

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2012-001

\_\_\_\_\_ )  
 In the Matter of )  
 )  
 MARK HUGHES, M.D. )  
 \_\_\_\_\_ )

**CONSENT ORDER**

Pursuant to G.L. c. 30A, § 10, Mark Hughes, 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. 11-224.

**Findings of Fact**

1. The Respondent was born on January 26, 1961. He graduated from Harvard Medical School in 1986. He is certified by the American Board of Ophthalmology. He has been licensed to practice medicine in Massachusetts under certificate number 72171 since 1990. He has admitting privileges at Massachusetts Eye & Ear Infirmary and is affiliated with Massachusetts General Hospital, Milton Hospital, Saints Memorial Medical Center, Melrose-Wakefield Hospital, Winchester Hospital, and Lawrence Memorial Hospital.

2. On July 18, 2011, the Respondent plead guilty in the United States District Court, District of Massachusetts to one charge of tax evasion and one charge of obstruction of a tax audit.

3. The Respondent was sentenced to a year and a day in prison, followed by a period of supervised release with special conditions for two years. He was also fined \$60,000. The Respondent is to self-report to the custody of the Bureau of Prisons by January 3, 2012.

4. The Respondent has paid all unpaid income taxes, penalties and interests.

#### Conclusion of Law

A. The Respondent has violated 243 CMR 1.03(5)(a)7 in that he has been convicted of a crime.

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 indefinitely suspended. The Respondent may petition to lift the suspension one year from the date on which the Board approves the Consent Order. At the time of the Respondent's petition to lift the suspension, he must enter into a Probation Agreement. The terms of the Probation Agreement shall include, but may not be limited to, the completion of one thousand (1,000) hours of uncompensated community service as a physician. The Respondent must receive Board approval prior to commencing any community service.

#### 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 the active suspension or the stayed 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 Mark Hughes  
Mark Hughes, M.D.  
Licensee

12/16/2011  
Date

Signed by Paul Cirel  
Paul Cirel, Esq.  
Attorney for the Licensee

12/19/2011  
Date

Signed by Luz Carrion  
Luz A. Carrion, Esq.  
Complaint Counsel

12/21/11  
Date

So ORDERED by the Board of Registration in Medicine this 4th day of January, 2012.

Signed by Peter Paige  
Peter Paige, M.D.  
Chairman