

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF MEDICINE**

IN RE:

MARK ABBRUZZESE, M.D.

License No.: MD15748

Respondent

CONSENT ORDER

This matter comes before the District of Columbia Board of Medicine (the “Board” or “D.C. Board”) pursuant to the Health Occupations Revision Act (HORA). D.C. Official Code § 3-1201.01, *et seq.* (2009). The HORA authorizes the Board to regulate the practice of Medicine in the District of Columbia. The Board has broad jurisdiction to regulate the practice of medicine and to impose a variety of disciplinary sanctions upon a finding of a violation of the HORA. D.C. Official Code, § 3-1201.03; *Mannan v. District of Columbia Board of Medicine*, 558 A.2d 329, 333 (D.C.1989). The Council of the District of Columbia, in amending the HORA, “intended to strengthen enforcement of its licensing laws.” *Davidson v. District of Columbia Board of Medicine*, 562 A.2d 109, 113 (D.C.1989). And the HORA “was designed to ‘address modern advances and community needs *with the paramount consideration of protecting the public interest.*’” *Joseph v. District of Columbia Board of Medicine*, 587 A.2d 1085, 1088 (D.C.1991) (*quoting* Report of the D.C. Council on Consumer and Regulatory Affairs on Bill 6-317, at 7 (November 26, 1985)) (emphasis added by court).

Background

Respondent has been licensed to practice medicine in the District of Columbia since March 19, 1986. Respondent is also licensed in the Commonwealth of Virginia to practice medicine. Respondent voluntarily entered into a Consent Order with the Virginia Board of Medicine (the

Virginia Board), issued June 6, 2014, regarding his license to practice medicine and surgery in the. The Virginia Board disciplined Respondent for failure to provide adequate dosing and monitoring of Coumadin (warfarin - C-VI) for the treatment of deep vein thrombosis and pulmonary embolism, allowing a patient's INR to remain outside the normal therapeutic range for approximately four to six months of treatment, and within the normal therapeutic range for a duration of slightly less than two months from the date of diagnosis of the patient's conditions, rather than the three to six months that would have been appropriate. The Virginia Board determined Respondent's conduct violated the following provisions of section 54.1-2915.A of the Virginia Code:

(3) Intentional or negligent conduct in the practice of any branch of the healing arts that causes or is likely to cause injury to a patient or patients;

(13) Conducting his practice in such a manner as to be a danger to the health and welfare of his patients or to the public; and

(16) Performing any act likely to deceive, defraud, or harm the public.

Consequently, the Virginia Board imposed a reprimand on Respondent's Virginia medical license, and Respondent consented to the reprimand.

On July 30, 2014, the D. C. Board considered the Virginia Board's action against Respondent's Virginia license. This Board determined that Respondent's conduct, had it occurred in the District, would be a violation of the HORA, at § 3-1205.14(a)(26) and (28), and therefore warranted reciprocal imposition of a sanction against Respondent's District of Columbia license to practice medicine. The D.C. Board accordingly voted to issue the instant Consent Order to Respondent in lieu of initiating formal proceedings against the Respondent.

Conclusions of Law

Pursuant to D.C. Official Code § 3-1205.14(a)(3), this Board may take one or more of the disciplinary actions provided in § 3-1205.14(c) against Respondent in the event Respondent is

disciplined by another licensing authority of any jurisdiction for conduct that would be grounds for Board action.

Respondent's failure to provide adequate dosing and monitoring of Coumadin for the treatment of deep vein thrombosis and pulmonary embolism and failure to properly monitor PT/INR failed to meet standards of conduct and demonstrated a willful or careless disregard for the health, welfare, or safety of a patient under D.C. Official Code §3-1205.14(a)(26) and (28).

Accordingly, Respondent's conduct and performance violated the HORA and provides this Board with a basis in law and fact to warrant reciprocal action.

ORDER

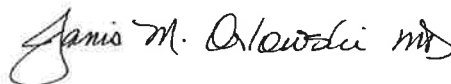
Based upon the foregoing, it is by the District of Columbia Board of Medicine hereby,

ORDERED, that Respondent is **REPRIMANDED**; and it is further

ORDERED, that Respondent shall comply with all laws, rules, and regulations of the District of Columbia, while within its jurisdiction; and it is further

ORDERED, that if Respondent fails to satisfactorily fulfill the terms of this Consent Order the D.C. Board may issue a notice of intent to take formal disciplinary action against Respondent's license.

DISTRICT OF COLUMBIA BOARD OF MEDICINE



January 8, 2015

Date

By: Janis M. Orłowski, M.D., M.A.C.P.
Chairperson

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CONSENT OF RESPONDENT

- My signature on the foregoing Consent Order signifies my acceptance of the terms and conditions of the Consent Order and my agreement to be bound by its provisions. MRA (initial)
- I acknowledge the validity of this Consent Order, as if made after a hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural due process protections provided by the laws of the District of Columbia and the United States of America. MRA (initial)
- I also recognize that I am waiving my right to appeal any adverse ruling of the Board had this matter gone to a hearing. MRA (initial)
- I expressly acknowledge that by signing this Consent Order, I am voluntarily waiving my right to require the Board to charge me through a notice of intent to take disciplinary action with a violation of this agreement and to require the government to prove such violation by a preponderance of the evidence before suspending my license based upon the failure to satisfactorily fulfill the terms of the Consent Order. MRA (initial)
- I also expressly acknowledge by signing this Consent Order, I am waiving my right to confront witnesses, give testimony, to call witnesses on my behalf, and to other substantive and procedural due process protections provided by the laws of the District of Columbia and the United States of America. MRA (initial)
- I further expressly acknowledge that by signing this Consent Order, I am waiving my right to appeal this Consent Order, as well as waiving any and all rights, whatsoever, I would have to challenge or appeal that Board's decision to suspend my license based on the failure to satisfactorily fulfill the terms of the Consent Order. MRA (initial)

• I acknowledge that in the event that the Board suspends my license based on the failure to satisfactorily fulfill the terms of the Consent Order, my sole remedy and recourse will be to respond within the time period set forth in this Consent Order with proof of my compliance and that if I fail to do so, my sole remedy and recourse will be to comply with the terms of this Consent Order to the satisfaction of the Board. WET (initial)

• I have had an opportunity to review this document and to consult with my own legal counsel. I choose willingly to sign this Consent Order, and I understand its meaning and effect. WET (initial)

11-26-2014
Date

Mark R. Abbruzzese, MD
Mark Abbruzzese, M.D., License # MD015748



sworn to and subscribed before me this 26 day of November, 2014.

H. Waters
Notary Public

This Consent Order shall be deemed a disciplinary action by the Board of Medicine and is a public document, which shall be distributed as appropriate.