

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2018-015

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In the Matter of )  
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 )  
CINDY A. SHIRO, D.O. )  
\_\_\_\_\_ )

**CONSENT ORDER**

Pursuant to G.L. c. 30A, § 10, Cindy A. Shiro, D.O. (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. 14-413.

**Findings of Fact**

1. The Respondent was born on January 11, 1956. She graduated from the Texas College of Osteopathic Medicine in 1989. She is certified by the American Board of Obstetrics and Gynecology. She has been licensed to practice medicine in Massachusetts under certificate number 156644 since 1998. She has privileges at Morton Hospital.
2. From 1989 to 2009, the Respondent practiced in a private practice with other physicians.

3. In 2009, the practice was purchased by another entity and the Respondent became an employee of said entity.

4. The Respondent's employer hired sonographers to perform ultrasounds and record their impressions. This had been the practice for the previous 15 years.

5. The Respondent's employer asked all the employed physicians to review and interpret ultrasounds and author reports. Respondent refused to interpret the ultrasounds.

6. The Respondent did not review the ultrasound images but reviewed all of the sonographers' reports. She authored and signed her own reports based solely on the sonographers' reports.

7. The Respondent's ultrasound reports included sections describing clinical findings and impressions.

8. The Respondent did not receive bonuses or an increased salary for her ultrasound reports.

#### Conclusion of Law

A. The Respondent has violated 243 CMR 1.03(5)(a)10 by practicing medicine deceitfully, or engaging in conduct that has the capacity to deceive or defraud.

B. 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 Reprimanded. The Respondent is also ORDERED to pay a fine in the amount of \$5,000. Said fine is payable within 120 days of the date on which this Consent Order is approved by the Board. The Board will not renew the license of any

physician who fails to pay a fine in a timely manner; this step will be taken automatically and no further notice or process will apply. This sanction is imposed for each violation of law listed in the Conclusion section and not a combination of any or all of them.

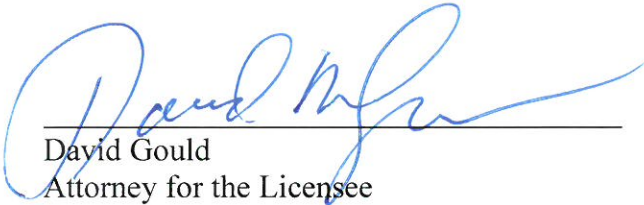
#### Execution of this Consent Order

The Respondent shall provide a complete copy of this Consent 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 s/he 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 for the duration of this Reprimand and \$5,000 fine. The Respondent is further directed to certify to the Board within ten (10) days that the Respondent has complied with this directive. 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.

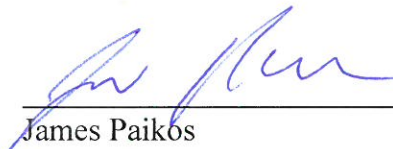
The Board expressly reserves the authority to independently notify, at any time, any of the entities designated above, or any other affected entity, of any action it has taken.

  
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Cindy Shiro, D.O.  
Licensee

4-11-17  
\_\_\_\_\_  
Date


  
\_\_\_\_\_  
David Gould  
Attorney for the Licensee

4/13/17  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
James Paikos  
Complaint Counsel

4/19/2017  
\_\_\_\_\_  
Date

So ORDERED by the Board of Registration in Medicine this 10<sup>th</sup> day of May,  
2018.

  
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Candace Lapidus Sloane, M.D.  
Board Chair