

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals  
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[www.mass.gov/dala](http://www.mass.gov/dala)  
Docket No: RM-18-0260

Board of Registration in Medicine,  
*Petitioner*

v.

Salomon Melgen, M.D.,  
*Respondent*

ORDER OF DEFAULT AND RECOMMENDED DECISION

On March 29, 2018, the Board of Registration in Medicine (Board) issued a Statement of Allegations ordering the Respondent, Salomon Mengen, M.D., to show cause why he should not be disciplined for practicing medicine in violation of law, regulations, or good and accepted medical practice based on the Respondent's conviction in the United States District Court for forty-six counts of health care fraud, eighteen counts of making false, fictitious and fraudulent claims and ten counts of making false statements relating to health care. On February 22, 2018, the Respondent was sentenced to 204 months of prison and 3 years of supervised release. The court issued a preliminary order of restitution, subject to modification upon the presentation of additional evidence, for an assessment of \$6,700.00 and restitution in the amount of \$42,561,205.00.

The Respondent has not filed an Answer to the Statement of Allegations.

On June 24, 2019, the Board filed a Motion for Summary Judgement, asking that the Division of Administrative Law Appeals (DALA) issue a Recommended Decision, finding that all the allegations contained in the Statement of Allegations are deemed proven and true, and that the Respondent violated the laws as set forth in the Legal Basis for Proposed Relief. DALA would then recommend to the Board that it impose appropriate sanctions against the Respondent.


On July 29, 2019, I issued an order that the Respondent respond to the Board's Motion for Summary Decision by August 23, 2019. The Respondent has failed to do so.

801 C.M.R. § 1.01(6)(d) requires that a Respondent file full, direct and specific answers to a Statement of Allegations. The Respondent has failed to file such an Answer. Further, Respondent's failure to respond to the Motion for Summary Decision indicate his intention not to defend this action. Accordingly, as permitted by G.L. c. 30A, § 10, the Respondent is defaulted. *See also* 801 C.M.R. § 1.07(g).

As a consequence of the default, all of the allegations contained in the Statement of Allegations are deemed proven and true, and accordingly I hereby recommend to the Board of Registration in Medicine that it impose appropriate sanctions against the Respondent.

SO ORDERED.

DIVISION OF ADMINISTRATIVE LAW APPEALS

  
Angela McConney Scheepers  
Administrative Magistrate

DATED: **AUG 29 2019**

Order sent to: Salomon Melgen, M.D.  
Lawrence Perchick, Esq.  
Debra Stoller, Esq.