

Docket Nos. 2025-97

STIPULATION

Board Authority

- ## Statement of Facts

- STATE OF VERMONT



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- i. On May 27, 2021, Respondent performed arthroscopic surgery for a left biceps tenodesis to correct Patient A's shoulder instability and recurrent dislocations secondary to a traumatic injury.
- ii. During the surgery, Respondent failed to properly identify the biceps tendon and misidentified the radial nerve as the biceps tendon. Consequently, he cut the radial nerve and implanted that, rather than the biceps tendon, into the humerus. A subsequent MRI taken in September 2021 revealed transection of the radial nerve with a 2.5-cm gap between the proximal and distal stumps along with neuroma in continuity.
- iii. As a result of Respondent's misidentification and transection of the radial nerve, Patient A experienced severe pain, absence of radial nerve function, impairment of finger flexion, and impairment of wrist, finger, and thumb extension. Patient A required corrective surgery, which included nerve grafting and tendon transfers.

Violation One: 3 V.S.A. §129a(b)(2) Failure to conform to essential standards of acceptable and prevailing practice.

6. The State re-alleges and incorporates Paragraphs 2 through 5 above.
7. Under Vermont law, an Osteopathic Physician is required to conform to the essential standards of acceptable and prevailing practice.
8. Paragraphs 2 through 5 demonstrate that Respondent failed to conform to the essential standards of acceptable and prevailing practice in the following ways:
 - a. While performing arthroscopic surgery for a left biceps tenodesis to correct a patient's shoulder instability and recurrent dislocations secondary to a traumatic injury, Respondent failed to properly identify the biceps tendon and misidentified the radial nerve as the biceps tendon and consequently, he cut the radial nerve and implanted that, rather than the biceps tendon, into the humerus.
9. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct in violation of 3 V.S.A. §129a(b)(2).

Violation Two: 3 V.S.A. § 129a(a)(28) Engaging in conduct of a character likely to deceive, defraud, or harm the public.

10. The State re-alleges and incorporates Paragraphs 2 through 5 above.
11. Vermont law requires an Osteopathic Physician to refrain from conduct of a character likely to deceive, defraud, or harm the public.
12. Paragraphs 2 through 5 above demonstrate that Respondent engaged in conduct likely to harm the public when he:

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- a. While performing arthroscopic surgery for a left biceps tenodesis to correct a patient's shoulder instability and recurrent dislocations secondary to a traumatic injury, Respondent failed to properly identify the biceps tendon and misidentified the radial nerve as the biceps tendon and consequently, he cut the radial nerve and implanted that, rather than the biceps tendon, into the humerus.

13. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct in violation of 3 V.S.A. §129a(a)(28).

Violation Three: 3 V.S.A. § 129a(a)(3) Failing to comply with provisions of federal or State statutes or rules governing the practice of the profession.

14. The State re-alleges and incorporates Paragraphs 2 through 5 above.
15. Vermont law requires an Osteopathic Physician to comply with provisions of federal or State statutes or rules governing the practice of the profession.
16. Paragraphs 2 through 5 above demonstrate that Respondent failed to comply with the provisions of State statutes or rules governing the practice of the profession in that, by his own admission, his actions on or about May 27, 2001, violated Virginia Code § 54.1-2915 (A)(3), (13), and (16), a Virginia statute that defines "unprofessional conduct" in the practice of osteopathic medicine.
17. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct in violation of 3 V.S.A. §129a(a)(3).

ORDER

Based on the Stipulation above, it is **ORDERED AND ADJUDGED** as follows:

- A. The Board hereby **REPRIMANDS** Respondent's license.
- B. Notwithstanding any provision above, the Respondent must continue to meet all requirements for maintaining a license, license renewal and license reinstatement.
- C. This Stipulation and Consent Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. § 129(a).
- D. This Stipulation and Consent Order applies to all licenses this Board issues to Respondent, including future licenses, as provided in 3 V.S.A. § 129(I).
- E. This Stipulation and Consent Order will remain part of Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

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AGREED TO:

Dated: 9-5-2025

STATE OF VERMONT
SECRETARY OF STATE

By: George Hasselback
George Hasselback
Prosecuting Attorney

Dated: 9/3/25

RESPONDENT

By: Anthony Bewick
Anthony Bewick

APPROVED AS TO FORM:

Dated: 9/4/2025

COUNSEL FOR RESPONDENT

By: Shireen Hart
Shireen Hart

APPROVED AND SO ORDERED:

Dated: 9/16/2025

VERMONT BOARD OF OSTEOPATHIC
PHYSICIANS AND SURGEONS

Signed by:
By: Julie Thompson
Chairperson

Date of Entry: 9/16/25

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
39 Main Street

**STATE OF VERMONT
SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION
BOARD OF OSTEOPATHIC PHYSICIANS AND SURGEONS**

In re: Anthony Bevilacqua) **Docket Nos. 2025-97**
License no. 032.0000536)

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and hereby makes the following charges against Respondent Anthony Bevilacqua:

Board Authority

1. The Vermont Board of Osteopathic Physicians and Surgeons (the “Board”) has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by Osteopathic Physicians and Surgeons pursuant to 3 V.S.A. §§129, 129a and 814; 26 V.S.A. Chapter 33; the Administrative Rules of the Board of Osteopathic Physicians and Surgeons; and the Rules of the Office of Professional Regulation (“OPR Rules”).

Statement of Facts

2. Anthony Bevilacqua (“Respondent”) of Suffolk, VA is licensed by the State of Vermont as an Osteopathic Physician under license number 032.0000536. This license was first issued on July 3, 2006, and expired on September 30, 2024.
3. On or about January 11, 2023, Respondent signed a document entitled “Consent Order” (“the Order”) related to a matter before the Virginia Board of Medicine (“VA Board”) in which his Virginia-issued license to practice osteopathic medicine was sanctioned.
4. In so signing the Order, Respondent admitted to the “Findings of Fact and Conclusions of Law” contained therein.
5. Specifically, in signing the Order, Respondent admitted to the following:
 - a. Respondent was issued License Number 0102-037163 to practice osteopathic medicine on September 1, 1992, which is scheduled to expire on March 31, 2024.
 - b. Respondent violated Virginia Code § 54.1-2915 (A)(3), (13), and (16) (the Virginia statute that defines “unprofessional conduct” in the context of the practice of osteopathic medicine) in his performance of orthopedic surgery on Patient A. Specifically:

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- i. On May 27, 2021, Respondent performed arthroscopic surgery for a left biceps tenodesis to correct Patient A's shoulder instability and recurrent dislocations secondary to a traumatic injury.
- ii. During the surgery, Respondent failed to properly identify the biceps tendon and misidentified the radial nerve as the biceps tendon. Consequently, he cut the radial nerve and implanted that, rather than the biceps tendon, into the humerus. A subsequent MRI taken in September 2021 revealed transection of the radial nerve with a 2.5-cm gap between the proximal and distal stumps along with neuroma in continuity.
- iii. As a result of Respondent's misidentification and transection of the radial nerve, Patient A experienced severe pain, absence of radial nerve function, impairment of finger flexion, and impairment of wrist, finger, and thumb extension. Patient A required corrective surgery, which included nerve grafting and tendon transfers.

Violation One: 3 V.S.A. §129a(b)(2) Failure to conform to essential standards of acceptable and prevailing practice.

6. The State re-alleges and incorporates Paragraphs 2 through 5 above.
7. Under Vermont law, an Osteopathic Physician is required to conform to the essential standards of acceptable and prevailing practice.
8. Paragraphs 2 through 5 demonstrate that Respondent failed to conform to the essential standards of acceptable and prevailing practice in the following ways:
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9. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct in violation of 3 V.S.A. §129a(b)(2).

Violation Two: 3 V.S.A. § 129a(a)(28) Engaging in conduct of a character likely to deceive, defraud, or harm the public.

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Violation Three: 3 V.S.A. § 129a(a)(3) Failing to comply with provisions of federal or State statutes or rules governing the practice of the profession.

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17. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct in violation of 3 V.S.A. §129a(a)(3).

Relief Requested

WHEREFORE, Respondent's Osteopathic Physician and Surgeon license should be revoked, suspended, reprimanded, warned, conditioned, or otherwise disciplined.

DATED at Montpelier, Vermont this 16th day of June, 2025.

STATE OF VERMONT
SECRETARY OF STATE

By: George Hasselback
George Lloyd Hasselback
Prosecuting Attorney
(802)828-0350
george.hasselback@vermont.gov

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DATED at Montpelier, Vermont this 16th day of June, 2025.

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SECRETARY OF STATE

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