

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Board of Registration in Medicine

Adjudicatory Case No. 2024-009

_____)
 In the Matter of)
)
 SEBASTIAN A. BOURGEOIS, M.D.)
 _____)

STATEMENT OF ALLEGATIONS

The Board of Registration in Medicine (Board) has determined that good cause exists to believe the following acts occurred and constitute violations for which a licensee may be sanctioned by the Board. The Board therefore alleges that Sebastian A. Bourgeois, M.D. (Respondent) has practiced medicine in violation of law, regulations, or good and accepted medical practice as set forth herein. The investigative docket number associated with this order to show cause are Docket No. 20-067.

Biographical Information

1. The Respondent graduated from the University of Buenos Aires Faculty of Medicine in 1994 and has been licensed to practice medicine in Massachusetts under license number 242564 since 2010. He is board-certified in anesthesiology. He is also licensed to practice medicine in Connecticut and Rhode Island. He was previously licensed to practice medicine in Texas. He is associated with Stamford Hospital.

2. Between December 2019 and January 2020, the Respondent was affiliated with Holyoke Medical Center (HMC).

Factual Allegations

3. On December 2, 2019, the Respondent met with the HMC Chief Medical Officer (CMO) and Chief Nursing Officer to discuss HMC's zero tolerance policy for harassment and other inappropriate behavior.

4. Female A, then **G.L. c. 4, § 7(26)(c)**, worked as a seasonal secretary in the operating room at HMC.

5. On **G.L. c. 4, § 7(26)(c)**, 2019, the Respondent, who was not aware of Female A's **G.L. c. 4, § 7(26)(c)** invited Female A to **G.L. c. 4, § 7(26)(c)** for drinks.

6. Female A declined the Respondent's invitation and removed herself from the conversation.

7. Eventually, the Respondent passed Female A a note that read **G.L. c. 4, § 7(26)(c)**? 5:30?"

8. Female A shook her head no.

9. The Respondent threw the note in the shredder bin.

10. Female A reported to HMC administration that her interaction with the Respondent made her feel uncomfortable.

11. On January 2, 2020, HMC terminated the Respondent's employment.

Legal Basis for Proposed Relief

A. Pursuant to G.L. c. 112, § 5, eighth par, (h) and 243 CMR 1.03(5)(a)11, the Board may discipline a physician upon proof satisfactory to a majority of the Board that said physician violated a rule or regulation of the Board. Specifically, that said physician engaged in disruptive behavior, contrary to Board Policy 01-01, Disruptive Physician Behavior Policy, Board of Registration in Medicine adopted June 13, 2001.

The Board has jurisdiction over this matter pursuant to G.L. c. 112, §§ 5, 61 and 62. This adjudicatory proceeding will be conducted in accordance with the provisions of G.L. c. 30A and 801 CMR 1.01.

Nature of Relief Sought

The Board is authorized and empowered to order appropriate disciplinary action, which may include revocation or suspension of the Respondent's license to practice medicine. The Board may also order, in addition to or instead of revocation or suspension, one or more of the following: admonishment, censure, reprimand, fine, the performance of uncompensated public service, a course of education or training, or other restrictions upon the Respondent's practice of medicine.

Order

Wherefore, it is hereby **ORDERED** that the Respondent show cause why the Board should not discipline the Respondent for the conduct described herein.

By the Board of Registration in Medicine,



Booker T. Bush, M.D.
Board Chair

Date: February 29, 2024