

The Respondent's failure to file an Answer, to appear for a scheduled prehearing at DALA, and to respond to the Order to Show Cause, in addition to her failure to provide the

Board with requested information in connection with its investigation of three complaints against her, demonstrate her utter disregard for the Board's statutory mandate. In order for the Board to fulfill its mission to protect the public, a physician's cooperation is essential. By failing to respond to the serious allegations against her, the Respondent hindered the Board's efforts to fulfill its mission. See In the Matter of Mark M. Kowalski, M.D., Board of Registration in Medicine, Adjudicatory Case No. 97-16-DALA (Final Decision and Order, April 1, 1998) ("A physician who obstructs the Board's investigation of a complaint and blatantly ignores repeated requests for a response threatens the public's health, welfare and safety, not only by denying the Board potentially important information, but also by draining the resources of the Board.")

The Board has historically imposed license revocation when there is a determination of default. See In the Matter of Thomas W. Stinson, M.D., Board of Registration in Medicine, Adjudicatory Case No. 2022-024 (Final Decision and Order, February 2, 2023)(revocation for a physician who also admitted that he failed to check the MassPat system before prescribing to his patients); In the Matter of Abebe Haregewoin, M.D., Board of Registration in Medicine, Adjudicatory Case No. 2020-051 (Final Decision and Order, November 4, 2021)(revocation for physician whose license was also reprimanded in Maryland for pre-signing blank prescriptions and allowing an unlicensed person to complete them for Suboxone and buprenorphine); and In the Matter of Paul M. Willette, M.D., Board of Registration in Medicine, Adjudicatory Case No. 2017-035 (Final Decision and Order, September 13, 2018)(revocation for physician whose license was also revoked in New Mexico for failure to provide emergency care, for fraudulent medical records and billing for services never rendered, being disruptive with staff, and failure to access prescription monitoring reports for 8-10 patients). In these cases, the Board reasoned that a default demonstrates a physician's utter disregard for the Board's statutory mandate, preventing the Board from investigating the allegations concerning his or her misconduct.

As to the fraudulent procurement of her license renewal, it is now deemed admitted that the Respondent's falsely stated that she was certified by the American Board of Medical Specialties in Family Medicine and falsely answered "no" in response to the question on the renewal form which inquired whether she was aware of any open complaint or pending investigation into her professional conduct. "The Board generally imposes the sanction of a reprimand and fine for physicians who failed to report information to the Board on their license applications. Historically, the Board has imposed a fine of \$2,500 for each fraudulent answer, the

amount multiplying with each offense.” In the Matter of Joseph V. Thakuria, MD., Board of Registration in Medicine, Adjudicatory Case No. 2018-046 (Final Decision and Order, August 4, 2022). When a physician falsely answers a question on a licensing application, the physician deprives the Board of the opportunity to review his record and determine whether he should be licensing to practice medicine in Massachusetts. In the Matter of Randall Bock, M.D., Board of Registration in Medicine, Adjudicatory Case No. 2014-005, (Final Decision and Order, November 8, 2018. See In the Matter of Peter Gherardi, M.D., Board of Registration in Medicine, Adjudicatory Case No. 2008-030 (Consent Order, August 20, 2008) (physician reprimanded and fined \$5,000 for failing to disclose an arrest on his limited license application and his initial full license application, and for failing to disclose a subsequent arrest on a renewal application); and In the Matter of Samuel B. Wilson, M.D., Board of Registration in Medicine, Adjudicatory Case No. 2007-023 (Consent Order, May 16, 2007)(reprimand and \$2,500 fine for a physician who disclosed only one of two OUI arrest on a renewal application).

In the present matter, it does not appear that a reprimand and fine are sufficient as the Respondent repeatedly failed to respond to the Board and DALA. As noted above, the Board could impose a revocation based on the default alone. The Board’s paramount responsibility is the protection of the public health, safety and welfare. See Levy v. Board of Registration in Medicine, 378 Mass. 519 (1979). In light of the Respondent’s default, which hindered the Board’s efforts in its fulfillment of this responsibility, as well as the Respondent’s fraudulent procurement of her license renewal, it is appropriate to **REVOKE** the Respondent’s license to practice medicine. This sanction is imposed for each violation of law listed in the Recommended Decision and not a combination of any or all of them.

The Respondent shall provide a complete copy of this Final Decision and 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 she practices medicine; any in- or out-of-state health maintenance organization with whom she has privileges or any other kind of association; any state agency, in- or out-of-state, with which she has a provider contract; any in- or out-of-state medical employer, whether or not she practices medicine there; the state licensing boards of all states in which she 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 she becomes associated for the duration of this revocation. The Respondent is further directed to certify to the Board within ten (10) days that she has complied with this directive.

The Respondent has the right to appeal this Final Decision and Order within thirty (30) days, pursuant to G.L. c. 30A, §§14 and 15, and G.L. c. 112, § 64.

Date: December 21, 2023

A handwritten signature in dark ink, appearing to read 'Julian', followed by a horizontal line.

Julian Robinson, M.D.
Board Chair