

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2013-030

In the Matter of)
)
)
MICHAEL A. REYNOLDS, 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 A. Reynolds, 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. 11-213.

Biographical Information

1. The Respondent was born on March 6, 1971. He graduated from the Boston University School of Medicine in 1997. He is certified by the American Board of Family Medicine. He has been licensed to practice medicine in Massachusetts under certificate number 204928 since 2000.

Factual Allegations

2. In 2010, the Respondent worked as an Emergency Room physician at Henry Heywood Hospital in Gardner (Heywood Hospital) and at Athol Memorial Hospital in Athol (Athol Hospital).

3. In 2010, the Respondent started prescribing Ketamine, a Schedule III drug, for his patients at Heywood and Athol Hospitals.

4. In 2010 and 2011, the Respondent diverted for self-use some of the Ketamine that he prescribed to his patients.

5. In early 2011, the Respondent spoke with administrators at Heywood and Athol Hospitals and advocated for the increased use of Ketamine at both hospitals.

6. In 2011, the Respondent started using the Ketamine that he had diverted in the on-call rooms at Heywood and Athol Hospitals.

7. In 2011, the Respondent started prescribing liquid cocaine to patients at Heywood and Athol Hospitals.

8. In 2011, the Respondent diverted for self-use some of the liquid cocaine that he prescribed to his patients.

9. In 2011, the Respondent ordered bath salts online and injected them into himself.

10. Starting on May 30, 2011 at 7:00 a.m., the Respondent was in the on-call room at Heywood Hospital for an extended period of time. While in the hospital's on-call room, he injected bath salts into himself.

11. On May 30, 2011, at 7:00 p.m., the Respondent began working at the Heywood Hospital Emergency Room and worked until 7:00 a.m. June 1, 2011.

12. The Respondent entered into a Physician Health Services monitoring contract with an effective date of June 5, 2011 and has remained compliant with the 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.

B. Pursuant to G.L. c. 112, §5, ninth par. (c) and 243 CMR 1.03(5)(a)3, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that he engaged in conduct that places into question the Respondent's competence to practice 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, MD
Candace Lapidus Sloane, M.D.
Board Chair

Date: June 19, 2013

SENT CERTIFIED MAIL 6/21/13 mg