

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2012-019

_____)
 In the Matter of)
)
 TIM BAISCH, M.D.)
 _____)

CONSENT ORDER

Pursuant to G.L. c. 30A, § 10, Tim Baisch (Respondent) and the Board of Registration in Medicine (Board) (hereinafter referred to jointly as the "Parties") agree that the Board may issue this Consent Order to resolve the above-captioned adjudicatory proceeding. The Parties further agree that this Consent Order will have all the force and effect of a Final Decision within the meaning of 801 CMR 1.01(11)(d). The Respondent admits to the findings of fact specified below and agrees that the Board may make the conclusions of law and impose the sanction set forth below in resolution of investigative Docket No. 11-419.

Findings of Fact

1 The Respondent was born on July 11, 1956. He graduated from the Washington University School of Medicine in 1984. He is certified by the American Board of Surgery. He has been licensed to practice medicine in Massachusetts under certificate number 75783 since 1992. He is also licensed to practice medicine in New Hampshire.

2. On May 19, 2004, the Respondent's license was indefinitely suspended for violation of 243 CMR 1.03 (5)(a)4 and 243 CMR 1.03 (5)(a)3. The suspension was stayed on May 19, 2004 subject to probation. The Respondent's probation was terminated on August 6, 2008. In the Matter

_____, Board of Registration in Medicine Adjudicatory Case No. 04-21-XX
(Consent Order, May 19, 2004).

3 On June 13, 2001, the Board adopted Policy 01-001 in regard to Disruptive Physician Behavior. In its policy, the Board recognizes that “disruptive behavior by a physician has a deleterious effect on the health care system and increases the risk of patient harm.”

4. On September 22, 2010, while performing a procedure, the Respondent threw a cautery device onto the instrument tray after becoming frustrated that the device was not working properly. The cautery device began to ignite the paper drape beneath the instruments. The smoldering paper was quickly extinguished.

5. On May 2, 2011, the Respondent was on-call at North Adams and was called to assist with an emergency OB/GYN case.

6. The Respondent failed to come in to assist with the case.

7. The Respondent hung up the phone on the senior OB/GYN physician who called to confront the Respondent about his failure to assist during the emergency case.

Conclusions of Law

A. The Respondent has violated 243 CMR 1.03(5)(a)18 by committing misconduct in the practice of medicine.

B. The Respondent has engaged in conduct that undermines the public confidence in the integrity of the medical profession. See Levy v. Board of Registration in Medicine, 378 Mass. 519 (1979); Raymond v. Board of Registration in Medicine, 387 Mass. 708 (1982).

Sanction and Order

The Respondent’s license is hereby reprimanded.

Execution of this Consent Order

The Respondent shall provide a complete copy of this Consent Order with all exhibits and attachments within ten (10) days by certified mail, return receipt requested, or by hand delivery to

the following designated entities: any in- or out-of-state hospital, nursing home, clinic, other licensed facility, or municipal, state, or federal facility at which the Respondent practices medicine; any in- or out-of-state health maintenance organization with whom the Respondent has privileges or any other kind of association; any state agency, in- or out-of-state, with which the Respondent has a provider contract; any in- or out-of-state medical employer, whether or not the Respondent practices medicine there; the state licensing boards of all states in which the Respondent has any kind of license to practice medicine; the Drug Enforcement Administration Boston Diversion Group; and the Massachusetts Department of Public Health Drug Control Program. The Respondent shall also provide this notification to any such designated entities with which the Respondent becomes associated in the year following the date of imposition of this reprimand. The Respondent is further directed to certify to the Board within ten (10) days that the Respondent has complied with this directive.

The Board expressly reserves the authority to independently notify, at any time, any of the entities designated above, or any other affected entity, of any action it has taken.

Signed by Tim Baisch
Licensee

6/14/2012
Date

Signed by W. Scott Liebert
Attorney for the Licensee

June 18, 2012
Date

Signed by Gloria Brooks
Complaint Counsel

6/20/12
Date

So ORDERED by the Board of Registration in Medicine this 20th day of June,
2012.

Signed by Thea L. James
Thea L. James, M.D.
Acting Chair