

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2013-030

\_\_\_\_\_  
)  
In the Matter of )  
)

MICHAEL A. REYNOLDS, M.D. )  
\_\_\_\_\_)

**CONSENT ORDER**

Pursuant to G.L. c. 30A, § 10, Michael A. Reynolds, 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. 11-213.

**Findings of Fact**

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.

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.

### 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.
- B. The Respondent has violated G.L. c. 112, § 5, ninth par. (c) and 243 CMR 1.03(5)(a)3 by engaging in conduct that places into question the Respondent's competence to practice medicine.

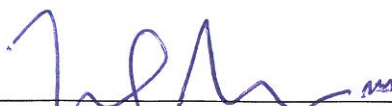
### Sanction and Order

The Respondent's license is hereby indefinitely suspended. The suspension may be stayed upon the Respondent providing the Board with documentation of thirty-six months of continuous sobriety as demonstrated by compliance with a Physician Health Services (PHS) Substance Use Monitoring contract and documentation from his treating psychiatrist that he is fit to practice medicine. Any stay of suspension will be at the Board's discretion and contingent upon the Respondent's entry into a five year Probation Agreement under terms and conditions that the Board deems appropriate at that time including, but not limited to ongoing compliance with PHS Substance Abuse Monitoring contract that includes urine toxicology screens, participation in individual and group therapy to address addiction issues, a Board-approved practice plan with weekly monitoring by a Board-approved practice monitor, a restriction prohibiting the Respondent from prescribing medications listed on Schedules II through V, and any other terms the Board deems appropriate. The monitored practice setting shall not include a solo practice. The calculation of the thirty-six month term of sobriety shall commence on the date on which Dr. Reynolds entered into his PHS contract.

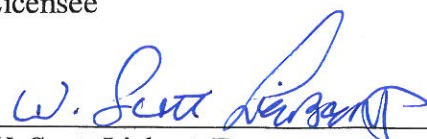
Execution of this Consent Order

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.

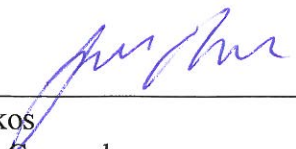
The Board expressly reserves the authority to independently notify, at any time, any of the entities designated above, or any other affected entity, of any action it has taken.

  
\_\_\_\_\_  
Michael A. Reynolds, M.D.  
Licensee

05/20/2013  
Date

  
\_\_\_\_\_  
W. Scott Liebert, Esq.  
Attorney for the Licensee

5/21/2013  
Date

  
\_\_\_\_\_  
James Paikos  
Complaint Counsel

5/28/2013  
\_\_\_\_\_  
Date

So ORDERED by the Board of Registration in Medicine this 19<sup>th</sup> day of June,  
2013.

Candace Lapidus Sloane, MD  
Candace Lapidus Sloane, M.D.  
Board Chair

SENT CERTIFIED MAIL 6/21/13 mg