

**BEFORE THE MINNESOTA
BOARD OF MEDICAL PRACTICE**

In the Matter of
the Medical License of
Jeffrey A. Bucci, M.D.
Year of Birth: 1970
License Number: 50,385

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between Jeffrey Alexander Bucci, M.D. ("Respondent"), and the Complaint Review Committee ("Committee") of the Minnesota Board of Medical Practice ("Board") as follows:

1. During all times herein, Respondent has been and now is subject to the jurisdiction of the Board from which he holds a license to practice medicine and surgery in the State of Minnesota.

2. Respondent has been advised by Board representatives that he may choose to be represented by legal counsel in this matter. Respondent has elected to be represented by V. John Ella, Trepanier MacGillis Battina, P.A., 310 Fourth Avenue South, #8000, Minneapolis, Minnesota 55415, (612) 455-0500. The Committee was represented by Kathleen M. Ghreichi, Assistant Attorney General, 445 Minnesota Street, Suite 1400, St. Paul, Minnesota 55101, (651) 757-1490.

FACTS

3. For the purpose of this Stipulation, the Board may consider the following facts as true:

a. Respondent was licensed by the Board to practice medicine and surgery in the State of Minnesota on January 12, 2008.

b. On October 25, 2016, Respondent signed a Voluntary Agreement Not to Practice Medicine with the Massachusetts Board of Registration of Medicine (“Massachusetts Board”), with an effective date of November 3, 2016 (“Massachusetts Agreement”). Under the terms of the Massachusetts Agreement, Respondent agreed to cease his practice of medicine in the Commonwealth of Massachusetts until such time as the Massachusetts Board determined that the Massachusetts Agreement should be modified or terminated; or until the Massachusetts Board takes other action against Respondent’s license to practice medicine; or until the Massachusetts Board takes final action. The Massachusetts Agreement remains in effect.

c. The Board received notification of the Massachusetts Agreement in January 2017 and initiated an investigation into Respondent’s medical practice. In January and February 2017, the Board sent several requests to Respondent by U.S. mail and electronic mail, asking for additional information regarding the Massachusetts Agreement. Respondent did not respond to any of the Board's inquiries. In October 2017, a Notice and Order for Hearing in this matter was mailed to Respondent at his last known address. The Notice and Order for Hearing indicated that a prehearing telephone conference would be held and notified Respondent that failure to appear could result in default. Respondent did not appear or send any communication, and an administrative law judge found Respondent was in default.

d. On March 19, 2018, the Board issued Findings of Fact, Conclusions, and Final Order (“2018 Board Order”) indefinitely suspending Respondent’s license to practice medicine and surgery in Minnesota. The 2018 Board Order was based on Respondent’s renewal of his license through fraud by providing a false answer on his renewal application, failure to report charges regarding his medical license in another state, engaging in unethical or improper conduct, engaging in conduct that departed from or failed to conform to the minimal standards of

acceptable and prevailing medical practice, and failing to make a report to the Board or cooperate with an investigation of the Board. The 2018 Board Order allowed Respondent to petition for the reinstatement of his license upon submission of satisfactory evidence that he is fit and competent to resume practice with reasonable skill and safety. Satisfactory evidence included, but was not limited to, written statements from all treating healthcare professionals, including but not limited to, chemical dependency counselors and primary care and mental health practitioners. The 2018 Board Order also required Respondent to appear before the Committee to discuss his petition and progress.

e. In July 2019, the Board received Respondent's petition for reinstatement of his medical license. On October 7, 2019, Respondent met with the Committee to discuss the petition. Respondent acknowledged depressive issues, and a history of substance use disorder, including a relapse to chemical use in 2016. Respondent reported maintaining sobriety since January 2017.

f. On December 9, 2019, the Committee reviewed additional information provided by Respondent, including statements from treating providers regarding his fitness to practice. The Committee decided to offer Respondent this Stipulation and Order.

4. The Committee views Respondent's conduct as inappropriate in such a way as to require Board action under Minn. Stat. § 147.091, subd. 1(l) (inability to practice medicine with reasonable skill and safety due to illness) and (r) (became addicted or habituated to a drug or intoxicant) (2019). Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action under these statutes.

REMEDY

5. Upon this Stipulation and all of the files, records, and proceedings herein, Respondent does hereby consent that the Board may make and enter an Order **SUSPENDING** Respondent's license to practice medicine and surgery in the State of Minnesota, but the suspension is **STAYED** contingent upon Respondent's compliance with the following terms and conditions:

- a. Respondent is **REPRIMANDED**.
- b. Respondent shall participate in the Health Professionals Services Program ("HPSP") and fully comply with all terms and conditions of his HPSP Participation Agreement. A violation of his HPSP Participation Agreement will constitute a violation of this Order.
- c. Respondent shall sign releases allowing the Board to obtain medical, mental health, and substance use records from any treating professional, evaluator, or facility.
- d. Respondent may petition for reinstatement of an unconditional license no sooner than three years from the date of this Order. Upon petitioning, Respondent shall submit evidence satisfactory to the Board, of a minimum of three years of documented, uninterrupted recovery commencing no sooner than the date of this Order. Upon hearing Respondent's petition, the Complaint Review Committee may recommend that the Board continue, modify, or remove the suspension or impose conditions and restrictions as deemed necessary.

6. Within ten (10) days of signing the Stipulation to this Order, Respondent shall provide the Board with a list of all hospitals and skilled nursing facilities at which Respondent currently has medical privileges, a list of all states in which Respondent is licensed or has

applied for licensure, and the addresses and telephone numbers of Respondent's residences and all work sites. Within fourteen (14) days of any change, Respondent shall provide the Board with new address and telephone number information. The information shall be sent to Executive Director, Minnesota Board of Medical Practice, University Park Plaza, 2829 University Avenue S.E., Suite 500, Minneapolis, Minnesota 55414-3246.

7. In the event Respondent resides or practices outside the State of Minnesota, Respondent shall promptly notify the Board in writing of the location of his residence and all work sites. Periods of residency or practice outside of Minnesota will not be credited toward any period of Respondent's suspended, limited, or conditioned license in Minnesota unless Respondent demonstrates that practice in another state conforms substantially with Respondent's Minnesota license to practice medicine.

8. If the Complaint Review Committee has probable cause to believe that Respondent has failed to comply with any of the requirements for staying the suspension of his license as set forth in paragraph 5 above, the Complaint Review Committee may remove the stay of suspension and suspend Respondent's license pursuant to the procedures outlined below:

a. The removal of the stayed suspension shall take effect upon service of an Order of Removal of Stayed Suspension ("Order of Removal"). Respondent agrees that the Complaint Review Committee is authorized to issue an Order of Removal, which shall remain in effect and shall have the full force and effect of an order of the Board until the Board makes a final determination pursuant to the procedures outlined in paragraph 9 below, or until the suspension is dismissed and the order is rescinded by the Complaint Review Committee. The Order of Removal shall confirm the Complaint Review Committee has probable cause to

believe Respondent has failed to comply with or has violated one or more of the requirements for staying the suspension of Respondent's license.

b. Respondent further agrees an Order of Removal issued pursuant to this paragraph shall be deemed a public document under the Minnesota Government Data Practices Act. Respondent waives any right to a hearing before removal of the stayed suspension.

c. The Complaint Review Committee shall schedule a hearing before the Board pursuant to paragraph 9 below to be held within 60 days of service of the Order of Removal.

9. If the Complaint Review Committee issues an Order of Removal pursuant to paragraph 8 above, the following shall apply:

a. The Complaint Review Committee shall mail Respondent a notice of the violation alleged by the Complaint Review Committee and of the time and place of the hearing referred to in paragraph 8.c. above. Respondent shall submit a response to the allegations at least three days prior to the hearing. If Respondent does not submit a timely response to the Board, the allegations may be deemed admitted.

b. At the hearing before the Board, the Complaint Review Committee and Respondent may submit affidavits made on personal knowledge and argument based on the record in support of their positions. The evidentiary record before the Board shall be limited to such affidavits and this Stipulation and Order. Respondent waives a hearing before an administrative law judge and waives discovery, cross-examination of witnesses, and other procedures governing administrative hearings or civil trials.

c. At the hearing, the Board will determine whether to impose additional disciplinary action, including additional conditions or limitations on Respondent's practice, or revocation of Respondent's license.

d. The Complaint Review Committee, at its discretion, may schedule a conference with Respondent prior to the hearing before the Board to discuss the allegations and to attempt to resolve the allegations through agreement.

10. In the event the Board in its discretion does not approve this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any disciplinary action by either party hereto except that Respondent agrees that should the Board reject this Stipulation and if this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any records relating hereto.

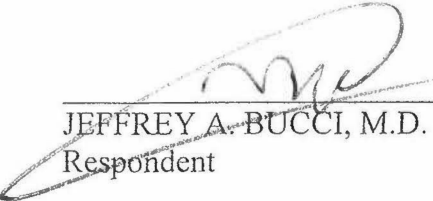
11. Respondent waives any further hearings on this matter before the Board to which Respondent may be entitled by Minnesota or United States constitutions, statutes, or rules and agrees that the Order to be entered pursuant to the Stipulation shall be the final Order herein.

12. Respondent hereby acknowledges that he has read and understands this Stipulation and has voluntarily entered into the Stipulation without threat or promise by the Board or any of its members, employees, or agents. This Stipulation contains the entire

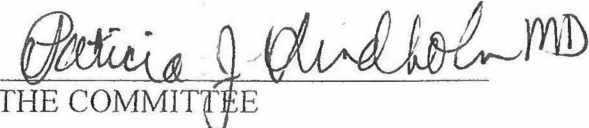
agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Stipulation.

Dated: 2/25/2020

Dated: 3-14-20



JEFFREY A. BUCCI, M.D.
Respondent



FOR THE COMMITTEE

ORDER

Upon consideration of this Stipulation and all the files, records, and proceedings herein,

IT IS HEREBY ORDERED the 2018 Order is rescinded and that the terms of this Stipulation are adopted and implemented by the Board this 14th day of March, 2020.

MINNESOTA BOARD OF
MEDICAL PRACTICE

By: 