

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2013-048

In the Matter of)
)
)
SALAH REYAD, 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 Salah Reyad, 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. 10-338.

Biographical Information

1. The Respondent was born on January 4, 1953. He graduated from the Ain Shams University, Faculty of Medicine in Cairo, Egypt. He is certified by the American Board of Internal Medicine. He has been licensed to practice medicine in Massachusetts under certificate number 78407 since 1990. He has privileges at Sturdy Memorial Hospital, Milton Hospital, and Quincy Medical Center.

Factual Allegations

2. Respondent joined the Medical Staff at Norwood Hospital in 1993. The Respondent and Norwood engaged in a long standing dispute about various hospital policies and

the Respondent's behavior. In October 2004, Norwood Hospital (Norwood) conditionally credentialed the Respondent and placed him on probation because they believed that he had engaged in a pattern of disrespectful, rude, and disruptive conduct. In 2010, a majority of the medical staff expressed their preference to have the Respondent appointed as the Chief of Medicine. Because of concerns about the Respondent's behavior, Norwood did not appoint him to said position.

3. In or around January 2006, the Respondent insisted to Patient A's daughter that it was the daughter's responsibility to take care of her mother.

4. On April 1, 2006, the Respondent raised his voice at a Norwood employee who failed to call him for a consultation.

5. On January 21, 2007, the Respondent raised his voice while complaining to a member of Norwood's janitorial staff.

6. In 2008, on two occasions, the Respondent, without authorization, accessed Patient B's Norwood medical record. Patient B had originally been admitted to the Respondent's service, but was not the Respondent's patient when he accessed the records.

7. In 2009, the Respondent, on one occasion, was rude, aggressive, and dismissive when dealing with janitorial staff.

8. On February 20, 2010, the Respondent delayed the discharge of Patient C from Norwood simply because she was talking on the telephone when he came into her room.

9. In August 2010, Norwood did not renew the Respondent's privileges because, from December 2004 to February 2010, Norwood received multiple complaints about the Respondent's behavior and received one complaint regarding a breach of confidentiality.

10. Board Policy Number 01-01 on Disruptive Physician Behavior states that

11. “Disruptive behavior by a physician has a deleterious effect on the health care system and increases the risk of patient harm.”

12. Behaviors such as foul language; rude, loud or offensive comments; and intimidation of staff, patients and family members are now recognized as detrimental to patient care.

13. Disruptive behavior can include passive behavior such refusing to perform tasks.

14. By his actions, the Respondent violated the Board of Registration in Medicine’s Disruptive Physician Behavior Policy.

Legal Basis for Proposed Relief

A. Pursuant to 243 CMR 1.03(5)(a)18, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician committed misconduct in the practice of medicine

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,

Candace Lapidus Sloane, M.D.

Candace Lapidus Sloane, M.D.
Board Chair

Date: September 25, 2013

SENT CERTIFIED MAIL 9/26/13 