

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2023-039

In the Matter of

JONATHAN S. WEISS, 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 Jonathan S. Weiss, M.D., (Respondent) 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. 21-236.

Biographical Information

1. The Respondent is a 1983 graduate from the University of California School of Medicine, Los Angeles. He has been licensed to practice medicine in Massachusetts under certificate number 53424 since 1984. He is certified by the American Board of Psychiatry.

Factual Allegations

2. To be valid, a prescription must be issued for a legitimate medical purpose, by a practitioner in the usual course of his professional practice. Specifically, there must be a physician-patient relationship, the physician must take and record a proper medical history, carry

out an appropriate physical or mental status exam and records the results of same in a medical record.

3. On November 25, 2019, the Respondent prescribed fluoxetine to a patient's dog that suffered from severely disruptive behavior caused by separation anxiety.

4. The prescription the Respondent issued for the dog was not written in the usual course of his professional practice as a psychiatrist.

Legal Basis for Proposed Relief

A. Pursuant to G.L. c. 112 § 5, ninth par. (b) and 243 CMR 1.03(5)(a)(2) the Board may discipline a physician upon proof satisfactory to a majority of the Board that said physician committed an offense against the laws of the Commonwealth relating to the practice of medicine, or any rule or regulation adopted thereunder, specifically:

1. M.G.L. c. 94C §19(a).

B. 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, the Respondent:

1. Prescribing Practices Policy and Guidelines, Board of Registration in Medicine adopted August 1, 1989, amended June 15, 2023.

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

By the Board of Registration in Medicine,



Julian N. Robinson, M.D.
Board Chair, Physician Member

Date: October 5, 2023