COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine
Adjudicatory Case No. 2013-032

In the Matter of)
MICHAEL T. FORRESTER, 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 Michael Forrester, 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 Docket No. 12-013.

Biographical Information

1. The Respondent was born on April 19, 1980. He graduated from the Duke University School of Medicine in 2010.

Factual Allegations

- 2. The Respondent held a limited license to practice medicine from July 1, 2010 to August 2012 under certificate number 244271 at Massachusetts General Hospital (MGH).
 - 3. In July 2011, the Respondent began his second year of residency at MGH.
- 4. In October 2011, the Respondent began drinking alcohol shortly before starting his shifts at MGH.

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- 5. In October 2011, the Respondent began taking alcohol with him to work at MGH.
- 6. On December 16, 2011, the Respondent was assigned to work the over-night shift on a general medical floor at MGH.
- 7. On December 16, 2011, just prior to his shift at MGH, the Respondent drank alcohol.
 - 8. On December 16, 2011, the Respondent brought alcohol with him to work.
- 9. During the course of the December 16 and 17, 2011 overnight shift, the Respondent treated patients.
- 10. During the course of the December 16 and 17, 2011 overnight shift, several nurses noticed that the Respondent smelled of alcohol and that he exhibited increasing signs of impairment.
- 11. As a result of the nursing staff's observations, the Respondent's MGH supervisor sent the Respondent home before the end of his shift.
- 12. The Respondent entered treatment for his alcohol use on December 23, 2011. He began random testing with Physician Health Services on March 20, 2012, and entered into a PHS monitoring contract effective April 20, 2012. He has remained in compliance with his contract since he entered into it.

Legal Basis for Proposed Relief

A. Pursuant to G.L. c. 112, §5, ninth par. (d) and 243 CMR 1.03(5)(a)4, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician practiced medicine while his ability to do so was impaired by alcohol, drugs, physical disability or mental instability.

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B. Pursuant to Levy v. Board of Registration in Medicine, 378 Mass. 519 (1979); Raymond v. Board of Registration in Medicine, 387 Mass. 708 (1982), the Board may discipline

a physician upon proof satisfactory to a majority of the Board, that said has engaged in conduct

that undermines the public confidence in the integrity of the medical profession.

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,

Condace lapidua Sloare, MD

Candace Lapidus Sloane, M.D.

Board Chair

Date: July 17, 2013