

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION IN MEDICINE

POLICY 15-02

(Adopted February 19, 2015, Amended June 18, 2015)

POLICY ON PENDING CRIMINAL CHARGES, INDICTMENTS
AND CONVICTIONS

“The public has the right to expect the highest degree of integrity from members of the medical profession.”

Levy v. Board of Registration and Discipline in Medicine,
378 Mass. 519, 528 (1979).

Criminal activity by a physician, while rare, is a matter of grave concern for the Board and for the general public and may directly affect a physician’s license to practice medicine.

Therefore, Board staff, upon learning of a pending criminal charge, indictment or conviction of a physician licensed by the Massachusetts Board of Registration in Medicine, will immediately notify his or her manager, who will notify the Executive Director and the Chair or the Chair’s designee on the same day as the receipt of notice.

The Executive Director and the Chair of the Board, or the Chair’s designee, are authorized by the Board to request that the Enforcement Division investigate the subject matter of the notification and make recommendations whether, where appropriate, the Board should suspend or refuse to renew a license pending a hearing on the question of revocation if the public health, safety, or welfare necessitates summary action. 243 CMR 1.03(11).

The Legislature has charged the Board through its enabling act to protect the public health, welfare and safety. The Board’s purpose in reviewing these cases is not punitive but rather to ensure public protection and patient safety.