In the Matter of:
David N. Lunianski, D.O.
No.: 14714
(Misconduct Allegations)

ORDER OF CONDITIONAL APPROVAL OF REQUEST FOR
REINSTATEMENT OF LICENSE

Now before the Board of Medicine ("the Board") is a request from David N. Lunianski, D.O. ("Dr. Lunianski"), dated June 14, 2012 for unrestricted reinstatement of his New Hampshire Medical License. At the Board’s regularly scheduled July 2012 meeting, the Board reviewed the following documents:

* Letter from Dr. Lunianski to the Board dated June 14, 2012;
* Letter from Dr. Lunianski to Penny Taylor dated June 14, 2012;
* Letter from the PHP to the Board dated June 22, 2012;
* Board order denying request for reinstatement dated March 9, 2012; and
* Settlement agreement dated February 4, 2011.

The Board voted to approve (not an unrestricted reinstatement as requested but rather) a conditional/restricted reinstatement of Dr. Lunianski’s medical license as further detailed below.

The Board voted to reinstate Dr. Lunianski’s medical license as follows:

1) Dr. Lunianski shall extend his contract with the Professionals Health Program for a period of five (5) years from the date of this Order;
2) Dr. Lunianski shall practice only in a group practice and shall have a physician mentor within the practice who shall submit quarterly reports (every three months) to the Board for a period of three years;

3) Dr. Lunianski shall continue his regular appointments with his psychiatrist and shall continue to have quarterly reports (every three months) of his progress submitted to the Professionals Health Program;

4) Dr. Lunianski shall continue in his compliance with all recommendations of the Acumen Assessments, LLC, report.

5) Upon receipt of the signed contract with the NH PHP as stated in condition 1, the Board will issue the conditional license, provided all other standard conditions for reinstatement (see the Board’s administrative rules Med 301.04) have been met, including all required continuing medical education (see the Board’s administrative rules Med chapter 400).

6) Upon completion of all the above conditions, Dr. Lunianski may petition the Board to remove the conditions.

THEREFORE IT IS ORDERED that the license of Dr. Lunianski shall be reinstated with the above conditions and/or restrictions.

IT IS FURTHER ORDERED that this Order of Conditional Approval ("Order") shall become a “final order” within fifteen days of the effective date of this Order, as further defined below; the Order of Conditional Approval may become a “final order” sooner if Dr. Lunianski accepts the above mentioned conditions and restrictions by filing a written acceptance of this Order with the Board and files a copy of the signed PHP contract.
IT IS FURTHER ORDERED that this Order of Conditional Approval ("Order") shall not become a "final order" if, prior to 2:00pm on the fifteenth day of the effective date of this Order, the Board receives a written request for a hearing; and

IT IS FURTHER ORDERED that receipt of a timely filed hearing request shall automatically stay this Order and a further order shall be issued in due course in which the Board establishes a date and time of the hearing, and specifies the issues to be heard; and

IT IS FURTHER ORDERED that once a Board order is a "final order" in accordance with either of the circumstances outlined above, Dr. Lunianski has thirty (30) days to file a request for reconsideration pursuant to the Board’s administrative rules and RSA Chapter 541 if applicable; and

IT IS FURTHER ORDERED that a "final order" shall be considered/reported as adverse action and/or disciplinary action; and

IT IS FURTHER ORDERED that a "final order" is a public document; and

IT IS FURTHER ORDERED that this Order shall take effect as an Order of the Board on the date it is signed by an authorized representative of the New Hampshire Board of Medicine.

BY ORDER OF THE BOARD/*

Dated: 7/26/2012

Penny Taylor, Administrator
Authorized Representative of the
New Hampshire Board of Medicine

/*Board member Amy Feitelson, M.D. recused