

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:)

EDGAR A. BUTTNER, M.D.)

File No. 16-2002-130261

Physician's and Surgeon's)

Certificate No. G81147)

Respondent.)

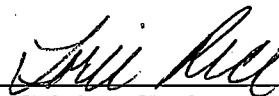
DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on November 10, 2003.

IT IS SO ORDERED October 9, 2003.

MEDICAL BOARD OF CALIFORNIA

By: 
Lorie G. Rice, Chair
Panel A
Division of Medical Quality

1 BILL LOCKYER, Attorney General
of the State of California
2 JANE ZACK SIMON, State Bar No. 116564
Deputy Attorney General
3 California Department of Justice
455 Golden Gate Avenue, Suite 11000
4 San Francisco, CA 94102-7004
Telephone: (415) 703-5544
5 Facsimile: (415) 703-5480

6 Attorneys for Complainant

7
8 **BEFORE THE**
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 16-2002-130261

11 **EDGAR A. BUTTNER, M.D.**
12 11 Exeter, Suite 3
13 Boston, MA 02116

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

14 Physician and Surgeon's Certificate
No. G81147

15 Respondent.

16
17
18 In the interest of a prompt and speedy settlement of this matter, consistent with the
19 public interest and the responsibility of the Division of Medical Quality, Medical Board of
20 California (the "Division"), the parties hereby agree to the following Stipulated Settlement and
21 Disciplinary Order which will be submitted to the Division for its approval and adoption as the
22 final disposition of the Accusation.

23 **PARTIES**

24 1. Ron Joseph ("complainant") is the Executive Director of the Medical
25 Board of California (the "Board"). He brought this action solely in his official capacity and is
26 represented in this matter by Bill Lockyer, Attorney General of the State of California, by Jane
27 Zack Simon, Deputy Attorney General.

28 ///

1 illness, for which respondent is now in treatment. Respondent was acquitted of the criminal
2 charges against him, based on his mental state at the time of the incident giving rise to the
3 charges.

4 9. The admissions made by respondent herein are only for the purposes of
5 this proceeding, or any other proceedings in which the Medical Board or other professional
6 licensing agency is involved, and shall not be admissible in any other criminal or civil
7 proceeding.

8 **CONTINGENCY**

9 10. This stipulation shall be subject to the approval of the Division.
10 Respondent understands and agrees that Board staff and counsel for complainant may
11 communicate directly with the Division regarding this stipulation and settlement, without notice
12 to or participation by respondent or his counsel. Respondent further agrees that he shall not be
13 entitled to view or copy any of the written communications with the Board referred to above. If
14 the Division fails to adopt this stipulation as its decision, the stipulation shall be of no force or
15 effect, it shall be inadmissible in any legal action between the parties, and the Division shall not
16 be disqualified from further action in this matter by virtue of its consideration of this stipulation.

17 11. The parties understand and agree that facsimile copies of this Stipulated
18 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
19 force and effect as the originals.

20 12. In consideration of the foregoing admissions and stipulations, the parties
21 agree that the Division may, without further notice or formal proceeding, issue and enter the
22 following Order:

23 **ORDER**

24 **IT IS HEREBY ORDERED** that Physician and Surgeon's Certificate No.
25 G81147 issued to respondent Edgar A. Buttner, M.D. is revoked. However, the revocation is
26 stayed and respondent is placed on probation for ten (10) years on the following terms and
27 conditions:

28 Within 15 days after the effective date of this decision the respondent shall

1 provide the Division, or its designee, proof of service that respondent has served a true copy of
2 this decision on the Chief of Staff or the Chief Executive Officer at every hospital where
3 privileges or membership are extended to respondent or at any other facility where respondent
4 engages in the practice of medicine and on the Chief Executive Officer at every insurance carrier
5 where malpractice insurance coverage is extended to respondent.

6 13. **PSYCHIATRIC EVALUATION** Within thirty (30) days of the
7 effective date of this decision, and on a periodic basis thereafter as may be required by the
8 Division or its designee, respondent shall undergo a psychiatric evaluation (and psychological
9 testing, if deemed necessary) by a Division-appointed psychiatrist, who shall furnish an
10 evaluation report to the Division or its designee. The respondent shall pay the cost of the
11 psychiatric evaluation(s). The Division may, in its discretion, elect to rely upon the evaluation of
12 respondent conducted by Malcolm Rogers, M.D., as set forth in a report dated May 12, 2003.

13 Respondent shall not engage in the practice of medicine in California until
14 notified in writing by the Division or its designee of its determination that respondent is mentally
15 fit to practice safely. The time spent not engaged in the practice of medicine will not apply
16 towards the reduction of the probation period.

17 14. **PSYCHOTHERAPY** Within sixty (60) days of the effective date of this
18 decision, respondent shall submit to the Division or its designee for its prior approval the name
19 and qualifications of a psychotherapist of respondent's choice. Upon approval, respondent shall
20 undergo and continue treatment until the Division or its designee deems that no further
21 psychotherapy is necessary. Respondent shall have the treating psychotherapist submit
22 quarterly status reports to the Division or its designee indicating whether respondent is capable of
23 practicing medicine safely. The treating psychiatrist shall immediately notify the Division or its
24 designee if s/he believes at any time that the respondent cannot continue to safely practice
25 medicine, and in such an event, respondent authorizes and releases the psychiatrist to
26 communicate with the Division or its designee and to provide any information the Division
27 deems appropriate or necessary. The Division or its designee may require respondent to undergo
28 psychiatric evaluations by a Division-appointed psychiatrist. If, prior to the termination of

1 probation, respondent is found not to be mentally fit to resume the practice of medicine without
2 restrictions, the Division shall retain continuing jurisdiction over the respondent's license and the
3 period of probation shall be extended until the Division determines that the respondent is
4 mentally fit to resume the practice of medicine without restrictions. The respondent shall pay the
5 cost of the therapy and evaluations.

6 15. **MONITORING** Within thirty (30) days of the effective date of this
7 decision, respondent shall submit to the Division or its designee for its prior approval a plan of
8 practice in which respondent's practice shall be monitored by another physician in respondent's
9 field of practice, who shall provide periodic reports to the Division or its designee.

10 If the monitor resigns or is no longer available, respondent shall, within fifteen
11 (15) days, move to have a new monitor appointed, through nomination by respondent and
12 approval by the Division or its designee.

13 16. **NO PATIENT TREATMENT** Respondent will confine his practice of
14 medicine to a laboratory research position. He shall not treat patients in any way, unless said
15 treatment occurs under the direct supervision of a physician during the course of a clinical
16 training program. Respondent must work in a group or institutional setting. After the first year of
17 probation respondent may petition for modification of this term in accordance with the
18 provisions of Business and Professions Code section 2307. At the time of any such petition,
19 respondent must provide documentation of his competency to practice clinical medicine,
20 including but not limited to the submission of the results of a Board approved skills assessment
21 program.

22 17. **SUPERVISION OF PHYSICIAN ASSISTANTS** During probation,
23 respondent is prohibited from supervising physician assistants.

24 18. **OBEY ALL LAWS** Respondent shall obey all federal, state and local
25 laws, all rules governing the practice of medicine in California, and remain in full compliance
26 with any court ordered criminal probation, payments and other orders.

27 19. **QUARTERLY REPORTS** Respondent shall submit quarterly
28 declarations under penalty of perjury on forms provided by the Division, stating whether there

1 has been compliance with all the conditions of probation.

2 20. **PROBATION SURVEILLANCE PROGRAM COMPLIANCE**

3 Respondent shall comply with the Division's probation surveillance program. Respondent shall,
4 at all times, keep the Division informed of his business and residence addresses which shall both
5 serve as addresses of record. Changes of such addresses shall be immediately communicated in
6 writing to the Division. Under no circumstances shall a post office box serve as an address of
7 record, except as allowed by Business and Professions Code section 2021(b).

8 Respondent shall, at all times, maintain a current and renewed physician's and
9 surgeon's license.

10 Respondent shall also immediately inform the Division, in writing, of any travel
11 to any areas outside the jurisdiction of California which lasts, or is contemplated to last, more
12 than thirty (30) days.

13 21. **INTERVIEW WITH THE DIVISION, ITS DESIGNEE OR ITS**
14 **DESIGNATED PHYSICIAN(S)** Respondent shall appear in person for interviews with the
15 Division, its designee or its designated physician(s) upon request at various intervals and with
16 reasonable notice.

17 22. **TOLLING FOR OUT-OF-STATE PRACTICE, RESIDENCE OR**
18 **IN-STATE NON-PRACTICE** In the event respondent should leave California to reside or to
19 practice outside the State or for any reason should respondent stop practicing medicine in
20 California, respondent shall notify the Division or its designee in writing within ten (10) days of
21 the dates of departure and return or the dates of non-practice within California. Non-practice is
22 defined as any period of time exceeding thirty (30) days in which respondent is not engaging in
23 any activities defined in Sections 2051 and 2052 of the Business and Professions Code. All time
24 spent in an intensive training program approved by the Division or its designee shall be
25 considered as time spent in the practice of medicine. A Board-ordered suspension of practice
26 shall not be considered as a period of non-practice. Periods of temporary or permanent residence
27 or practice outside California or of non-practice within California, as defined in this condition,
28 will not apply to the reduction of the probationary order.

1 23. **COMPLETION OF PROBATION** Upon successful completion of
2 probation, respondent's certificate shall be fully restored.

3 24. **VIOLATION OF PROBATION** If respondent violates probation in
4 anyl respect, the Division, after giving respondent notice and the opportunity to be heard, may
5 revoke probation and carry out the disciplinary order that was stayed. If an accusation or petition
6 to revoke probation is filed against respondent during probation, the Division shall have
7 continuing jurisdiction until the matter is final, and the period of probation shall be extended
8 until the matter is final.

9 25. **COST RECOVERY** The respondent is hereby ordered to reimburse the
10 Division the amount of \$300.00 (three hundred dollars) within ninety (90) days of the effective
11 date of this decision for its investigative and prosecution costs. Failure to reimburse the
12 Division's cost of investigation and prosecution shall constitute a violation of the probation order,
13 unless the Division agrees in writing to payment by an installment plan because of financial
14 hardship. The filing of bankruptcy by the respondent shall not relieve the respondent of his
15 responsibility to reimburse the Division for its investigative and prosecution costs.

16 26. **PROBATION COSTS** Respondent shall pay the costs associated with
17 probation monitoring each and every year of probation, as designated by the Division, which are
18 currently set at \$2,874.00, but may be adjusted on an annual basis. Such costs shall be payable to
19 the Division of Medical Quality and delivered to the designated probation surveillance monitor
20 no later than January 31 of each calendar year. Failure to pay costs within 30 days of the due
21 date shall constitute a violation of probation.

22 27. **LICENSE SURRENDER** Following the effective date of this decision,
23 if respondent ceases practicing due to retirement, health reasons or is otherwise unable to satisfy
24 the terms and conditions of probation, respondent may voluntarily tender his certificate to the
25 Board. The Division reserves the right to evaluate the respondent's request and to exercise its
26 discretion whether to grant the request, or to take any other action deemed appropriate and
27 reasonable under the circumstances. Upon formal acceptance of the tendered license, respondent
28 will not longer be subject to the terms and conditions of probation.

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ACCEPTANCE

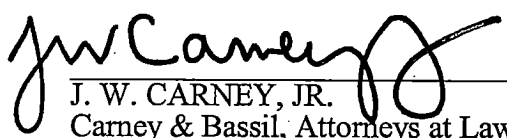
I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, J.W. Carney, Jr.. I understand the stipulation and the effect it will have on my Physician and Surgeon's Certificate. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Division of Medical Quality, Medical Board of California.

DATED: 8/14/03


EDGAR A. BUTTNER, M.D..
Respondent

I have read and fully discussed with Respondent Edgar A. Buttner, M.D.. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 8-15-03


J. W. CARNEY, JR.
Carney & Bassil, Attorneys at Law
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Division of Medical Quality, Medical Board of California.

DATED: 9/16/03

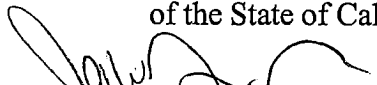
BILL LOCKYER, Attorney General
of the State of California

JANE ZACK SIMON
Deputy Attorney General
Attorneys for Complainant

Exhibit A

1 BILL LOCKYER, Attorney General
of the State of California
2 JANE ZACK SIMON
Deputy Attorney General [SBN 116564]
3 455 Golden Gate Avenue, Suite 11000
San Francisco, California 94102
4 Telephone: (415) 703-5544
Facsimile: (415) 703-5480

5 Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO *March 12/2002*
BY: *M. [unclear]* ANALYST

7 BEFORE THE
8 DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
9 DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 16-2002-130261

12 EDGAR A. BUTTNER, M.D.,
11 Exeter Suite 3
13 Boston, MA 02116

ACCUSATION

14 Physician and Surgeon's
Certificate No. G 81147

16 Respondent.

19 The Complainant alleges:

20 **PARTIES**

21 1. Complainant, Ronald Joseph, is the Executive Director of the Medical
22 Board of California (hereinafter the "Board") and brings this accusation solely in his official
23 capacity.

24 2. On or about May 10, 1995, Physician and Surgeon's Certificate No.
25 G81147 was issued by the Board to Edgar A. Buttner, M.D. (hereinafter "respondent"). Said
26 certificate will expire on September 30, 2002, and was suspended on February 26, 2002 pursuant
27 to Business and Professions Code section 2310(a).

JURISDICTION

1
2 3. This accusation is brought before the Division of Medical Quality of the
3 Medical Board of California, Department of Consumer Affairs (hereinafter the "Division"),
4 under the authority of the following sections of the California Business and Professions Code
5 (hereinafter "Code") and/or other relevant statutory enactment:

6 A. Section 2227 of the Code provides in part that the Board may revoke,
7 suspend for a period of not to exceed one year, or place on probation, the license of any
8 licensee who has been found guilty under the Medical Practice Act, and may recover the
9 costs of probation monitoring if probation is imposed.

10 B. Section 125.3 of the Code provides, in part, that the Board may request the
11 administrative law judge to direct any licentiate found to have committed a violation or
12 violations of the licensing act, to pay the Board a sum not to exceed the reasonable costs
13 of the investigation and enforcement of the case.

14 C. Section 2305 of the Code provides, in part, that the revocation, suspension, or
15 other discipline, restriction or limitation imposed by another state upon a license to
16 practice medicine issued by that state, that would have been grounds for discipline in
17 California under the Medical Practice Act, constitutes grounds for discipline for
18 unprofessional conduct.

19 D. Section 141 of the Code provides:

20 "(a) For any licensee holding a license issued by a board under the
21 jurisdiction of a department, a disciplinary action taken by another state, by any agency of
22 the federal government, or by another country for any act substantially related to the
23 practice regulated by the California license, may be ground for disciplinary action by the
24 respective state licensing board. A certified copy of the record of the disciplinary action
25 taken against the licensee by another state, an agency of the federal government, by
26 another country shall be conclusive evidence of the events related therein.

27 "(b) Nothing in this section shall preclude a board from applying a specific

1 statutory provision in the licensing act administered by the board that provides for
2 discipline based upon a disciplinary action taken against the licensee by another state, an
3 agency of the federal government, or another country."

4 E. Section 14124.12(a) of the Welfare & Institutions Code provides in
5 pertinent part that upon written notice of the Medical Board of California a physician and
6 surgeon's medical license has been placed on probation as a result of a disciplinary action,
7 no Medi-Cal claim for the type of surgical service or invasive procedure giving rise to the
8 probationary order and performed on or after the effective date of said probationary
9 order or during the period of probation shall be reimbursed, except upon a prior
10 determination that compelling circumstances warrant the continuance of reimbursement
11 during the probationary period for procedures other than those giving rise to the
12 probationary order.

13 4. Respondent is subject to discipline within the meaning of section 141 and is
14 guilty of unprofessional conduct within the meaning of section 2305 as more particularly set
15 forth herein below.

16 **FIRST CAUSE FOR DISCIPLINE**

17 (Discipline, Restriction, or Limitation Imposed by Another State)

18 5. On or about January 9, 2002, the Commonwealth of Massachusetts Board of
19 Registration in Medicine issued an Order of Suspension against respondent's license to practice
20 medicine in Massachusetts. The Massachusetts Board based its suspension on events that
21 occurred on January 3, 2002. On January 2, 2002, respondent was released from a psychiatric
22 commitment at the New England Medical Center. On January 3, 2002, a friend of respondent's
23 went to respondent's home to deliver some packages. Respondent attacked the friend with an
24 aluminum baseball bat, beating him around the head, torso, hands and feet. The friend required
25 medical treatment for fractured ribs, a fractured finger, a fractured metatarsal, head lacerations
26 and multiple contusions. Respondent was arrested and criminally charged. The Massachusetts
27 Board concluded that respondent represented an immediate and serious threat to the public

1 health, safety and welfare, necessitating an immediate suspension.

2 Attached as Exhibit A and incorporated by reference are true and correct copies of
3 the Order of Suspension and the Statement of Allegations, In the Matter of Edgar A. Buttner,
4 M.D., before the Commonwealth of Massachusetts Board of Registration in Medicine in Case
5 No. 02-05-DALA.

6 6. The discipline imposed by the Massachusetts Board of Registration in
7 Medicine constitutes a violation of section 141 and constitutes unprofessional conduct and/or a
8 basis for the imposition of discipline within the meaning of Code section 2305.

9 **PRAYER**

10 **WHEREFORE**, the complainant requests that a hearing be held on the matters
11 herein alleged, and that following the hearing, the Division issue a decision:

- 12 1. Revoking or suspending Physician and Surgeon's Certificate Number
13 G81147, heretofore issued to respondent Edgar A. Buttner M.D.;
- 14 2. Revoking, suspending or denying approval of the respondent's authority to
15 supervise physician assistants, pursuant to Code section 3527;
- 16 3. Ordering respondent to pay the Division the actual and reasonable costs of
17 the investigation and enforcement of this case and to pay the costs of probation monitoring upon
18 order of the Division; and
- 19 4. Taking such other and further action as the Division deems necessary and
20 proper.

21 DATED: March 12, 2002

22
23 

24 RONALD JOSEPH
25 Executive Director
26 Medical Board of California
27 Department of Consumer Affairs
State of California

Complainant

Exhibit A

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss

**BOARD OF REGISTRATION
IN MEDICINE**

ADJUDICATORY CASE NO.

02-05-DALA

In the Matter of)
Edgar A. Buttner, M.D.)
_____)

STATEMENT OF ALLEGATIONS

The Board of Registration in Medicine ("the Board") has reason to believe that Edgar A. Buttner, M.D. ("the Respondent") assaulted and beat a friend with a baseball bat.

BACKGROUND

1. Edgar A. Buttner, M.D. was born on [REDACTED]. He is a 1993 graduate of the Columbia University College of Physicians and Surgeons. He has been licensed to practice medicine in Massachusetts since 1998 under license number 155360. He is also licensed to practice medicine in California. Dr. Buttner is certified in neurology by the American Board of Psychiatry and Neurology. He maintains privileges at Massachusetts General Hospital and is employed by the Massachusetts Institute of Technology Department of Biology.

FACTUAL ALLEGATIONS

2. On the evening of January 3, 2002, PM (a friend of the Respondent) went to the Respondent's home to deliver some packages. The Respondent had just been released from a psychiatric commitment at the New England Medical Center the previous day.

3. When PM arrived at the Respondent's home, the Respondent attacked him with an aluminum baseball bat and beat him around the head, torso, hands and feet. As a result of this unprovoked attack, PM was medically treated for fractured ribs, a fractured finger, a fractured metatarsal, head lacerations and multiple contusions.

4. The Respondent was arrested by the Boston Police and charged with violating G.L. c. 265, §15A, assault and battery by means of a dangerous weapon.

LEGAL BASIS FOR PROPOSED RELIEF

Pursuant to *Levy v. Board of Registration and Discipline in Medicine*, 378 Mass 519 (1979) and *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 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.

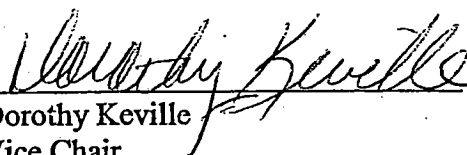
NATURE OF RELIEF SOUGHT

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 he should not be disciplined for the conduct described herein.

By the Board of
Registration in Medicine,


Dorothy Keville
Vice Chair

Dated: January 9, 2002

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss

Board of Registration
in Medicine

Adjudicatory Case

No. 02-05-DALA

_____)
In the Matter of)
Edgar A. Buttner, M.D.)
_____)

ORDER OF SUSPENSION

In accordance with the Standard Rules of Procedure governing Disciplinary Proceedings of the Board of Registration in Medicine, 243 CMR 1.03(11)(a), the Board of Registration in Medicine (the Board) **ORDERS** that:

the certificate of registration to practice medicine in the Commonwealth of Massachusetts of Edgar A. Buttner, M.D. (Respondent) is **SUSPENDED** effective January 9, 2002 and he is directed to surrender his wall certificate and wallet card to the Board immediately.

Based upon the information contained in the evidentiary exhibits appended to the Motion for Summary Suspension, the Board has determined that the Respondent represents an immediate and serious threat to the public health, safety and welfare, necessitating said suspension.



Dorothy Keville
Vice Chair

Dated: January 9, 2002

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss

Board of Registration
in Medicine

Adjudicatory Case
No. 02-05-DALA

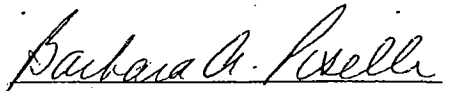
In the Matter of)

Edgar A. Buttner, M.D.)
_____)

MOTION FOR SUMMARY SUSPENSION

Complaint Counsel for the Board of Registration in Medicine hereby moves that this Board determine, based upon Exhibits 1 through 5 that are appended to this motion and incorporated by reference herein, that Edgar A. Buttner, M.D. ("Respondent") represents an immediate and serious threat to the health, safety and welfare of the public and, suspend, accordingly, his license to practice medicine, pursuant to 243 CMR 1.03(11)(a).

Respectfully submitted,


Barbara A. Piselli
Director of Enforcement
Board of Registration in Medicine
10 West Street
Boston, Massachusetts 02111
(617) 727-1788

Dated: January 9, 2002

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

BOARD OF REGISTRATION
IN MEDICINE

ADJUDICATORY CASE NO.
02-05-DALA

In the Matter of)
Edgar A. Buttner, M.D.)
_____)

ORDER OF REFERENCE TO DIVISION OF
ADMINISTRATIVE LAW APPEALS

The Board hereby refers the above-captioned matter to the Division of Administrative Law Appeals for recommended Findings of Fact and necessary Conclusions of Law only.

The Board's Complaint Counsel, the Respondent and any intervenor shall file all papers, transcripts, exhibits or other Record entries with both the Board, at 10 West Street, Third Floor, Boston, Massachusetts 02111, and also the Division of Administrative Law Appeals, at 133 Portland Street, Third Floor, Boston, Massachusetts 02114, in addition to service amongst the Complaint Counsel, the Respondent and any intervenor. Filings for review by the full Board, such as an interlocutory appeal or objections to a Recommended Decision, shall include eight copies addressed to the Executive Director and one copy to the General Counsel.

Upon the Complaint Counsel's receipt of any docket entry originating from an Administrative Magistrate, the Complaint Counsel shall file a copy of same with the Board.

Unless confidentiality is waived by the victim, a) nothing in the public record or docket shall contain victim identifying information, and b) hearings shall be closed to the public during victim testimony (although transcripts without victim identifying information are public). Motions to impound and use pseudonyms, and rulings thereon, shall be filed and docketed under appropriate seal.



Dorothy Keville
Vice Chair

Dated: January 9, 2002