

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2025-015

In the Matter of

RICHARD L. CURTIS, M.D

**CONSENT ORDER**

Pursuant to G.L. c. 30A, § 10, Richard L. Curtis, 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. 21-408.

**Findings of Fact**

1. The Respondent is a 1975 graduate of Cornell University Medical College. He has been licensed to practice medicine in Massachusetts since April 22, 1987 under license number 57485. He is ABMS certified in Internal Medicine with a subspecialty certification in Gastroenterology. He practices with Gastroenterology HealthCare Associates.

Patient A

2. On or about G.L. c. 4, § 7(26)(c), 2019, the Respondent was performing a colonoscopy on Patient A.

3. The Respondent was assisted during the procedure by two staff members who were not physicians.

4. Prior to the end of the procedure, the Respondent left the procedure room and returned after two to ten minutes to finish the procedure.

5. The Respondent did not ensure that the medical record for Patient A documented his absence.

6. Patient A's care was not negatively impacted by the Respondent's absence.

Patient B

7. On or about G.L. c. 4, § 7(26)(c), 2021, the Respondent performed a colonoscopy on Patient B.

8. The Respondent was assisted during the procedure only by two staff members who were not physicians.

9. Prior to the end of the procedure, the Respondent left the procedure room and returned after two to ten minutes to finish the procedure.

10. The Respondent did not ensure that the medical record for Patient B documented his absence.

11. Patient B's care was not negatively impacted by the Respondent's absence.

### Disruptive Behavior

12. In February 2021, a nursing supervisor at Newton-Wellesley Hospital (NWH) communicated to physician and nursing staff about the implementation of a new safety metric affecting physician practice of colonoscopies.

13. Upon learning of the communication, the Respondent, who was at that time the Chief of the Gastroenterology Department, approached the nursing supervisor because he had not been provided notice that the communication would be issued.

14. During his discussion with the nursing supervisor, the Respondent raised his voice in a manner that violated Board Policy Number 01-01 on Disruptive Physician Behavior.

### Conclusion of Law

A. The Respondent has violated 243 CMR 1.03(5)(a)18 by committing misconduct in the practice by engaging in disruptive behavior established in paragraphs 12 – 14, *supra*.

B. The Respondent has violated G.L. c. 112, § 5, eighth par. (b) and 243 CMR 1.03(5)(a)2 by committing an offense against a provision of the laws of the Commonwealth relating to the practice of medicine, or a rule or regulation adopted thereunder—to wit: 243 CMR 2.07(26)(g) which states:

The attending physician/primary operator at a medical procedure, intervention or treatment requiring the patient's written informed consent shall be responsible for including in the patient's medical record, or having included, written documentation of the attending physician's presence or absence during the procedure, intervention or treatment. If the attending physician/primary operator was absent for any part of the procedure, the medical record shall reflect the time of the absence(s) and who was the attending physician/primary operator during the absence(s).

### Sanction and Order

The Respondent's license is hereby Reprimanded. This sanction is imposed for each violation of law listed in the Conclusion section and not a combination of any or all of them.

### Execution of this Consent Order

Complaint Counsel and the Respondent agree that the approval of this Consent Order is left to the discretion of the Board. The signature of Complaint Counsel, the Respondent, and the Respondent's counsel are expressly conditioned on the Board accepting this Consent Order. If the Board rejects this Consent Order in whole or in part, then the entire document shall be null and void; thereafter, neither of the parties nor anyone else may rely on these stipulations in this proceeding.

As to any matter in this Consent Order left to the discretion of the Board, neither the Respondent, nor anyone acting on his behalf, has received any promises or representations regarding the same.

The Respondent waives any right of appeal that he may have resulting from the Board's acceptance of this Consent Order.

The Respondent shall provide a complete copy of this Consent Order with all exhibits and attachments by certified mail, return receipt requested, or by hand delivery within ten (10) days of written Notice of the Board's acceptance of this Consent Order 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 the Respondent 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 in the year following the date of imposition of this reprimand. The Respondent is further directed to certify to the Board within ten (10) days of written Notice of the Board's acceptance of this Consent Order 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 Richard L. Curtis, M.D.  
Richard L. Curtis, M.D.  
Licensee

2/10/25  
Date

Signed by Lawrence M. Kraus  
Lawrence M. Kraus  
Attorney for the Licensee

2/18/25  
Date

Signed by James Paikos  
James Paikos  
Complaint Counsel

2/19/25  
Date

So ORDERED by the Board of Registration in Medicine this 1st day of May, 2025.

Signed by Booker T. Bush, M.D.  
Booker T. Bush, M.D.  
Board Chair