that this Consent Order shall be deemed a public document, and the above alleged violations shall be deemed true in any subsequent proceeding before the Board in which his compliance with this Consent Order or with §20-13c of the General Statutes of Connecticut, as amended, is at issue. Further, respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank maintained by the United States Department of Health and Human Services and that all disciplinary actions will appear on his physician profile pursuant to Connecticut General Statutes 20-13j.
6. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent agrees that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards and respondent waives any

right to seek reconsideration or modification of this Consent Order pursuant to §4-181a of the General Statutes of Connecticut without the express consent and agreement of the Department. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. Further, this Consent Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that he may have under the laws of the State of Connecticut or of the United States.

7. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
8. Respondent permits a representative of the Department to present this Consent Order and the factual basis for this Consent Order to the Board. Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted. Respondent hereby waives any claim of error that could be raised that is related to or arises during the course of the Board's discussions regarding whether to approve or reject this Consent Order and/or a Board member's participation during this process, through the Board member's review or comments, including but not limited to bias or reliance on evidence outside the administrative record if this matter proceeds to a hearing on a statement of charges resulting in a proposed decision by the Board and/or a panel of the Board and a final decision by the Board.
9. Respondent has the right to consult with an attorney prior to signing this document.
10. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the State's Attorney's Office

where the allegation occurred or Bureau Chief of the applicable unit in the Chief State's Attorney's Office. The purpose of this Consent Order is to resolve the pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.

- 11. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

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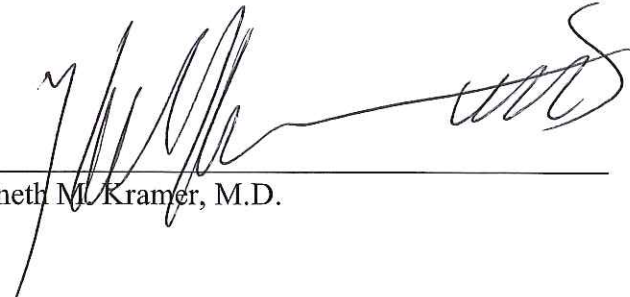
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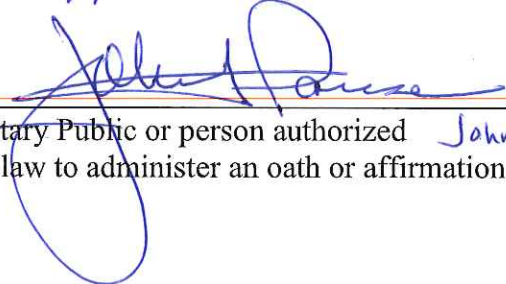
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I, Kenneth M. Kramer, have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.




Kenneth M. Kramer, M.D.

Subscribed and sworn to before me this 19th day of June 2020.



Notary Public or person authorized by law to administer an oath or affirmation John A. Parese
Commissioner of the Superior Court

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 8th day of July 2020, it is hereby accepted.



Christian D. Andresen, MPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

The above Consent Order having been presented to the duly appointed agent of the Connecticut Medical Examining Board on the _____ day of _____ 2020, it is hereby ordered and accepted.

Connecticut Medical Examining Board