

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Board of Registration in Medicine

Adjudicatory Case No. 2024-001

In the Matter of

TONY LEUNG, M.D.

CONSENT ORDER

Pursuant to G.L. c. 30A, § 10, Tony Leung, 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. 23-242.

Findings of Fact

1. The Respondent graduated from the Mt. Sinai School of Medicine, New York in 2008 and has been licensed to practice medicine in Massachusetts under license number 259099 since 2014. He is board-certified in urology. He works at Cambridge Health Alliance (CHA) in Somerville, Everett, and Cambridge.

2. On February 11, 2022, the Respondent contacted an individual ("the Complainant") via text message about potentially nannyng for his two sons.

3. The Respondent searched for the Complainant's electronic medical record (EMR) within the CHA system.
4. The Respondent confirmed the Complainant's identity in the EMR based on the phone number he used to text her.
5. The Respondent texted four screenshots of Complainant's EMR to the Complainant.
6. The Respondent then texted Complainant, "Sorry wrong text."
7. When the Complainant asked how the Respondent accessed her record and whether he worked for CHA, the Respondent responded "No a different system."
8. The Respondent never had a physician-patient relationship with the Complainant.
9. The Respondent accessed Complainant's EMR without a legitimate reason and without written consent.
10. The Respondent admitted to improperly accessing Complainant's EMR and he was sanctioned by CHA.

Conclusions 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).
- B. The Respondent has violated 243 CMR 1.03(5)(a)18 by committing misconduct in the practice of medicine.

Sanction and Order

The Respondent's license is hereby REPRIMANDED. 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, Respondent's 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, Respondent's Counsel, and the Respondent 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.

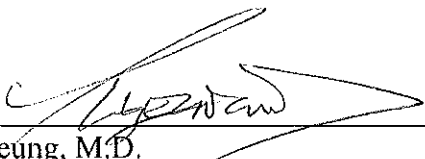
As to any matter in this Consent Order left to the discretion of the Board, neither the Respondent, nor anyone acting on his behalf, has received any promises or representations regarding the same.

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 during the period of probation. 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.



Tony Leung, M.D.
Licensee

11/14/23

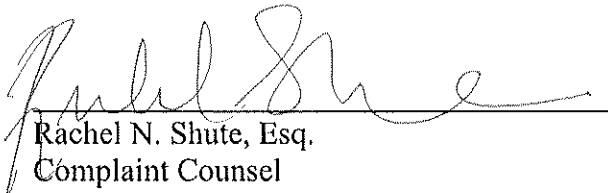
Date



Richard Riley, Esq.
Attorney for the Licensee

11-14-23

Date




Rachel N. Shute, Esq.
Complaint Counsel

11/17/23

Date

2024. So ORDERED by the Board of Registration in Medicine this 11th day of January,



Julian N. Robinson, M.D.
Board Chair