

State of Rhode Island
Department of Health
Board of Medical Licensure & Discipline



IN THE MATTER OF:
George Buczko M.D.
License Number MD 08536
Case # C18-0814

CONSENT ORDER

The Rhode Island Board of Medical Licensure and Discipline (hereinafter "Board") has reviewed and investigated the above-referenced complaint pertaining to Dr. George Buczko (hereinafter "Respondent") through its Investigative Committee.

FINDINGS OF FACT

1. Respondent has been a licensed physician in the State of Rhode Island since October 12, 1993. His primary specialty is anesthesiology. Respondent is a 1976 graduate of University of Toronto Faculty of Medicine.
2. The Board received a complaint alleging Respondent had anesthetized a patient using a peripheral nerve block, which peripheral nerve block had not been ordered by the orthopedic surgeon and was not intended for this patient.
3. Respondent is the anesthesiologist for Patient A (alias) who was scheduled to have a surgical procedure involving Patient A's right shoulder, performed by an orthopedic surgeon.
4. Respondent was familiar with the orthopedic surgeon and had done many prior surgical

cases with this orthopedic surgeon. Respondent incorrectly assumed that the anesthesia needed for Patient A was what was typically ordered by this orthopedic surgeon, which included the use of a peripheral nerve block. Respondent did not look closely at the medical record prior to performing a peripheral nerve block for the planned procedure.

5. Respondent noted in his response to the Board that the orthopedic surgeon usually ordered general anesthesia and a peripheral nerve block. After Respondent had done his pre-op evaluation on Patient A, he performed the peripheral nerve block. Respondent then went into the operating room, where he spoke with the orthopedic surgeon, who told him at that time that Patient A did not need a peripheral nerve block. Rather, the surgery planned was safer for Patient A if there was no peripheral nerve block.
6. Respondent informed Patient A of the error and that the surgery would have to be rescheduled for another day, which it was, and subsequently successfully completed without complication.
7. Respondent worked with the Orthopedic surgeon to avoid future repeat or similar events.
8. The Investigative Committee concluded Respondent did not follow universal protocol and performed an unnecessary procedure and, therefore, that the care did not meet the minimum standard of care.
9. Respondent retired May 31, 2018 and has no past or active complaints regarding his practice of medicine.
10. Respondent has violated 5-37 5.1 (19).

Based on the foregoing, the parties agree as follows:

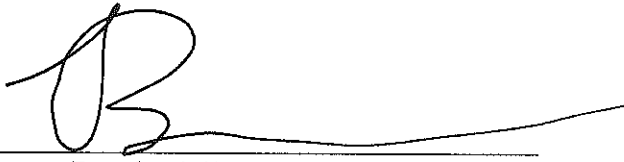
1. Respondent admits to the jurisdiction of the Board.

2. Respondent has agreed to this Consent Order and understands that it is subject to final approval of the Board and that this Consent Order is not binding on Respondent until final ratification by the Board.
3. If ratified by the Board, Respondent hereby acknowledges and waives:
 - a. The right to appear personally or by counsel or both before the Board;
 - b. The right to produce witnesses and evidence on his behalf at a hearing;
 - c. The right to cross examine witnesses;
 - d. The right to have subpoenas issued by the Board;
 - e. The right to further procedural steps except for those specifically contained herein;
 - f. Any and all rights of appeal of this Consent Order;
 - g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review.
 - h. Any objection that this Consent Order will be reported to the National Practitioner Data Bank and Federation of State Medical Boards, as well as posted on the Rhode Island Department of Health public web site.
4. Respondent agrees to pay upon ratification of this Consent Order an administrative fee to the Board with a check for \$850 dollars made payable to the Rhode Island General Treasurer for costs associated with investigating the above-referenced complaint. Respondent will send notice of compliance with this condition to DOH.PRCCompliance@health.ri.gov within 30 days of mailing the above-referenced payment.

5. Respondent hereby agrees to this reprimand on his physician license.
6. Respondent agrees, if he maintains an active license, to take, within six months of the ratification of this Consent Order, a Board approved CME of at least eight hours duration in topics related to patient safety, universal protocol and/or risk management.
7. In the event that any term of this Consent Order is violated after it is signed and accepted, the Director of the Department of Health ("Director") shall have the discretion to impose further disciplinary action, including immediate suspension of Respondent's medical license. If the Director imposes further disciplinary action, Respondent shall be given notice and shall have the right to request an administrative hearing within twenty (20) days of the suspension and/or further discipline. The Director shall also have the discretion to request an administrative hearing after notice to Respondent of a violation of any term of this Consent Order. The Administrative Hearing Officer may suspend Respondent's license, or impose further discipline, for the remainder of Respondent's licensing period if the alleged violation is proven by a preponderance of evidence.

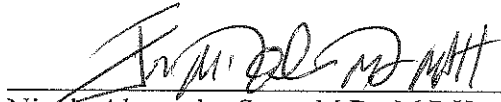
[SIGNATURE PAGE FOLLOWS]

Signed this 7th day of June, 2019.



George Buczko, M.D.

Ratified by the Board of Medical Licensure and Discipline on the 12th day of JUNE 2019.



Nicole Alexander-Scott, M.D., M.P.H.

Director
Rhode Island Department of Health
3 Capitol Hill, Room 401
Providence, Rhode Island 02908



Acting Director - Debra Schenck