

**BEFORE THE NEW MEXICO BOARD OF
OSTEPATHIC MEDICAL EXAMINERS**

IN THE MATTER OF:

BRAD ALLEN CUCCHETTI, D.O.

LICENSE NO.: A 1404-07

Respondent.

CASE No. O-COM-10-01

WAIVER OF HEARING AND CONSENT TO DISCIPLINE

The proposal of the Board is hereby accepted and I agree to accept and consent to the following terms:

1. Respondent will submit to psychological evaluation. The evaluator will be permitted the investigative file prior to the evaluation.
2. Complaint Committee will submit to Respondent the names of three (3) counselors from which Respondent will select one who will supervise the Respondent for up to three (3) years.
3. The supervising counselor shall submit quarterly reports to the Board as to the Respondent's status.
4. The supervision can, with Board approval upon petition by Dr. Cucchetti's counselor, terminate the supervision at any time after one year.
5. At no time while under supervision can Dr. Cucchetti be unattended with a female patient.
6. Respondent shall take six (6) additional CME's in the area of dual relationships and/or sexual harassment.
7. All costs will be born by Dr. Cucchetti for complying with this settlement.
8. Dr. Cucchetti waives all time limits created by statute or rule in any matter involving this action.
9. The Board shall retain jurisdiction over this matter for the entire three year period of time irrespective of the term of supervision.

These terms I accept and consent to as a result of my violation of the *Uniform*

Licensing Act, NMSA 1978, §§ 61-1-1 to 61-1-33, NMSA 1978, § 61-9A-1 et

seq. as well as Title 16 of the *New Mexico Administrative Code*, and more specifically but not limited to NMAC 2010, § 16.17.6.8 (B)(1) regarding the “...willful violation of the code of ethics of the American Osteopathic Association...”

I am familiar with the complaint and I hereby waive all my rights to a hearing and I consent to discipline pursuant to the *New Mexico Uniform Licensing Act*.

I understand that this agreement is a matter of public record and may be reportable to governmental agencies requiring notice of adverse action such as the National Practitioner's Data Bank (“NPDB”), the Health Integrity and Protection Data Bank (“HIPDB”) and the Federation of State Medical Boards Disciplinary Data Bank.

Signature of Acceptance:



Brad A. Cucchetti

Name of Licensee

A1404-07

License No

Date of Acceptance:

2 Mar 2011



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ORDER

This matter having come before THE BOARD OF OSTEOPATHIC MEDICAL EXAMINERS OF THE STATE OF NEW MEXICO upon request of the parties for consideration of the foregoing "Waiver of Hearing and Consent to Discipline," with a quorum present and a majority voting in the affirmative, the foregoing Settlement.

Agreement is:

Accepted

Rejected

3/28/11

Date

James Shiveley, D.O.
Board Chair for The New Mexico Board of
Osteopathic Medical Examiners