

IN THE MATTER OF
CHARLES AVETIAN, D.O.
RESPONDENT

* BEFORE THE
* MARYLAND STATE BOARD
* OF PHYSICIANS

License Number: H79214

* Case Number: 7718-0042

ORDER STAYING SUSPENSION AND IMPOSING PROBATION

On October 12, 2017 the Maryland Board of Physicians (the “Board”) and Charles Avetian, D.O. entered into a public Consent Agreement in which Dr. Avetian’s license to practice medicine was suspended until the Commonwealth of Pennsylvania Department of State Board of Osteopathic Medicine (the “Pennsylvania Board”) reinstated his license. The Board’s action was taken pursuant to section 14-404(a)(21) of the Health Occupations Article, which authorizes the Board to discipline a licensee if the licensee is disciplined by another licensing or disciplinary authority for an act that would be grounds under section 14-404 of the Health Occupations Article. On September 27, 2017 the Pennsylvania Board stayed Dr. Avetian’s suspension and he was placed on probation with terms and conditions.¹ Thus, it is hereby

ORDERED that the suspension imposed by the Consent Order entered into by the Maryland Board and Dr. Avetian, dated October 12, 2017, is hereby **STAYED**; and it is further

ORDERED that Dr. Avetian is placed on **PROBATION**; and it is further

ORDERED that Dr. Avetian shall comply with all terms and conditions of the September 27, 2017 Pennsylvania Order, attached as Attachment A; and it is further

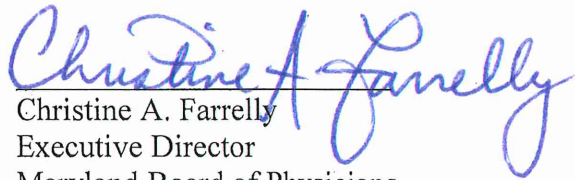
¹ The Board’s probation unit did not receive information that the Respondent’s suspension was stayed with the Pennsylvania Board until October 30, 2017.

ORDERED that this Order will remain in effect and Dr. Avetian will remain on probation until he has satisfied the terms and conditions of the Pennsylvania Order and provides proof that the Pennsylvania Order has been terminated; and it is further

ORDERED that if Dr. Avetian fails to comply with this Order after notice and opportunity to be heard, the Board or Board Panel may reprimand Dr. Avetian, place Dr. Avetian on an additional period of probation or suspend or revoke Dr. Avetian's license to practice medicine in Maryland. The Board or Board Panel may, in addition to one or more of the sanctions set forth above impose a civil monetary fine upon Dr. Avetian; and it is further

ORDERED that this ORDER is a PUBLIC DOCUMENT pursuant to the Public Information Act §§ 4-101 – 4-601 of the General Provisions Article, Annotated Code of Maryland.

11/07/2017
Date


Christine A. Farrelly
Executive Director
Maryland Board of Physicians

ATTACHMENT A

COPY

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF OSTEOPATHIC MEDICINE

In the Matter of the Petition for :
Reinstatement of the License to Practice : Docket No. 1848-53-17
Osteopathic Medicine and Surgery to :
Non-Suspended, Probationary Status : File No: 17-53-10447
of Garo Charles Avetian, D.O. :
Petitioner :

FINAL ORDER REINSTATING LICENSE
TO NON-SUSPENDED, PROBATIONARY

AND NOW, this 21st day of September 2017, upon consideration of the Consent Agreement and Order dated August 8, 2017, entered at file numbers 10-53-04073, 10-53-09424, and 11-53-04666, and docket number 1717-53-11, which suspended the license to practice osteopathic medicine and surgery of Garo Charles Avetian, D.O. (Petitioner), license number OS007148L, for two (2) years and provided that after one (1) month active suspension Petitioner's suspension shall be stayed in favor of probation; Petitioner's September 8, 2017 request for reinstatement to non-suspended, probationary status; verification that Petitioner has complied with and not practiced in violation of the Consent Agreement and Order dated August 8, 2017; and without objection from the Commonwealth, the State Board of Osteopathic Medicine, hereby **REINSTATES** the license to practice osteopathic medicine and surgery of Petitioner **GARO CHARLES AVETIAN, D.O.**, to **NON-SUSPENDED, PROBATIONARY** status subject to the terms and conditions set forth in the Consent Agreement and Order dated August 8, 2017 entered at file numbers 10-53-04073, 10-53-0924, and 11-53-04666, and docket number 1717-53-11, a copy of which is appended hereto as Attachment "A" and incorporated herein by reference as if fully set forth.

This order shall take effect immediately.

**BUREAU OF PROFESSIONAL
AND OCCUPATIONAL AFFAIRS**



IAN J. HARLOW
COMMISSIONER

Petitioner's Address:

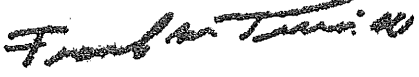
For the Commonwealth:

Board Counsel:

Date of Mailing:

BY ORDER:

**STATE BOARD OF OSTEOPATHIC
MEDICINE**



FRANK M. TURSI, D.O.
CHAIRPERSON

Garo Charles Avetian, D.O.
2 Mill Court
Springton Pointe Estates
Newtown Square, PA 19073

Ashley B. Goshert, Esquire

Wesley J. Rish, Esquire

Sept. 27, 2017

Attachment A

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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF OSTEOPATHIC MEDICINE

Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs

File Nos.: 10-53-04073
10-53-09424
11-53-04666

vs.

Garó Charles Avetian, D.O.,
Respondent

Docket No: 1717-53-11

CONSENT AGREEMENT AND ORDER

PARTIES

The Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs ("Commonwealth") and Garó Charles Avetian, D.O. ("Respondent") stipulate as follows in settlement of the above-captioned case.

APPLICABLE LAW

1. This matter is before the State Board of Osteopathic Medicine ("Board") pursuant to the Osteopathic Medical Practice Act, Act of October 5, 1978, P.L. 1109, No. 261, ("Act"), *as amended*, 63 P.S. §§ 263-271.17; the Medical Care Availability and Reduction of Error ("Mcare") Act, Act of March 20, 2002, P.L. 154, No. 13, *as amended*, 40 P.S. §§ 1303.101-1303.910; and/or the Act of July 2, 1993, P.L. 345, No. 48 ("ACT 48"), *as amended*, 63 P.S. §§ 2201-2207.

LICENSURE STATUS

2. At all relevant and material times, Respondent held the following license to practice as an osteopathic physician & surgeon in the Commonwealth of Pennsylvania: license no. OS007148L, which was originally issued on July 1, 1990, and which is currently set to expire on October 31, 2016.

STIPULATED FACTS

3. The Respondent admits that the following allegations are true:

a. Absent further Board action, Respondent's license may be continually reactivated, renewed, or reinstated upon the filing of the appropriate documentation and payment of the necessary fees.

b. Respondent's last known office address, as on file with the Board is: 2 Mill Court, Springton Pointe Estates, Newtown Square, Pennsylvania 19073.

c. The United States Drug Enforcement Administration ("DEA") and United States Department of Justice investigated individuals and employees related to an internet pharmacy called White Eagle Pharmacy, which was located in Oklahoma.

d. As a result of the aforementioned investigation, the DEA disclosed that thousands of prescriptions were being issued by Respondent under his Pennsylvania Osteopathic Medical License.

e. Specifically, a review of the White Eagle Pharmacy dispensing and shipping records revealed that Respondent authorized 452 butalbital prescriptions from the period of late June 2009 to October 2009.

f. The prescriptions issued by Respondent were based on an internet questionnaire.

g. Respondent used a website to collect customer/patient information that did not allow for traditional patient-physician interaction.

h. Respondent failed to perform a physical examination on any of the patients for whom he issued the aforementioned prescriptions.

i. The vast majority of the aforementioned butalbital prescriptions were for headache pain.

j. The symptom of headache pain may be a sign or symptom of a serious underlying medical condition that could be missed absent a physical examination.

k. Respondent's actions of prescribing medications without performing a complete medical history and physical or ensuring that a history and physical be performed as soon as possible deviates from the acceptable and prevailing standards of medical care.

ALLEGED VIOLATIONS

4. The Commonwealth alleges that the Board is authorized to suspend, revoke, or otherwise restrict Respondent's license under Sections 11(c) and 15(a) of the Act, 63 P.S. §§ 271.11(c) & 271.15(a); and/or impose a civil penalty upon Respondent under Sections 11(c) and 15(a) of the Act, 63 P.S. §§ 271.11(c) & 271.15(a), and /or Section 5(b)(4) of ACT 48, 63 P.S. § 2205(b)(4); and/or impose the costs of investigation upon Respondent under Section 5(b)(5) of ACT 48, 63 P.S. § 2205(b)(5), because Respondent violated the Act at:

a. Section 15(a)(8), 63 P.S. § 271.15(a)(8), in that Respondent engaged in unprofessional conduct when he authorized barbiturate prescriptions to individuals across the United States by use of customer internet questionnaires and without the benefit of a physical examination or a detailed medical history.

PROPOSED ORDER

5. The parties, intending to be legally bound, consent to the issuance of the following Order in settlement of this matter:

a. The Board finds that it is authorized to suspend, revoke, or otherwise restrict Respondent's license under Sections 11(c) and 15(a) of the Act, 63 P.S. §§

271.11(c) & 271.15(a); and/or impose a civil penalty upon Respondent under Sections 11(c) and 15(a) of the Act, 63 P.S. §§ 271.11(c) & 271.15(a), and/or Section 5(b)(4) of ACT 48, 63 P.S. § 2205(b)(4); and/or impose the costs of investigation upon Respondent under Section 5(b)(5) of ACT 48, 63 P.S. § 2205(b)(5), because Respondent violated the Act at:

(1) Section 15(a)(8), 63 P.S. § 271.15(a)(8), in that Respondent engaged in unprofessional conduct when he authorized barbiturate prescriptions to individuals across the United States by use of customer internet questionnaires and without the benefit of a physical examination or a detailed medical history.

COSTS OF INVESTIGATION

b. An assessment for the **COSTS OF INVESTIGATION** of five hundred forty-three dollars and thirty-six cents (\$543.36) is levied upon Respondent. Respondent shall tender the full sum of five hundred forty-three dollars and thirty-six cents (\$543.36) with this executed Consent Agreement and shall be paid by certified check, cashier's check, attorney's check, or money order issued by a usual, customary, and reputable issuer (e.g. U.S. Postal Money Order, Western Union Money Order, etc.). Payment shall be valid for a period of at least 180 days and shall be made payable to the "Commonwealth of Pennsylvania." Respondent agrees that payment shall only be made by one of the methods indicated above and shall not be made by uncertified personal or corporate check. Payment of the costs of investigation and payment of the civil penalty may be combined into a single payment instrument.

MANDATORY CONTINUING MEDICAL EDUCATION

c. Respondent shall attend and successfully complete at least twenty (20) hours of continuing medical education ("CME") in the subjects of medical record keeping and prescribing practices.

d. Respondent shall submit acceptable proof of successful completion of the required CME coursework to the Board Administrator no later than January 1, 2016. Respondent shall note the file number and docket number of this matter on any documentation submitted to:

Aaron Hollinger, Board Administrator 2601 N. 3rd Street P.O. Box 2649 Harrisburg, PA 17105-2649

e. Acceptable proof of completion of the required continuing medical education shall consist of an official school transcript, a certificate or letter of completion prepared by the sponsor of the course or a printout prepared by the sponsor indicating the completed courses. Proof shall contain course titles, completion dates, final grade (if course is graded), and number of class hours or continuing professional education credits awarded. Acceptable proof shall not consist of receipts, course outlines or agendas, cancelled checks, payment acknowledgments, or self-prepared records, among other documents.

f. To the extent that the course requires Respondent to pass an examination in order for Respondent to be eligible for the continuing education credits, Respondent must take and successfully pass such examination for the course to satisfy the requirement of this Order.

g. Respondent shall bear the responsibility of all costs incurred by Respondent in complying with the terms of this Order, including production of records.

h. Respondent's failure to timely submit acceptable proof of successful completion of the required continuing medical education shall constitute a violation of this Consent Agreement and Order.

i. The additional hours of remedial education in this Order shall be completed in addition to the hours that Respondent shall take in this or subsequent biennial reporting periods for the renewal of his license

SUSPENSION

j. Respondent's license to practice as an osteopathic physician & surgeon in the Commonwealth of Pennsylvania, along with any other licenses, registrations, certificates, approvals, authorizations, or permits (hereinafter referred to collectively as "authorizations to practice the profession") issued by the Board to Respondent at the time this Consent Agreement is adopted by the Board are hereby **SUSPENDED** for a period of two (2) years.

k. Respondent shall, within ten (10) days of the beginning of any period of active suspension, surrender his wall certificate, biennial renewal certificate and wallet card (or notarized affidavit of their loss or destruction) by mailing them to:

Ashley B. Goshert Prosecuting Attorney Bureau of Professional and Occupational Affairs P.O. Box 2649 Harrisburg, PA 17105-2649

or by delivering them in person at:

Bureau of Professional and Occupational Affairs
One Penn Center
2601 North 3rd St.
Harrisburg, Pennsylvania

l. Upon the effective date of the Consent Agreement, and during any period of active suspension, Respondent shall cease and desist from practicing as an osteopathic physician & surgeon, and shall not represent himself as a Board licensee in any matter during any period of active suspension.

m. Respondent is advised that if the period of active suspension continues past the end of the current renewal period, prior to Respondent's license being reinstated, Respondent will be required to comply with the requirements for renewal of his license in effect at that time.

PROBATION

n. After a period of one (1) month active suspension, and upon petition by Respondent, the suspension of Respondent's authorizations to practice the profession shall be stayed in favor of **PROBATION** subject to the following terms and conditions:

(1) Respondent is explicitly prohibited from 'remote prescribing' as defined herein, which would include, but is not limited to, remote prescribing via telephone, video-link or online.

(2) For purposes of this agreement, 'remote prescribing' is defined as prescribing, dispensing or furnishing a prescription medication or a prescription-only device to a person without conducting a physical

examination of that person or without having a previously established physician-patient relationship. A proper physician-patient relationship means that before the issuance of a prescription, a physician performs a history and in-person physical examination of the patient adequate to establish a diagnosis and to identify underlying conditions or contraindications to the treatment recommended.

(3) Respondent shall abide by and obey all laws of the United States, the Commonwealth of Pennsylvania and its political subdivisions and all rules and regulations and laws pertaining to the practice as an osteopathic physician & surgeon in this Commonwealth or any other state or jurisdiction in which Respondent holds an authorization to practice the profession. Provided, however, summary traffic violations shall not constitute a violation of this Order;

(4) Respondent shall at all times cooperate with the Bureau of Professional and Occupational Affairs ("Bureau"), any of its agents or employees and the Bureau of Enforcement and Investigation ("BEI") and its agents and employees, in the monitoring, supervision and investigation of Respondent's compliance with the terms

and conditions of this Order, including Respondent causing to be submitted at his own expense written reports, records and verifications of actions that may be required by the Bureau, BEI or any of its agents or employees;

(5) Respondent's failure to fully cooperate with and successfully comply with the terms and conditions of this probation shall be deemed a violation of this Consent Agreement and Order;

(6) Respondent shall not falsify, misrepresent or make material omission of any information submitted pursuant to this Order;

(7) Respondent shall notify BEI, in writing, within twenty (20) days of the filing of any criminal charges, the initiation of any other legal action (civil or administrative) pertaining to the Respondent's practice as an osteopathic physician & surgeon, and/or the initiation, action, restriction or limitation relating to Respondent by the professional licensing authority of any state or jurisdiction.

(8) Respondent shall notify BEI by telephone within seventy-two (72) hours, and shall notify both BEI and the Board in writing within ten (10) days of any change in the name(s) and address(es) of the place(s) at which Respondent will practice as an osteopathic physician &

surgeon and a description of Respondent's duties and responsibilities at such places of practice;

(9) Respondent shall notify BEI by telephone within seventy-two (72) hours, and shall notify both BEI and the Board in writing within ten (10) days of any change in the Respondent's home address and/or telephone number.

(10) If Respondent will be absent from the Commonwealth of Pennsylvania for any period exceeding twenty (20) days, Respondent must notify BEI, in writing, of Respondent's absence and must provide a list of the jurisdiction(s) in which Respondent intends to stay more than forty-eight (48) hours. Respondent consents to the release by the Bureau or BEI of any information or data produced as a result of this Agreement or probation to the proper licensing authority of any jurisdiction in which Respondent intends to remain for greater than forty-eight (48) hours.

(11) During any period of Active Suspension or Ordered Probation, Respondent shall supply any current professional employer with a copy of this Consent Agreement and Order.

(12) Within fifteen (15) days of the date of this Order, and within (15) days of the date of any change in professional employer Respondent shall have his professional employer submit to BEI written verification that the professional employer *a)* has received a copy of this Consent Agreement and Order, *b)* understands the conditions of this probation, and *c)* agrees to report any suspected violation by Respondent of this probation. If Respondent is or becomes self-employed, Respondent shall submit a statement to that effect to BEI and shall produce any requisite documentation to BEI to substantiate such a statement,

(13) Respondent consents to the release by the Bureau or BEI of any information or data produced as a result of this probation to any professional employer or prospective professional employer,

(14) Unless otherwise directed, Respondent, his professional employer, and any other person needing or required to make reports under this Order concerning Respondent's practice and contact information shall cause those reports, data or other information to be filed with BEI at:

Probation Compliance Officer
Bureau of Enforcement and Investigation
Box 2649
Harrisburg, PA 17105-2649

VIOLATION(S) OF PROBATION

o. Notification of a violation of the terms or conditions of this Consent Agreement and Order shall result in the **IMMEDIATE VACATING** of the stay order, **TERMINATION** of the period of probation, and **ACTIVATION** of the entire period of suspension of Respondent's authorizations to practice the profession in the Commonwealth of Pennsylvania as follows:

(1) The prosecuting attorney for the Commonwealth shall file with the Board a Petition which alleges that Respondent has violated any terms or conditions of this Consent Agreement and Order other than failure to complete the Ordered remedial education in a timely manner;

(2) Upon a probable cause determination that Respondent has violated any of the terms or conditions of this Consent Agreement and Order, the Board shall, without holding a formal hearing, issue a preliminary order vacating the stay of the suspension in this matter, terminating the period of probation and activating the entire period of suspension of Respondent's authorizations to practice the profession, without credit for any period of suspension stayed in favor of probation;

(3) Notification of the Board's Preliminary Order shall be mailed to Respondent within three (3) days of its issuance by certified mail and first class mail postage prepaid, sent to the last registered address on file with the Board. If service by mail is unsuccessful, the Commonwealth is authorized to attempt service by personal service and/or publication of legal notice in a newspaper of general circulation in the county of Respondent's last known address.

(4) Within twenty (20) days of mailing of the notification of the Board's action, Respondent may answer the Commonwealth's Petition and request that a formal hearing be convened concerning Respondent's alleged violation of probation, in which Respondent may seek relief from the Preliminary Order activating the suspension.

The answer shall be set forth in numbered paragraphs corresponding to the numbered paragraphs of the Petition. Respondent shall admit or deny each of the allegations set forth in the paragraphs in the Petition.

Respondent shall mail the original answer and request for hearing, and all other pleadings to

Office of Prothonotary
Bureau of Professional and Occupational Affairs
2601 N. 3rd Street
P.O. Box 2649
Harrisburg, PA 17105-2649

(5) Respondent shall send a copy of the answer, request for hearing, and all subsequent filings in the matter to the prosecuting attorney for the Commonwealth;

(6) If a request for a formal hearing is received from Respondent, the Board shall convene a formal hearing within forty-five (45) days from the date of the Board's receipt of Respondent's request for a formal hearing;

(7) If Respondent files an answer and request for a hearing within the twenty (20) day period, the Preliminary Order activating the suspension shall remain in effect unless and until the Board issues a determination favorable to Respondent after holding the formal hearing;

(8) The facts and averments in paragraphs 3 & 4 of this Consent Agreement and Order shall be deemed admitted and uncontested for purposes of the hearing;

(9) If the Board after such hearing makes a determination adverse to Respondent, the Board will issue a Final Order activating the suspension of Respondent's license and imposing any additional disciplinary measures it deems appropriate;

(10) If a request for a formal hearing is not received from Respondent within the prescribed twenty (20) day period, the Board's Preliminary Order shall become a Final Order twenty (20) days after the date of its mailing;

(11) If the stay is terminated, Respondent shall still comply with all terms and conditions of probation during the active suspension, other than those terms and conditions pertaining to the active practice of the profession. Continued failure by Respondent to comply with the unaffected terms and conditions of probation shall result in further disciplinary action against Respondent.

p. Respondent's failure to fully comply with any terms of this Order may also constitute grounds for additional disciplinary action.

REINSTATEMENT TO UNRESTRICTED STATUS

q. After the term of suspension/probation expires, Respondent may request that his license be reinstated to unrestricted status by making such request to the Board in writing. Respondent must include with his request a sworn affidavit indicating that: (1) he has complied fully with the terms and conditions of this Consent Agreement and (2) he has had no further disciplinary action taken against his license by the Board or against any other license to practice the profession issued by another jurisdiction.

r. This Order constitutes disciplinary action by the Board and shall be reported to other licensing authorities and any applicable national licensing databank as a disciplinary action by the Board.

s. This case shall be deemed settled and discontinued upon the Board issuing an Order adopting this Consent Agreement.

ADMISSIBILITY OF CONSENT AGREEMENT IN FUTURE PROCEEDINGS

6. Respondent agrees that if Respondent is charged with a violation of an Act enforced by this Board in the future, this Consent Agreement and Order shall be admitted into evidence without objection in that proceeding.

ACKNOWLEDGMENT OF NOTICE AND WAIVER OF HEARING

7. Respondent acknowledges receipt of an Order to Show Cause in this matter. Respondent knowingly and voluntarily waives the right to an administrative hearing in this matter, and knowingly and voluntarily waives the following rights related to that hearing: to be represented by counsel at the hearing; to present witnesses and testimony in defense or in mitigation of any sanction that may be imposed for a violation; to cross-examine witnesses and to challenge evidence presented by the Commonwealth; to present legal arguments by means of a brief; and to take an appeal from any final adverse decision.

ACKNOWLEDGMENT OF RIGHT TO ATTORNEY

8. Respondent acknowledges that he is aware that he has the right to consult with, and/or be represented by, private legal counsel of Respondent's choosing and at Respondent's expense when reviewing, considering and accepting the terms of this Consent Agreement. Respondent had an opportunity to consult with and has been advised by Attorney Brian J. McMonagle, regarding this Consent Agreement.

WAIVER OF CLAIM OF COMMINGLING AND OTHER CONSTITUTIONAL CLAIMS

9. Respondent expressly waives any constitutional rights and issues, such as commingling of prosecutorial and adjudicative functions by the Board or its counsel, which may arise or have arisen during the negotiation, preparation and/or presentation of this Consent Agreement. Respondent specifically agrees that if the Board rejects this agreement, it may assume that the facts and averments as alleged in this Consent Agreement are true and correct for the limited purpose of recommending a sanction, based on those assumed facts, that would be acceptable to the Board before hearing the case. In the event that the Board does assume the facts and averments as alleged in this Consent Agreement are true for purposes of making a recommendation as to an acceptable sanction, such action shall not constitute commingling of prosecutorial and adjudicative functions by the Board or its counsel, and the Respondent expressly waives any constitutional rights and issues related to alleged commingling, bias, or violation of due process rights to have an unbiased and impartial adjudicator in any subsequent hearing. If a hearing is subsequently held, neither this Consent Agreement nor the proposed terms of settlement may be admitted into evidence and any facts, averments, and allegations contained in the Consent Agreement must be proven at hearing unless otherwise separately stipulated. This paragraph is binding on the participants even if the Board does not approve this Consent Agreement.

NO MODIFICATION OF ORDER

10. Respondent agrees, as a condition of entering into this Consent Agreement, not to seek modification at a later date of the Stipulated Order adopting and implementing this Consent Agreement without first obtaining the express written concurrence of the Prosecution Division.

AGREEMENT NOT BINDING ON OTHER PARTIES

11. The Office of General Counsel has approved this Consent Agreement as to form and legality; however, this Consent Agreement shall have no legal effect unless and until the Board issues the stipulated Order.

EFFECT OF BOARD'S REJECTION OF CONSENT AGREEMENT

12. Should the Board not approve this Consent Agreement, presentation to and consideration of this Consent Agreement and other documents and matters by the Board shall not prejudice the Board or any of its members from further participation in the adjudication of this matter. This paragraph is binding on the participants even if the Board does not approve this Consent Agreement.

ENTIRE AGREEMENT

13. This agreement contains the whole agreement between the participants; provided however, that the captions printed in the various provisions of this agreement are for ease of reading only and are not to be interpreted as forming any part of this agreement. There are no other terms, obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever concerning this agreement.

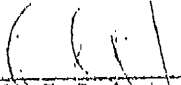
AGREEMENT DOES NOT PREVENT ADDITIONAL DISCIPLINE BASED ON OTHER COMPLAINTS

14. Nothing in this Order shall preclude the Prosecution Division for the Commonwealth from filing charges or the Board from imposing disciplinary or corrective measures for violations or facts not contained in this Consent Agreement;

VERIFICATION OF FACTS AND STATEMENTS

15. Respondent verifies that the facts and statements set forth in this Consent Agreement are true and correct to the best of Respondent's knowledge, information and belief. Respondent


understands that statements in this Consent Agreement are made subject to the criminal penalties of 18 Pa.C.S.A. §4904 relating to unsworn falsification to authorities.



Ashley B. Goshert
Prosecuting Attorney

DATED:

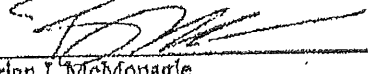
6/22/17



Gago Charles Avotian, D.O.
Respondent

DATED:

06/21/17



Brian J. McMonagle
Attorney for Respondent

DATED:

6/21/17

FAX 215-981-0977

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF OSTEOPATHIC MEDICINE

Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs

File Nos.: 10-53-04073
10-53-09424
11-53-04666

vs.

Garo Charles Avetian, D.O.,
Respondent

Docket No: 1717-53-11

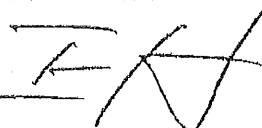
ORDER

AND NOW, this 9th day of August, 2017, the STATE BOARD OF OSTEOPATHIC
MEDICINE ("Board") adopts and approves the foregoing Consent Agreement and incorporates
the terms of paragraph 5, which shall constitute the Board's Order and is now issued in resolution
of this matter.

This Order shall take effect immediately.

BUREAU OF PROFESSIONAL AND
OCCUPATIONAL AFFAIRS

Ian J. Harlow
Commissioner



For the Commonwealth:

For the Respondent:

Date of mailing:

BY ORDER:
STATE BOARD OF OSTEOPATHIC
MEDICINE

Frank M. Tursi, D.O.
Chairman



Ashley B. Goshert, Esquire
2601 North Third Street
P. O. Box 69521
Harrisburg, PA 17106-9521

Brian J. McMonagle, Esquire
McMonagle, Perri, McHugh & Mischak, P.C.
1845 Walnut Street, 19th Floor
Philadelphia, PA 19103

8/14/17

NOTICE

The attached Final Order represents the final agency decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a Petition for Review with that Court within 30 days after the entry of the order in accordance with the Pennsylvania Rules of Appellate Procedure. See Chapter 15 of the Pennsylvania Rules of Appellate Procedure entitled "Judicial Review of Governmental Determinations," Pa. R.A.P 1501 – 1561. Please note: An order is entered on the date it is mailed. If you take an appeal to the Commonwealth Court, you must serve the Board with a copy of your Petition for Review. The agency contact for receiving service of such an appeal is:

Board Counsel
P.O. Box 69523
Harrisburg, PA 17106-9523

The name of the individual Board Counsel is identified on the Final Order.