

FOR IMMEDIATE RELEASE:

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STATE BOARD OF MEDICINE TAKES DISCIPLINARY ACTION

BOSTON: At its meeting today, the State Board of Registration in Medicine took action against the medical licenses of Joseph E. Kalinowski, M.D., Timothy Desmond Brown, M.D., Edwin S. Kulubya, M.D., Frederic Greenberg, M.D., Herb T. Meyer, D.O., Francis Porter, M.D., Edward G. Neilan, M.D., Erik P. Purins, M.D., David Schachter, M.D., Thomas C. Sterne, M.D. and David C. Arndt, M.D.

The Board summarily suspended the medical license of Dr. Joseph E. Kalinowski, determining that he is an immediate threat to the public health, safety and welfare. The Board found that Dr. Kalinowski was arraigned on November 7, 2005 in Quincy District Court on charges of assault and battery, assault with a deadly weapon and assault with intent to commit murder. Dr. Kalinowski is a 1989 graduate of Jefferson Medical College of Jefferson University. He is board certified in emergency medicine and was first licensed to practice medicine in Massachusetts in 1997. The Board expressed its appreciation of the cooperation provided by the Weymouth Police Department during the Board's investigation of this matter.

Dr. Timothy Desmond Brown is a 1984 graduate of the Tulane University School of Medicine. He is a board certified orthopedic surgeon, and was first licensed to practice medicine in Massachusetts in 2003. The Board found that in June 2005, during a surgical procedure on a patient, Dr. Brown left the operating room to conduct a lecture in another part of the hospital campus. In August 2005, Dr. Brown was reprimanded by Boston Medical Center, and entered into an agreement for practice restrictions with the Board. In today's action the Board indefinitely suspended Dr. Brown's license, but stayed the suspension upon Dr. Brown entering into a Probation Agreement that requires his surgical practice to be closely monitored by another licensed physician. Violation of the Probation Agreement will automatically reinstate the suspension of Dr. Brown's license.

In another matter, Dr. Edwin S. Kulubya's statutory right to renew his license was indefinitely suspended. His license expired in March 2005. The suspension was stayed upon his entry into a Probation Agreement with the Board whereby he agrees not to practice medicine in

Massachusetts. Dr. Kulubya was disciplined in 2004 by the Medical Board of California for gross and repeated negligence and incompetence in his treatment of several patients, and failure to maintain records, between 1995 and 1999. Four other states have taken disciplinary action based on California's action. Dr. Kulubya is a 1982 graduate of Howard University College of Medicine. He is board certified in anesthesiology and was licensed to practice in Massachusetts from 2000 until his license lapsed in March 2005.

Dr. Frederic Greenberg was fined \$2,500 and reprimanded. The Board found that Dr. Greenberg failed to disclose on his 2003 license renewal application that he had been treated for alcohol abuse. Dr. Greenberg is a 1964 graduate of State University of New York College of Medicine, and had been licensed to practice in Massachusetts since 1965. He is a board certified ophthalmologist. His license lapsed in October 2005. Issuance of a reprimand is a category of discipline that is reported to the National Practitioner Database.

The Board reprimanded Dr. Herb T. Meyer, based on his being disciplined by the New Hampshire Board of Medicine for engaging in unprofessional conduct and failing to maintain adequate patient medical records. Dr. Meyer is a 1988 graduate of the New England College of Osteopathic Medicine. He is a board certified family practitioner and was first licensed to practice in Massachusetts in 1989.

Dr. Francis R. Porter is a 1978 graduate of the Boston University School of Medicine. He is board certified in internal medicine, and has been licensed to practice in Massachusetts since 1978. In June 2005 Dr. Porter informed the Board that he had been charged with operating under the influence of alcohol in 1986. He had admitted to sufficient facts and the case was continued without a finding. Dr. Porter failed to disclose this on his 1987 license renewal application. Today the Board reprimanded Dr. Porter and fined him \$2,500.

In the matter of Dr. Edward G. Neilan, the Board suspended his license to practice medicine, and stayed the suspension upon his entry into a Probation Agreement. Dr. Neilan is a 1998 graduate of the Stanford University School of Medicine. He is a board certified pediatrician and was first licensed to practice in Massachusetts in 2001. The Board found that Dr. Neilan had acted inappropriately with two hospital employees. The Probation Agreement that Dr. Neilan entered into, pursuant to the Board staying the suspension of his license, requires him to remain in a behavioral monitoring contract and to be under the care of a licensed health care professional for at least five years.

In another matter, the Board suspended the license of Dr. Erik P. Purins. Dr. Purins is a 1985 graduate of Wayne State University School of Medicine. He is board certified in physical medicine and rehabilitation, and has been licensed to practice medicine in Massachusetts since 1989. In August 2004 Dr. Purins signed a Voluntary Agreement Not to Practice. The Board found that in 2000 Dr. Purins was arraigned in Framingham District Court on a charge of operating under the influence and placed on probation for a year. Dr. Purins failed to disclose this on his 2001 license renewal application. In today's action the Board suspended Dr. Purins' license, but allowed him to petition for a stay of the suspension after documentation of one year of sobriety and entry into a Probation Agreement requiring Board monitoring until at least 2009, and random bodily fluid screenings.

The Board accepted the resignation of Dr. David Schachter's license to practice medicine. Resignation is a disciplinary action that permanently removes a physician from the practice of medicine. Dr. Schachter, a psychiatrist, is 1969 graduate of the University of Rochester School of Medicine and Dentistry. He was first licensed to practice in Massachusetts in 1975.

Dr. Thomas C. Sterne is a 1979 graduate of Harvard Medical School. He is board certified in internal medicine and has been licensed to practice medicine in Massachusetts since 1981. A complaint against Dr. Sterne was docketed in August 2004, and he was notified and requested to respond to the Board. He subsequently failed to respond to numerous communications from the Board through the end of 2004. Dr. Sterne also failed to answer the Board's Statement of Allegations before a magistrate of the Division of Administrative Law Appeals. Today the Board fined Dr. Sterne \$5,000 and issued a reprimand.

The Board also voted to reaffirm its earlier revocation of Dr. David C. Arndt's statutory right to renew his license that was imposed for leaving the operating room in the middle of a procedure on a patient in 2002. Dr. Arndt is a 1992 graduate of Harvard Medical School. He practiced orthopedic surgery and was first licensed in Massachusetts in 1993. His license expired in October 2002. Under Massachusetts law, physicians have a so-called "inchoate right to renew" their licenses and, if revoked, to petition for reinstatement of this right in five years. Today's action reflects Dr. Arndt's recent admission of guilt, in federal court in June 2005, to a variety of drug related charges, including conspiracy to distribute and to possess with intent to distribute methamphetamine, and possession of methamphetamine with intent to distribute. In its decision today, the Board indicated that it could foresee no instance in which it would be in the public interest to reinstate Dr. Arndt's license to practice medicine.

The Massachusetts Board of Registration in Medicine licenses more than 30,000 physicians, osteopaths and acupuncturists. The Board was created in 1894 to protect the public health and safety by setting standards for the practice of medicine and ensuring that doctors who practice in the Commonwealth are appropriately qualified and competent. The Board investigates complaints, holds hearings and determines sanctions. More information about the Board is available at www.massmedboard.org.

NOTE TO EDITORS: Copies of orders issued by the Board are available by calling the Public Information Coordinator at (617) 654-9831.

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