

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2016-003

In the Matter of)
)
)
WAYNE S. WILD, 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 Wayne S. Wild, 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 14-226.

Biographical Information

1. The Respondent was born on April 19, 1946. He graduated from the Columbia University College of Physicians & Surgeons in 1973. He has been licensed to practice medicine in Massachusetts under certificate number 36914 since 1974. He is certified by the American Board of Internal Medicine and holds a Subspecialty Certificate in Gastroenterology. He is employed by Tufts Health Plan as a Utilization Manager.

Factual Allegations

2. On October 14, 2006, the Respondent was arrested in Belmont, Massachusetts and charged with Assault & Battery, in violation of G.L. c. 265, § 13A(a); the Respondent was arraigned on October 16, 2006 in the Cambridge District Court and entered a plea of not guilty.

3. On July 12, 2007, the Respondent admitted to sufficient facts, and was placed on probation for a period of twelve (12) months, and was ordered to complete a Certified Batterer's Intervention Program known as Emerge; at the request of the Probation Department, the Respondent's probation was terminated early, on June 8, 2008.

4. In Massachusetts, a license to practice medicine is issued for a defined period of time, typically two years.

5. To renew a license, physicians are required to complete and file with the Board a Massachusetts Physician Renewal Application (Renewal Application) prior to the expiration date stated on that physician's license; the Renewal Application must be signed by the physician under penalty of perjury that the answers contained within the application are "true, correct, and complete."

2007 Massachusetts Physician Renewal Application

6. On February 10, 2007, the Respondent signed and filed with the Board a Renewal Application (2007 Renewal Application); the Respondent's prior Renewal Application was signed on March 24, 2005.

7. Question 17 of the Respondent's 2007 Renewal Application asked the following question:

17) Criminal Charges

- a) Have you been charged with any criminal offense during this time period?
- b) Have any criminal offenses/charges against you been resolved during this time period?
- c) Are there any criminal charges pending against you today?
- d) Are any Applications of Issuance of Process pending against you?

8. The phrase “time period” for purposes of Question 17 is defined in the 2007 Renewal Application as “all time from the day you signed your last license Renewal Application to the day you sign this Renewal Application.”

9. In his 2007 Renewal Application, the Respondent falsely answered “no” to Questions 17 (a) and (c).

2009 Massachusetts Physician Renewal Application

10. On March 20, 2009, the Respondent signed and filed with the Board a Renewal Application (2009 Renewal Application); the Respondent’s prior Renewal Application was signed on February 10, 2007.

11. Question 17 of the Respondent’s 2009 Renewal Application asked the following question:

17) Criminal Charges

- a) Have you been charged with any criminal offense during this time period?
- b) Have any criminal offenses/charges against you been resolved during this time period?
- c) Are there any criminal charges pending against you today?
- d) Are any Applications of Issuance of Process pending against you?

12. The phrase “time period” for purposes of Question 17 is defined in the 2009 Renewal Application as “all time from the day you signed your last license Renewal Application to the day you sign this Renewal Application.”

13. In his 2009 Renewal Application, the Respondent falsely answered “no” to Question 17 (b).

Legal Basis for Proposed Relief

A. Pursuant to G.L. c. 112, § 5, ninth par. (a) and 243 CMR 1.03(5)(a)1, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician has by fraudulently procuring his certificate of registration or its renewal.

B. 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.

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: January 7, 2016