

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2023-031

In the Matter of

DANIEL HAMILOS, M.D.

CONSENT ORDER

Pursuant to G.L. c. 30A, § 10, Daniel Hamilos, M.D. (Respondent) and the Board of Registration in Medicine (Board) (hereinafter referred to jointly as the "Parties") agree that the Board may issue this Consent Order to resolve the above-captioned adjudicatory proceeding. The Parties further agree that this Consent Order will have all the force and effect of a Final Decision within the meaning of 801 CMR 1.01(11)(d). The Respondent admits to the findings of fact specified below and agrees that the Board may make the conclusions of law and impose the sanction set forth below in resolution of investigative Docket No. 22-083.

Findings of Fact

1. The Respondent graduated from Northwestern University School of Medicine on June 16, 1979. He is certified by the American Board of Allergy and Immunology. He has been licensed to practice medicine in Massachusetts under certificate number 219164 since 2003.
2. Patient A is a female patient with a number of complex co-morbidities who the Respondent treated from 2017 to 2021.
3. Beginning in 2019, Patient A and the Respondent began developing a friendly, non-romantic relationship.

4. During his treatment of Patient A, which encompassed much of the COVID pandemic the Respondent and Patient A spoke on the phone hundreds of times, relating to an ongoing or claimed urgent medical condition.

5. During one hospitalization of Patient A, she perceived Respondent's treatment-related visits to be social and not medical in nature.

6. During the same hospitalization, the hospital arranged for Patient A to be transported home after discharge.

7. Patient A cancelled the hospital arranged transport and instead was driven home by the Respondent who also had members of his family in his car.

8. After he transported Patient A home, an incident report was filed, and the Respondent was informed by the hospital of its concerns regarding him giving Patient A a ride home.

9. The Respondent told Patient A of the hospital's concerns.

10. During a second hospitalization, Patient A complained to one of her treating inpatient physicians about the hospital's concerns. Because of Patient A's complaint, the treating inpatient physician found it necessary to transfer Patient A's care to another inpatient physician.

11. On a separate occasion, the Respondent went to Patient A's home where he took a culture of a skin infection located on her stomach.

12. After the Respondent stopped his treatment of Patient A, he went to her home to deliver a Christmas card and stayed for approximately ten minutes.

13. The Respondent should have been aware that Patient A misperceived their relationship.

14. The Respondent has taken an accredited 3-day continuing medical education course in maintaining proper patient/physician boundaries.

Conclusion of Law

A. The Respondent has engaged in conduct that undermines the public confidence in the integrity of the medical profession. *See Levy v. Board of Registration in Medicine*, 378 Mass. 519 (1979); *Raymond v. Board of Registration in Medicine*, 387 Mass. 708 (1982).

Sanction and Order

The Respondent's license is hereby Reprimand. This sanction is imposed for each violation of law listed in the Conclusion section and not a combination of any or all of them.

Execution of this Consent Order

Complaint Counsel and the Respondent agree that the approval of this Consent Order is left to the discretion of the Board. The signature of Complaint Counsel, the Respondent, and the Respondent's counsel are expressly conditioned on the Board accepting this Consent Order. If the Board rejects this Consent Order in whole or in part, then the entire document shall be null and void; thereafter, neither of the parties nor anyone else may rely on these stipulations in this proceeding.

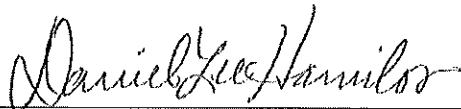
As to any matter in this Consent Order left to the discretion of the Board, neither the Respondent, nor anyone acting on his behalf, has received any promises or representations regarding the same.

The Respondent waives any right of appeal that he may have resulting from the Board's acceptance of this Consent Order.

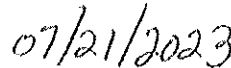
The Respondent shall provide a complete copy of this Consent Order with all exhibits and attachments within ten (10) days by certified mail, return receipt requested, or by hand

delivery to the following designated entities: any in- or out-of-state hospital, nursing home, clinic, other licensed facility, or municipal, state, or federal facility at which the Respondent practices medicine; any in- or out-of-state health maintenance organization with whom the Respondent has privileges or any other kind of association; any state agency, in- or out-of-state, with which the Respondent has a provider contract; any in- or out-of-state medical employer, whether or not the Respondent practices medicine there; the state licensing boards of all states in which the Respondent has any kind of license to practice medicine; the Drug Enforcement Administration Boston Diversion Group; and the Massachusetts Department of Public Health Drug Control Program. The Respondent shall also provide this notification to any such designated entities with which the Respondent becomes associated in the year following the date of imposition of this reprimand. The Respondent is further directed to certify to the Board within ten (10) days that the Respondent has complied with this directive.

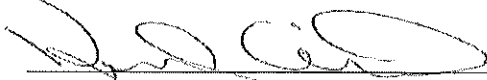
The Board expressly reserves the authority to independently notify, at any time, any of the entities designated above, or any other affected entity, of any action it has taken.



Daniel Hamilos, M.D.
Licensee



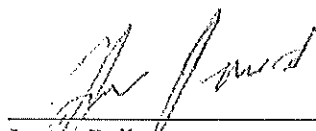
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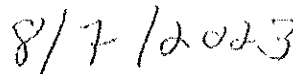
Paul Cirel
Attorney for the Licensee



Date



James Paikos
Complaint Counsel



Date

So ORDERED by the Board of Registration in Medicine this 7th day of September,
20 23



Julian N. Robinson, M.D.
Board Chair