

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2012-028

)
In the Matter of)

COLIN BLAKE, M.D.)
_____)

CONSENT ORDER

Pursuant to G.L. c. 30A, § 10, Colin Blake, M.D. (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. 11-335.

Findings of Fact

1. The Respondent was born on December 28, 1967. He graduated from Albany Medical College of Union University in 2001. He has practiced medicine in Massachusetts under certificate 225542 since 2005.

2. On September 27, 2011, the Respondent entered into a Voluntary Agreement Not to Practice Medicine (“VANP”). The VANP was ratified by the full Board on October 19, 2011.

3. On January 10, 2006, the Respondent began working at Heywood Hospital in Gardner. He was associated with a group of anesthesiologists who practice at Heywood Hospital.

4. The Respondent typically worked four or five days a week as part of the anesthesia service. He was on-call one day during the work week and one weekend a month.

5. The Respondent had a remote history of abusing alcohol and he had been sober for almost twenty years.

6. In August 2009, the Respondent relapsed. The Respondent drank almost exclusively at home, in the evenings and on weekends.

7. Between approximately April 2011 and August 2011, three nurses and one patient reported to hospital staff that they believed Respondent to be under the influence of alcohol when he was on-call or performing duties at the hospital. . .

8. The Respondent voluntarily entered in-patient alcohol treatment at Hazelden in Minnesota on August 30, 2011. He remained at Hazelden until September 27, 2011.

9. The Respondent was readmitted to Hazelden from October 10, 2011 to November 24, 2011.

10. The Respondent completed the Hazelden program on November 24, 2011.

11. The Respondent entered into a three-year Physician Substance Use Monitoring Contract with the Physician Health Services (PHS) program of the Massachusetts Medical Society, effective December 21, 2011. He has been compliant with that contract.

Conclusions of Law

A. The Respondent has violated G.L. c. 112, § 5, ninth par. (d) and 243 CMR 1.03(5)(a)4 by practicing medicine while his ability to do so was impaired by alcohol and drugs.

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 inchoate right to renew his license is hereby indefinitely suspended. The Respondent has leave to petition for a stay of suspension after twelve consecutive months of documented sobriety from December 21, 2011. Any stay will be conditioned upon the Respondent's entry into a five-year Probation Agreement that includes compliance with his PHS Substance Use Monitoring Contract, approval of a practice plan that includes monitoring of his practice, regular meetings with his therapist, and any other terms and conditions that the Board deems appropriate.

Execution of this Consent Order

The Respondent shall provide a complete copy of this Consent Order and Probation Agreement, 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 s/he 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 for the duration of this suspension. 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 Colin Blake
Colin Blake
Licensee

10/11/12
Date

Signed by Serina Q. Barkley
Serina Barkley
Attorney for the Licensee

10/12/12
Date

Signed by Pamela J. Meister
Pamela J. Meister
Complaint Counsel

10/15/12
Date

So ORDERED by the Board of Registration in Medicine this 7th day of November, 2012 .

Signed by Candace Lapidus Sloane, M.D.
Candace Lapidus Sloane, M.D.
Chair