



New York State Board for Professional Medical Conduct

433 River Street, Suite 303 Troy, New York 12180-2299 • (518) 402-0863

Barbara A. DeBuono, M.D., M.P.H.
Commissioner of Health

Patrick F. Carone, M.D., M.P.H.
Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

June 30, 1998

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Emmanuel Iliades, M.D.
26 Sand Dollar Lane
Mashpee, MA 02649-3847

RE: License No. 132264

Dear Dr. Iliades:

Enclosed please find Order #BPMC 98-126 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **July 7, 1998.**

If the penalty imposed by the Order is a surrender, revocation or suspension of this license, you are required to deliver to the Board the license and registration within five (5) days of receipt of the Order.

Board for Professional Medical Conduct
New York State Department of Health
Hedley Park Place, Suite 303
433 River Street
Troy, New York 12180

Sincerely,

Ansel R. Marks, M.D., J.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Anthony M. Benigno, Esq.

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

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IN THE MATTER : SURRENDER
OF : ORDER
EMMANUEL CHRISTOPHER ILIADES, M.D. : BPMC # 98-126

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EMMANUEL CHRISTOPHER ILIADES, M.D., states that:

On or about September 16, 1977 I was licensed to practice medicine as a physician in the State of New York having been issued License No. 132264 by the New York State Education Department.

My current address is 26 Sand Dollar Lane, Mashpee, MA 02649-3847 and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I am not currently registered with the New York State Education Department to practice as a physician in the State of New York.

I understand that I have been charged with six (6) specifications of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A".

I am applying to the State Board for Professional Medical Conduct for an agreement to allow me to surrender my license as a physician in the State of New York and request that the Board issue this Surrender Order.

I hereby agree not to contest the sixth specification set forth in the Statement of Charges (Exhibit A).

I understand that, in the event that this proposed agreement is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such proposed agreement shall not be used against me in any way, and shall be kept in strict confidence during the pendency of the professional misconduct disciplinary proceeding; and such denial by the State Board for Professional Medical Conduct shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by a Committee on Professional Medical Conduct pursuant to the provisions of the Public Health Law.

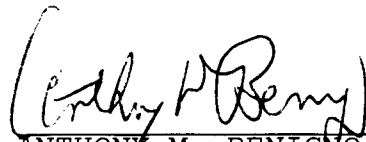
I agree that in the event the State Board for Professional Medical Conduct agrees with my proposal, this Order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me.

I am making this agreement of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner. In consideration of the value to me of the acceptance by the Board of this Application, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive any right I may have to contest the Surrender Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.


EMMANUEL CHRISTOPHER ILIADES, M.D.
Respondent

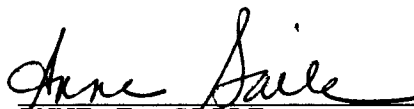
AGREED TO:

Date: *June 19*, 1998



ANTHONY M. BENIGNO
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: *June 19*, 1998



ANNE F. SAILE
Director, Office of
Professional Medical Conduct

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

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IN THE MATTER : SURRENDER
OF : ORDER
EMMANUEL CHRISTOPHER ILIADES : BPMC #

-----X


Upon the proposed agreement of EMMANUEL CHRISTOPHER ILIADES, M.D., to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is AGREED TO and

ORDERED, that the proposed agreement and the provisions thereof are hereby adopted; it is further

ORDERED, that the name of Respondent be stricken from the roster of physicians in the State of New York; it is further

ORDERED, that this Order shall take effect as of the date of the personal service of this Order upon Respondent, upon receipt by Respondent of this Order via certified mail, or seven days after mailing of this Order via certified mail, whichever is earliest.

DATED: 6/24/98


PATRICK F. CARONE, M.D., M.P.H.
Chair
State Board for Professional
Medical Conduct

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

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IN THE MATTER : STATEMENT
OF : OF
EMMANUEL CHRISTOPHER ILIADES, M.D. : CHARGES

-----X

EMMANUEL CHRISTOPHER ILIADES, M.D., the Respondent, was authorized to practice medicine in New York State on September 16, 1977 by the issuance of license number 132264 by the New York State Education Department. The Respondent is not currently registered with the New York State Education Department to practice medicine having temporarily surrendered his license and registration on September 26, 1995. His present address is 26 Sand Dollar Lane, Mashpee, MA 02649-3847.

FACTUAL ALLEGATIONS

A. On September 26, 1995, due to his chemical dependency, Respondent by a written agreement temporarily surrendered his license and registration to practice medicine in the State of New York. Said agreement is incorporated herein and marked as Exhibit A.

B. As part of the surrender Respondent admitted that, "I am at present incapacitated for the active practice of medicine due to chemical dependency.

C. As part of the surrender Respondent agreed that, "any practice of medicine while my license is "inactive" shall constitute a violation of NY Education Law section 6530(12) (McKinney Supp. 1995), regardless of the location of such practice".

D. As part of the surrender Respondent agreed that, "This temporary surrender shall not be an admission of permanent disability or of professional misconduct, and shall not be used as evidence of a violation of NY Education Law sections 6530(7) and/or (8) (McKinney Supp. 1995) unless I practiced medicine while my license is "inactive", regardless of the location of any such practice".

E. As part of the surrender Respondent agreed that, he would submit quarterly statements, "...certifying that I have not practiced medicine, in any location, at any time subsequent to this surrender of my license, utilizing forms to be supplied to me by the Office of Professional Medical Conduct".

F. As part of the surrender Respondent signed the certification of abstention from medical practice which stated that he, "abstained from the practice of medicine in all locations, both within and outside New York State".

G. On or about October, 1997, Respondent began practicing medicine at High Point Treatment Center, Inc., Plymouth, Massachusetts, providing medical coverage on the weekends. From

approximately mid-February 1998 through and including mid-April, 1998, Respondent practiced medicine at the office of Hugh F. Reilly, M.D., 340 Gifford Street, Falmouth, MA 02540.

H. Since September 26, 1995 the Respondent's license to practice medicine has remained inactive and has not been restored.

I. On June 29, 1994 Respondent's license to practice medicine in the State of Massachusetts was suspended indefinitely pursuant to a consent order, incorporated herein and included as Exhibit B. Included in the consent order were findings of fact and conclusions of law which found the Respondent guilty of:

1. The practice of medicine while his ability to practice medicine was impaired by alcohol, drugs, physical disability or mental instability.
2. Being habitually drunk or being addicted to, or dependent on, or a habitual user of narcotics, or other drugs having similar effects.
3. Engaging in conduct which had the capacity to deceive or defraud: i.e., while being actively engaged in the surgical practice of medicine, submitting false clean urine samples to avoid detection of his alcohol and controlled substances consumption.

J. On May 20, 1998 the Board of Registration in Medicine for the State of Massachusetts lifted the stay of the indefinite suspension of the Respondent's medical license, imposed on June 29, 1994, above, thereby effectively suspending him from the practice of medicine, due to a violation of probation. Exhibit C.

FIRST SPECIFICATION

PRACTICING WHILE LICENSE SUSPENDED OR INACTIVE

Respondent is charged with committing professional misconduct as defined in N.Y. Education Law section 6530(12) (McKinney Supp. 1998) by practicing the profession while the license is suspended or inactive as defined in subdivision thirteen of section two hundred thirty of the public health law as alleged in the facts of:

1. The facts alleged in paragraphs A and/or C and/or D and/or E and/or F and/or G and/or H.

SECOND SPECIFICATION

VIOLATING ANY TERM OF PROBATION OR CONDITION OR LIMITATION

Respondent is charged with committing professional misconduct as defined in N.Y. Education Law section 6530(29) (McKinney Supp. 1998) by violating any term of probation or condition or limitation imposed on the licensee pursuant to section two hundred thirty of the public health law as alleged in the facts of:

2. The facts alleged in paragraphs A and/or C and/or D and/or E and/or F and/or G and/or H.

THIRD SPECIFICATION

PRACTICING WHILE IMPAIRED

Respondent is charged with committing professional misconduct as defined in N.Y. Education Law section 6530(7) (McKinney Supp. 1998) by practicing the profession while

impaired by alcohol, drugs, physical disability, or mental disability as alleged in the following:

3. The facts alleged in paragraphs A and/or B and/or D and/or E and/or F and/or G, and/or H and/or I(1) and I(2).

FOURTH SPECIFICATION

BEING A HABITUAL ABUSER OR HAVING A PSYCHIATRIC CONDITION WHICH IMPAIRS THE ABILITY TO PRACTICE

Respondent is charged with committing professional misconduct as defined in N.Y. Education Law section 6530(8) (McKinney Supp. 1998) by being a habitual abuser of alcohol, or being dependent on or a habitual user of narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having similar effects, or having a psychiatric condition which impairs the licensee's ability to practice as alleged in the facts of the following:

4. The facts alleged in paragraphs A and/or B and/or D and/or E and/or F and/or G and/or H and/or I(1) and I(2).

FIFTH SPECIFICATION

HAVING BEEN FOUND GUILTY OF PROFESSIONAL MISCONDUCT

Respondent is charged with committing professional misconduct as defined in N.Y. Education Law section 6530(9) (b) (McKinney Supp. 1998) by having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state where the conduct upon which the finding was based would, if committed in New York state, constitute professional misconduct

under the laws of New York state, namely N.Y. Education Law sections 6530(2), 6530(7) and 6530(8), 6530(29) as alleged in the facts of:

5. The facts alleged in paragraphs I(1), I(2) and I(3) and J.


SIXTH SPECIFICATION

HAVING HAD DISCIPLINARY ACTION TAKEN

Respondent is charged with committing professional misconduct as defined in N.Y. Education Law section 6530(9)(d) (McKinney Supp. 1998) by having his or her license to practice medicine revoked, suspended or having other disciplinary action taken, or having his or her application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his or her license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or the disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York state, constitute professional misconduct under the laws of New York state, namely N.Y. Education Law sections 6530(2), 6530(7) and 6530(8), 6530(29) as alleged in the facts of:

6. The facts alleged in paragraphs I(1), I(2) and I(3).

DATED: *June 19*, 1998
Albany, New York


PETER D. VAN BUREN
Deputy Counsel
Bureau of Professional
Medical Conduct

SEP 15 1995
MEDICAL CONDUCT

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

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IN THE MATTER : TEMPORARY
OF : SURRENDER
EMMANUEL CHRISTOPHER ILIADES M.D. : OF
: LICENSE
: AND
: REGISTRATION

-----X

STATE OF NEW YORK)
COUNTY OF) ss.:

EMMANUEL CHRISTOPHER ILLIADES, M.D., being duly sworn,
states:

1. On or about September 16, 1977, I was licensed to
practice medicine in the State of New York, having been issued
License No. 132264 by the New York State Education Department.

2. I am not currently registered to practice medicine in
the State of New York. I currently reside at
9 Grasmere Dr., Falmouth, MASS. I
currently am not licensed in any other jurisdiction other than
the state of New York, with the exception of : (list the
jurisdictions and license number, or write "NONE") Massachussets
MASS. # 54851

3. I am at present incapacitated for the active practice
of medicine due to chemical dependency.

4. My incapacity has not resulted in harm to any patient.

5. I hereby surrender my license document and my
registration certificate to the State Board for Professional
Medical Conduct (the Board), pursuant to New York Public Health

Law Section 230(13) (McKinney Supp. 1995).

6. Prior to submitting this Temporary Surrender document, I maintained privileges or an affiliation at: (list the facilities where privileges are maintained or write "NONE")

Falmouth Hospital

7. I maintain no privileges or affiliations with any other hospital.

8. I understand that unless and until my license is restored to me, my licensure status is "inactive" and I am not authorized to practice medicine in the State of New York. I further understand that any practice of medicine while my license is "inactive" shall constitute a violation of N.Y. Educ. Law Section 6530(12) (McKinney Supp. 1995), regardless of the location of such practice.

9. Unless and until my license is restored to me, I shall notify all persons who request my medical services that I have temporarily withdrawn from the practice of medicine.

10. This temporary surrender shall not be an admission of permanent disability or of professional misconduct, and shall not be used as evidence of a violation of N.Y. Educ. Law Sections 6530(7) and/or (8) (McKinney Supp. 1995) unless I practice medicine while my license is "inactive", regardless of the location of any such practice.

11. I understand that my license shall be restored to me only upon a showing to the satisfaction of a Committee of Professional Conduct of the State Board for Professional Medical Conduct that I am no longer incapacitated for the active practice of medicine.

12. I understand that upon my request, a meeting of a committee of the Board shall be convened for the purpose of my making the showing referred to in paragraph 11. The Board will make reasonable attempts to convene a committee not later than 90 days after my request has been fully made. My request will be considered to be fully made after receipt by the Director of the Office of Professional Medical Conduct the documentation required by paragraph 13 below.

13. At the time that I request that a meeting of a committee of the Board be scheduled, pursuant to paragraph 12, I will provide the Director, Office of Professional Medical Conduct, New York State Department of Health, Corning Tower Building, 4th Floor, Empire State Plaza, Albany, New York, 12237, the following:

- a. The signed acknowledgement from the monitor referred to in paragraph 15b.
- b. The signed acknowledgement from the supervising physician referred to in paragraph 15c.
- c. The signed acknowledgement from the health care professional or treatment program referred to in paragraph 15d.
- d. Certified complete copies of records of all treatment, relating to my impairment, whether that treatment occurred prior to or during the time this surrender is in effect.
- e. Fully executed waivers of patient confidentiality concerning any previous and

prospective treatment records.

- f. A current in depth chemical dependency/psychiatric evaluation performed by a health care professional in a licensed facility, upon request of the Director of OPMC.
- g. I shall also attend, participate in, and cooperate with an interview conducted by the personnel of OPMC, upon request of the Director of OPMC.

Provision of the aforesaid documents does not constitute a showing that I am no longer incapacitated for the active practice of medicine.

14. At the proceeding referred to in paragraph 12, I will provide the committee, at a minimum, with the following:

- a. Certification of treatment in a residential rehabilitation or day-treatment program or intensive treatment in an out-patient service.
- b. Evidence of compliance with the terms of a continuing after-care out-patient treatment plan that addresses the major problems associated with my illness.

Submission of the aforesaid evidence does not constitute a showing that I am no longer incapacitated for the active practice of medicine.

15. If the Chairperson of the committee issues an order restoring my license (Order), the Order shall include a probationary term of no less than two years. The minimum conditions of probation will be the following:

- a. I will remain drug and alcohol free.
- b. My mental health, medication compliance and sobriety will be monitored by a health care professional who shall be named in the terms of probation contained in or annexed to the Order. Said monitor shall supervise my compliance with the probationary terms set forth in the Order. Said monitor shall acknowledge his/her willingness to comply with the monitoring by executing the acknowledgement provided by the Office of Professional Medical Conduct, and referred to in paragraph 13(a).
 - i. Said monitor shall be familiar with my history of chemical dependency, with this temporary surrender, and with the terms of probation contained in or annexed to the Order. Said monitor shall not be my treating physician.
 - ii. Said monitor shall see me at least twice during a quarter.
 - iii. Said monitor shall direct me to submit to therapy, evaluation or unannounced tests of my blood, breath, and/or urine for the presence of drugs or alcohol and shall report to the Office of

Professional Medical Conduct (the Office) within 24 hours if at any time such a test is refused by me or is positive.

- iv. Said monitor shall report to the Office a pattern of noncompliance with the terms of probation.
 - v. Said monitor shall not be a personal friend.
 - vi. Said monitor shall submit to the Office quarterly reports either certifying my compliance, or detailing my failure to comply, with each of the terms of probation. The reports shall include the results of all body fluid and/or breath tests for drugs and/or alcohol performed during that quarter.
- c. I will be supervised in my medical practice by a licensed physician who shall be named in the terms of probation contained in or annexed to the Order. Said supervising physician shall be familiar with my history of chemical dependency and with the Order and its terms of probation. Said supervising physician shall be in a position regularly to observe and assess my medical practice. Said

supervising physician shall acknowledge his/her willingness to comply with the supervision by executing the acknowledgement provided by the Office of Professional Medical Conduct, and referred to in paragraph 13(b).

- i. Said supervising physician shall have the authority to direct me to submit to therapy, evaluation or unannounced tests of my blood, breath, and/or urine for the presence of drugs or alcohol and shall report to the Office within 24 hours if at any time such a test is refused by me or is positive.
 - ii. Said supervising physician shall submit to the Office quarterly reports regarding the quality of my medical practice, any unexplained absences from work and certifying my compliance or detailing my failure to comply with each term of probation.
- d. I will continue in treatment with a health care professional or a treatment program for as long as the health care professional or treatment program determines it is necessary.
- i. My treating health care

professional or program shall submit to the Office quarterly reports certifying that I am complying with the treatment.

ii. Said treating health care professional or program shall report to the Office immediately if I drop out of treatment.

iii. Said treating health care professional or program shall acknowledge his/her/its willingness to comply with the above-mentioned reporting by executing the acknowledgement provided by the Office of Professional Medical Conduct and referred to in paragraph 13(c).

16. I agree that the terms set out in paragraph 15 are the minimum terms of probation that will be required and that other terms may be added by the Committee at the time of license restoration, and that the costs of complying with all such terms will be my responsibility. I understand that any failure by me to comply with the terms of probation or limitations, imposed upon license restoration, may result in disciplinary action being brought against me charging professional misconduct as defined by the New York State Education Law, including but not limited to N.Y. Educ. Law Section 6530(29) (McKinney Supp. 1995). That section defines professional misconduct to include "violating any

term of probation or condition or limitation imposed on the licensee pursuant to section two hundred thirty of the public health law." (Emphasis added.)

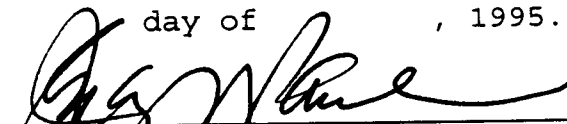
17. I hereby agree to submit signed statements to the Director of the Office of Professional Medical Conduct, on a quarterly basis, certifying that I have not practiced medicine, in any location, at any time subsequent to this surrender of my license, utilizing forms to be supplied to me by the Office of Professional Medical Conduct.

18. I understand that this Temporary Surrender will not be accepted or effective until I submit to the Office of Professional Medical Conduct the executed waivers of patient confidentiality to my treatment as described in paragraph 13 above, which forms were provided to me by the Office of Professional Medical Conduct.


EMMANUEL CHRISTOPHER ILIADES, M.D.

Sworn to before me this

day of , 1995.


NOTARY PUBLIC
witness

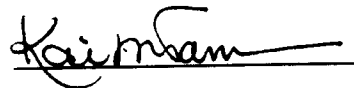
Accepted:

Sept. 26, 1995

Dated:

Accepted:

Dated:



(for NEW YORK STATE BOARD FOR
PROFESSIONAL MEDICAL CONDUCT)

CERTIFICATION OF ABSTENTION FROM MEDICAL PRACTICE

I, EMMANUEL CHRISTOPHER ILIADES M.D. in compliance with the terms of my temporary surrender of my New York State license to practice medicine, pursuant to N.Y. Public Health Law Section 230(13), have at all times during the ____ (specify 1st, 2nd, 3rd, or 4th) calendar quarter of 199__ (specify year), abstained from the practice of medicine in all locations, both within and outside New York State.



EMMANUEL CHRISTOPHER ILIADES, M.D.

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss

Board of Registration in Medicine
Adjudicatory Case No. 94-47-DALA

In the Matter of _____)
Emmanuel Christopher Iliades, M.D. _____)
_____)

CONSENT ORDER

Emmanuel Christopher Iliades, M.D., ("Dr. Iliades") and the Complaint Counsel agree that the Board of Registration in Medicine (the "Board") may make the following Findings of Fact and Conclusions of Law, and may impose the following Sanction and Order on Dr. Iliades in lieu of convening an adjudicatory hearing with respect to the matters described in this Consent Order.

FINDINGS OF FACT

1. Emmanuel Christopher Iliades, M.D., was born on June 22, 1949. He is a 1976 graduate of the Autonomous University of Guadalajara Faculty of Medicine. He has been licensed to practice medicine in Massachusetts under registration number 54851 since July 31, 1985. Dr. Iliades is also licensed to practice medicine in New York. Board-certified in Otolaryngology, he has been in a solo private practice in Falmouth since May 1990 and has clinical privileges at Falmouth Hospital. Prior to practicing medicine in the

Commonwealth, he had clinical privileges at Mary Imogene Bassett Hospital in Cooperstown, New York.

2. In December 1988, Dr. Iliades was treated with a decongestant containing Hydrocodone for relief of sinus and headache problems. By January 1989, as a result of self-medicating for these health problems, Dr. Iliades developed a dependency on alcohol and drugs that continued until September 1989 when he voluntarily sought one month of inpatient treatment for chemical dependence.
3. In September 1989, Dr. Iliades voluntarily surrendered his license to practice medicine in New York. In October 1989, he contracted with the Medical Society of the State of New York, Committee for Physicians' Health. On April 2, 1990, the State of New York restored his license to practice medicine, subject to the condition of his remaining drug- and alcohol-free for three consecutive years or until April of 1993.
4. In April 1990, Dr. Iliades self-disclosed his chemical dependency to the Massachusetts Board. In April 1990, Dr. Iliades also contracted with the Committee on Physician Health ("CPH") of the Massachusetts Medical Society. In May 1990, Dr. Iliades relocated to this Commonwealth to practice medicine.
5. At some point after May 1990, Dr. Iliades experienced a significant relapse. From that time until June 1993, unbeknown to his CPH monitors, mentors, or his treating therapist, Dr. Iliades began ingesting alcohol and Hydrocodone-containing substances. During this same period, he was engaged in the practice of medicine.
6. At some point after May 1990 and continuing until June 1993, on those days when he experienced stress after performing surgical procedures in the morning, Dr. Iliades ingested 2 1/2 to 3 ounces of cough syrup containing Hydrocodone prior to diagnosing and/or treating afternoon office patients.
7. From 1989 through 1993, Dr. Iliades falsely obtained substances containing Hydrocodone for his own use by writing prescriptions for office use or for family members.

8. From the spring or summer 1992 until 1993, Dr. Iliades falsely submitted clean urine samples when his "random" tests for CPH would have come back positive for alcohol and/or Hydrocodone.
9. In April 1993, Dr. Iliades had a positive urine screen for alcohol.
10. By virtue of the facts recited in paragraphs 5 through 8, Dr. Iliades breached the terms of his contract with the Committee for Physicians' Health of the Medical Society of the State of New York, which was relying on monitoring reports from Massachusetts. Dr. Iliades' period of probation in New York was extended beyond the original April 1993 expiration date to June 22, 1996.
11. In a report to the Massachusetts Board by his attorney in late June 1993, Dr. Iliades admitted ingesting cough syrup containing a controlled substance over a period of several months prior to June 1993. He had previously disclosed this pattern of conduct to CPH on June 4, 1993. On July 29, 1993, Dr. Iliades submitted a letter to the Board, fully disclosing the nature of his chemical dependency and most of the conduct that ensued from 1990 through 1993. Dr. Iliades admitted the facts presented in paragraph 6 before members of the Board in April 1994.
12. Dr. Iliades entered into his most recent contract with CPH on June 22, 1993, and has been in compliance with that contract.
13. In August 1993, following an investigation by the federal Drug Enforcement Administration, Dr. Iliades surrendered his license to prescribe, administer, or dispense controlled substances in this Commonwealth.

CONCLUSIONS OF LAW

- A. Dr. Iliades violated G.L. c. 112, sec. 5(b) and 243 CMR 1.03(5)(a)(2), in that he committed an offense against any provision of the laws of the Commonwealth relating to the practice of medicine, or any rule or regulation adopted thereunder. Specifically, Dr. Iliades violated G.L. c. 94C, secs. 19 and 33 and 243 CMR 2.07(5) relating to unlawful prescription practices for controlled substances.
- B. Dr. Iliades violated G.L. c. 112, sec. 5(d) and 243 CMR 1.03(5)(a)(4), in that he practiced medicine while his ability to practice was impaired by alcohol, drugs, physical disability, or mental instability.
- C. Dr. Iliades violated G.L. c. 112, sec. 5(e) and 243 CMR 1.03(5)(a)(5), in that he was guilty of being habitually drunk or being addicted to, or dependent on, or a habitual user of narcotics, or other drugs having similar effects.
- D. Dr. Iliades violated 243 CMR 1.03(5)(a)(10), in that he engaged in conduct which had the capacity to deceive or defraud: i.e., while being actively engaged in the surgical practice of medicine, submitting false clean urine samples to avoid detection of his alcohol and controlled substances consumption.
- E. Dr. Iliades violated 243 CMR 1.03(5)(a)(18), in that he committed misconduct in the practice of medicine.
- F. Dr. Iliades violated G.L. c. 112, sec. 5(h) and 243 CMR 1.03(5)(a)(11), in that he committed conduct which violated any rule or regulation of the Board.

SANCTION

Dr. Iliades' license to practice medicine is hereby suspended for an indefinite period. This sanction is imposed for the Conclusions of Law A through F individually and in combination. The period of suspension shall be stayed immediately upon Dr. Iliades' entering into a four-year Probation Agreement with the Board, the terms of which shall be incorporated into this Consent Order. Any violation of the Probation Agreement shall be deemed a violation of this Consent Order and the Board may take appropriate action for such violation.

EXECUTION OF THIS CONSENT ORDER


Dr. Iliades shall provide, within ten (10) days of acceptance of this Consent Order by the Board, any employer or health care facility with which he has any appointment, privileges or other associations, with a copy of this Consent Order, by certified mail, return receipt requested, or by hand deliverance, and Dr. Iliades is further directed to certify to the Board within that same time period that he has complied with this directive.

The parties agree that the approval of this Consent Order is left to the discretion of the Board. The signatures of Dr. Iliades, his counsel and Complaint Counsel are expressly conditioned on the Board accepting this Consent Order. If the Board rejects this Consent Order in whole or in part, then the entire document shall be null and void; thereafter, neither of the parties nor anyone else may rely on the Consent Order. As to any matter this Consent Order leaves to the discretion of the Board, neither Dr. Iliades, his counsel, nor anyone else acting on his behalf has received any promises or representations regarding the same.

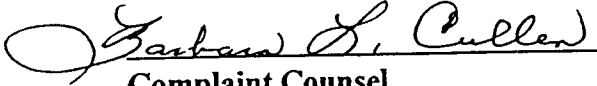
Dr. Iliades waives any right of appeal he may have resulting from the Board's acceptance of this Consent Order.


Emmanuel Christopher Iliades, M.D.

6/20/94
Date

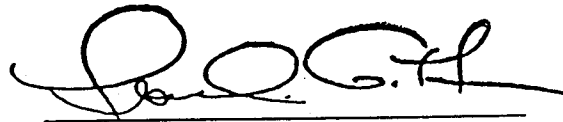

Counsel for Dr. Iliades

6/15/94
Date


Complaint Counsel

6/22/94
Date

Approved by the Board of Registration in Medicine this 29 day of June, 1994


Paul G. Gitlin, J.D.
Chairman

Notified by
Certified Mail
06/24/94

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss

BOARD OF
REGISTRATION IN
MEDICINE

In the matter of
EMMANUEL CHRISTOPHER ILIADES, M.D.,

ADJUDICATORY CASE NO: 94-47-DALA

PROBATION AGREEMENT

I. COMPLIANCE WITH AGREEMENT

The Respondent's license to practice medicine is hereby suspended for an indefinite period, which suspension shall be stayed upon the Respondent's compliance with all the conditions of probation set forth below in Section IV.

II. PARTIES

The parties to this Probation Agreement are the Board of Registration in Medicine (the "Board") and Emmanuel Christopher Iliades, M.D. (the "Respondent").

III. JURISDICTION

The parties agree that the Board has the authority to enter into this Probation Agreement, and that the Board may enforce the terms of this Agreement in accordance with applicable laws and regulations and the provisions of this Agreement.

IV. CONDITIONS OF PROBATION

During the probationary period which shall commence on the date the Board approves this Agreement, the Respondent shall comply with each of the following requirements:

- A. The Respondent agrees to undergo monitoring by the Board for a period of at least four (4) years from the date hereof, and such further period thereafter as the Board shall for reasonable cause order.
- B. Respondent shall refrain from all consumption of alcohol, and use of all controlled substances, unless specifically prescribed by a treating physician who has been informed of the Respondent's chemical dependency history, for a legitimate medical purpose and in the usual course of the treating physician's medical practice.
- C. Respondent shall not dispense, administer, or distribute controlled substances during the five year probationary period or any extension thereof. Respondent shall not prescribe controlled substances found within Schedules II-IV, except under such terms and conditions as the Board may impose. Respondent shall not prescribe any controlled substances to

himself or any member of his family; the provision contained in this sentence will survive the probationary period. Prescribing of controlled substances under this paragraph must be in accordance with applicable state and federal controlled substance registration requirements.

- D. Respondent has entered into a contract, dated June 22, 1993, and in a form acceptable to the Board, with the Massachusetts Medical Society's Physician Health Services ("PHS"). Respondent agrees to abide fully by all terms of this contract. This contract includes a provision that PHS will promptly inform the Board of any lapse or violation of its terms by the Respondent, and the contract provides for any necessary waivers of privilege or confidentiality by the Respondent. PHS shall submit quarterly reports to the Board which detail the Respondent's compliance with this contract.
- E. Respondent shall undergo random bodily fluid and breath screenings as required by PHS or as may be required by the Board, which requirement may be reasonably modified from time to time consistent with scientific or practical advances in the field of alcohol and drug detection. Respondent shall submit random samples at

least one time per week on average. Sample collection shall be observed by PHS or its designee. An officer of PHS shall file reports of the screening evaluations completed during the previous three months to the Board within thirty days as part of their quarterly report. Said reports shall specify the dates on which samples were taken and shall specify the results of the analysis of such samples and shall be signed by the person in charge.. In addition, the Respondent shall obtain the written agreement of PHS to notify the Board immediately by telephone and in writing:

1. a) in the event that Respondent's sample is found to contain any evidence of alcohol or any controlled substance in violation of this Probation Agreement; or

b) in the event that PHS has other reliable evidence that the Respondent has used alcohol or any controlled substance in violation of this Probation Agreement;

2. in the event that Respondent misses any random bodily fluid test, excluding an administrative or laboratory mistake beyond the Respondent's control;

3. in the event that Respondent refuses to cooperate with PHS in monitoring bodily fluids in any manner; or

4. in the event that Respondent withdraws any waiver filed in connection with this Probation Agreement.

Respondent agrees to waive any privileges he may have concerning such reports and disclosures to the Board by PHS.

F. Respondent shall at all times during the length of probationary period be reasonably available to provide an immediate bodily fluid screen at the request of the Board.

G. Respondent shall immediately notify the Board or its designee in writing any time that any treating physician writes a prescription for the Respondent for a controlled substance in Schedules II-IV, inclusive.

H. Respondent shall be under the care of a licensed or certified health care professional experienced in the treatment of chemical dependency who shall submit written reports, including reports on all missed

sessions, to the Board or its designee as often as the Board deems necessary but in any event at least once every three months. Copies of these attendance reports shall be part of the quarterly report which PHS submits to the Board. The health care professional shall immediately notify the Board by telephone whenever, in his or her professional judgment, the Respondent poses a potential danger to the health, safety and welfare of the Respondent's patients. In addition, the health care professional shall immediately notify the Board by telephone and in writing in the event that the Respondent terminates treatment, or is non-compliant with the treatment plan. In the event that the health care professional notifies the Board that the Respondent poses a danger to the health, safety or welfare of the Respondent's patients, or terminates treatment, the Board may obtain any and all information, reports and records for a period not to exceed ninety (90) days prior to the date of said notification from the health care provider concerning the Respondent. Respondent hereby waives any privileges concerning such information, reports, records and disclosures to the Board. The health care professional shall confirm, in writing, to the Board, his or her agreement and undertaking with respect to

the obligations set forth in this paragraph, and shall notify the Board if Respondent withdraws any waiver filed in connection with this Probation Agreement.

- I. Respondent shall participate at least once weekly in a group counselling program for chemically dependent persons, approved in advance by the Board. Respondent shall keep a diary of his attendance at such meetings. Respondent shall submit this diary to PHS for periodic verification and PHS shall submit current copies of the diary in its quarterly report to the Board.
- J. Respondent shall file, within 30 days of the execution of this Probation Agreement, written releases and authorizations sufficiently broad in scope so as to allow the Board to obtain any and all medical and laboratory reports, treating physicians' reports and records concerning the Respondent's treatment during the probationary period. PHS may retain as confidential the identity of informants who have disclosed suspected or known substance misuse to those programs under the promise of confidentiality.
- K. All agreements whereby third parties are to provide written reports, releases, records or any other

information to the Board under this Probation Agreement shall be submitted to the Board for approval within 30 days after the Probation Agreement is approved by the Board. All such releases and agreements must, in addition to waiving any relevant state law privileges or immunities, provide the Board with access to all material covered by 42 CFR, Part 2, and the Criminal Offender Records Information (CORI) Act, so-called, M.G.L. c. 6, ss. 167-178; all such releases and agreements must provide that the released party shall notify the Board if any waiver is withdrawn. In the event that any such releases or waivers are not sufficient to obtain access to any information which the Board in its discretion considers relevant, the Respondent agrees to obtain personally such information and furnish it to the Board, to the extent permitted by law.

- L. In the event that the Respondent seeks licensure to practice medicine in another state, the Respondent shall notify the Board of such fact and shall disclose to the licensing authority in such state his status with this Board. Respondent shall submit to the Board copies of all correspondence and application materials submitted to another state's licensing authority.

- M. In the event Respondent should leave Massachusetts to reside or practice out of the state, Respondent shall promptly notify the Board in writing of the new location as well as the dates of departure and return. Periods of residency or practice outside Massachusetts will not apply to the reduction of any period of Respondent's probationary licensure, unless Respondent enters into a monitoring agreement, approved by the Board, in the new location.
- N. Respondent shall appear before the Board or a committee of its members at such times as the Board may request, upon reasonable advance notice, commensurate with the gravity or urgency of the need for such meeting as determined by the Board or such committee.
- O. Respondent shall notify his supervisor and employer at any hospital, clinic or institution at which he is employed or has privileges in writing that he has been the subject of disciplinary proceedings before the Board and that he is currently on probation. Respondent shall furnish copies of such notices to the Board. Respondent has selected David Babin, M.D., as his monitor. Until the Board, upon petition of Respondent, orders otherwise, Respondent shall continue

to be monitored by Dr. Babin. Dr. Babin, or his Board approved successor, shall submit a quarterly evaluation of the Respondent to PHS. The evaluation shall be part of the quarterly report which PHS submits to the Board.

- P. Respondent may engage in the practice of medicine, including solo practice, only at the following locations: 18 Bramblebush Park, Falmouth, Massachusetts, and health care facilities: Falmouth Hospital, TerHeun Drive, Falmouth, Massachusetts.
- Q. Respondent, and not the Board, shall be responsible for the payment of any fee or charge occasioned by the Respondent's compliance with this Probation Agreement.
- R. Respondent may request that the Board modify any of the conditions set forth above. The Board may, in its discretion, grant such modification. Except for requests for modifications related to the identity of the health care professional referenced in Paragraph H, the clinical monitor referenced in Paragraph O, and the Respondent's employment, Respondent may make such a request not more than once in any one year period, nor any sooner than one year from the date of this Probation Agreement.

V. TERMINATION OF PROBATION

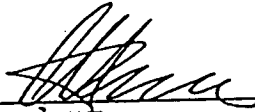
A. If the Respondent complies with his obligations as set forth above, the Board, at the expiration of the four (4) year period, shall, upon petition by the Respondent, terminate the Respondent's probationary period and probation with the Board, unless Respondent's probation is extended in accordance with paragraph IV(A).

B. If the Respondent fails to comply with his obligations as set forth above, the Respondent's license to practice medicine may be immediately suspended, as agreed in Section I.

Date

6/20/94

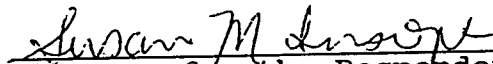
Respondent



Date

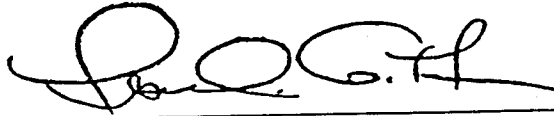
6/15/94

Attorney for the Respondent



Accepted this 29 day of June, 1994, by the Board of Registration in Medicine.

Chairman



ILIADES, EMMANUEL
BRN: 54851
Date of Birth: 06/22/49 - 48

Specialty: Otolaryngology, General Practice
Board Certified: Otolaryngology
Medical School: Autonomous University of Guadalajara, Mexico - 1976

DATE: 04/07/98
Page: 1
Renewal Date: 06/22/98

PLEASE VERIFY THE FOLLOWING INFORMATION - SYSTEM TESTING IN PROGRESS

C1

Docket	Received	Reviewed	Nature
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0000001278	02/14/98	02/27/98	
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0000000654	06/29/95	07/12/95	
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DOCKETED CASES

Docket	SR	Opened	Closed	Action	Progress
90388	Y	08/24/90	06/29/94	Impaired Physician: Alcohol	
5				SC	Closed: Probation
95427	Y	09/15/95	04/24/96	Loss Hosp Privileges	Investigator: Unknown
4					Closed: Suspension Stayed
				9637XX	Investigator: Unknown

ADJUDICATORY INFORMATION

9447	SOA Issued: 06/29/94	Initial Hearing: / /	Next Hearing: / /	Discipline: /
	Allegation: IMPAIRED PHYSICIAN: ALCOH			
	Findings: IMPAIRED PHYSICIAN: ALCOH			
	Dates: 06/29/94: SUSPENSION, 06/29/94: CNSNT ORDR, 06/29/94: PROBATION , 06/29/94: SUSP STAYE			
	Fine: 0.00	Costs: 0.00	Paid: 0.00	
	Petition Filed: / /	Petition Ruled: / /		Action:
	Memo: ADDITIONAL FINDINGS:			

9637XX	SOA Issued: 04/24/96	Initial Hearing: / /	Next Hearing: / /	Discipline: Y
	Allegation: VIOLATION: PROBATION AGRE			
	Findings: VIOLATION: PROBATION AGRE			
	Dates: 04/24/96: INDEF SUSP, 04/24/96: REPRIMAND , 10/08/97: Susp. Stay, / /			
	Fine: 0.00	Costs: 0.00	Paid: 0.00	
	Petition Filed: 10/08/97	Petition Ruled: 10/08/97		Action:
	Memo: May petition for reinstatement after 9/5/96.			

2
COURT REPORTED INSURANCE CLAIMS

ILIADES, EMMANUEL
BRN: 54851

Specialty: Otolaryngology, General Practice
Board Certified: Otolaryngology

DATE: 04/07/98
Page: 2
Renewal Date: 06/22/98

Date of Birth: 06/22/49 - 48 Medical School: Autonomous University of Guadalajara, Mexico - 1976

PLEASE VERIFY THE FOLLOWING INFORMATION - SYSTEM TESTING IN PROGRESS

NO COURT REPORTED MALPRACTICE SUITS

HOSPITAL DISCIPLINE

1	965	Falmouth Hospital	Location:
	Incident Date: / /	Report Date: 08/28/95	Action Date: 08/24/95
	Terms: Continuing	Duration: More than 180 days	
	Basis: Relapse of illness/dependency		
	Actions: Suspension rt/priv		

5D & 5F REPORTS

1	81	SELF-REPORTED	Relation: Other
	Incident Date: 01/01/89	Location: Other	
	Type: Drug misuse/dependency		
	Sent to Discipline: 04/11/90		

N on Question #15

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

BOARD OF REGISTRATION
IN MEDICINEAdjudicatory Case
No. 96-37-XX

In the Matter of)


Emmanuel Christopher Iliades, M.D.)

Order

At its meeting of May 20, 1998, the Board of Registration in Medicine voted to vacate the Probation Agreement and lift the stay of the indefinite suspension of Respondent's medical license. This action was pursuant to the provisions of the Probation Agreement accepted by the Board on October 8, 1997 and subsequently amended by Order dated December 17, 1997. The Board, after reviewing the evidence referenced in the notice letter to Respondent dated May 1, 1998, determined that Respondent failed to comply with Paragraph P of his Probation Agreement. Accordingly, Respondent is not authorized to practice medicine until such time as the Board, upon Respondent's petition, stays the indefinite suspension. Any petition to stay the suspension must document Respondent's fitness to practice medicine, and must include, at a minimum, documentation of continued sobriety and freedom from substance abuse.

Respondent may request a hearing before a single designated Board member hearing officer on this matter. The purpose of the hearing is to determine, solely as a matter of fact, whether Respondent has been in compliance with his Probation Agreement. A request for a hearing shall be made in writing and directed to the Executive Director of the Board. Any request must be received by the Board by 5 p.m., Monday, June 1, 1998. If such request is received, the Board will promptly schedule a hearing at a mutually convenient time.

Date: May 20, 1998


Nishan Kechejian, M.D.
Chairman