

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No.2016-008

In the Matter of)

CHRISTINE MURCOTT, 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 a violation for which a licensee may be sanctioned by the Board. The Board therefore alleges that Christine Murcott, 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 is Docket No. 14-291.

Biographical Information

1. The Respondent was born on December 7, 1968. She graduated from Hahnemann University School of Medicine in 1997. She has been licensed to practice medicine in Massachusetts under license number 207985 since 2000.

2. On July 17, 2014, Dr. Murcott signed a Voluntary Agreement Not to Practice (VANP). The full Board ratified the VANP on August 6, 2014.

3. On July 4, 2014, while the Respondent was the weekend on-call physician at her group practice, she sent a prescription for Vicodin to a local CVS in the name of a patient of the practice who she had never met. The prescription was faxed to the pharmacy through the electronic medical record system and electronically signed by the Respondent in the name of a

nurse practitioner also employed at the Respondent's practice. The Respondent then went to the pharmacy and picked up the prescription.

4. CVS notified the patient that her prescription was ready. The patient then called the Respondent's office a few hours later to report this incident. The patient informed the Respondent that she was going to call the police. The Respondent, using the name of another physician, asked the patient to hold off reporting this matter to the police. The Respondent told the patient that the Medical Director would call her on Monday.

5. The Respondent reported this matter to the Medical Director upon finishing her weekend shift. She admitted that this was not the first time that this had happened.

6. The Respondent stopped working immediately upon this reporting to the Medical Director and she contacted the Massachusetts Physician Health Services program (PHS).

7. On August 11, 2014, the Respondent voluntarily began a residential substance abuse treatment program, which she successfully completed on November 3, 2014.

8. Also on August 11, 2014, the Respondent entered into a Substance Use Monitoring contract with PHS.

9. The Respondent is in compliance with her PHS contract.

Legal Basis for Proposed Relief

A. Pursuant to 243 CMR 1.03(5)(a)10, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician practiced medicine deceitfully, or engaged in conduct that has the capacity to deceive or defraud.

B. Pursuant to 243 CMR 1.03(5)(a)18, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician committed misconduct in the practice of medicine

C. Pursuant to *Levy v. Board of Registration in Medicine*, 378 Mass. 519 (1979); *Raymond v. Board of Registration in Medicine*, 387 Mass. 708 (1982), the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician has engaged in conduct that undermines the public confidence in the integrity of the medical profession.

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,

Candace Lapidus Sloane, MD
Candace Lapidus Sloane, M.D.
Board Chair

Date: February 11, 2016