

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2024-040

In the Matter of

KATHERINE E. KROLL, M.D.

**CONSENT ORDER**

Pursuant to G.L. c. 30A, § 10, Katherine E. Kroll, 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. 23-617.

**Findings of Fact**

1. The Respondent is Board-certified in emergency medicine. She graduated from the University of Texas, Southwestern Medical School in 2009. The Respondent was licensed to practice medicine in Massachusetts under certificate number 249968 between 2011 and 2016, when her license lapsed. The Respondent was previously affiliated with Cambridge Health Alliance (CHA). The Respondent now resides in Sweden.

2. On G.L. c. 4, § 7(26)(c), 2014, Patient A fell G.L. c. 4, § 7(26)(c) and presented to the Respondent at G.L. c. 4, § 7(26)(c) Hospital for evaluation and treatment.

3. Patient A had a history of *G.L. c. 4, § 7(26)(c)*.
4. Among other things, the Respondent ordered a *G.L. c. 4, § 7(26)(c)*.
5. The *G.L. c. 4, § 7(26)(c)*  
*G.L. c. 4, § 7(26)(c)*.
6. The *G.L. c. 4, § 7(26)(c)* discussed the *G.L. c. 4, § 7(26)(c)* findings with the Respondent and recommended that a *G.L. c. 4, § 7(26)(c)* patient, such as a *G.L. c. 4, § 7(26)(c)*, should receive a follow-up *G.L. c. 4, § 7(26)(c)* to further evaluate the *G.L. c. 4, § 7(26)(c)*.
7. The Respondent noted that the *G.L. c. 4, § 7(26)(c)* were negative for traumatic injury in Patient A's medical records.
8. The Respondent discharged Patient A home with a plan to follow-up with his primary care physician and an *G.L. c. 4, § 7(26)(c)* surgeon.
9. The Respondent failed to document informing Patient A of the *G.L. c. 4, § 7(26)(c)*  
*G.L. c. 4, § 7(26)(c)*.
10. The Respondent failed to inform Patient A's primary care physician of the *G.L. c. 4, § 7(26)(c)* as she was under the impression that Patient A was transferring his care to a different, in-network primary care physician.
11. The Respondent understood that Patient A would also receive a written letter by the *G.L. c. 4, § 7(26)(c)* also notifying him of the *G.L. c. 4, § 7(26)(c)* and advising him to follow up with his primary care physician for further evaluation.
12. In *G.L. c. 4, § 7(26)(c)* 2015, Patient A was diagnosed with *G.L. c. 4, § 7(26)(c)*.
13. On *G.L. c. 4, § 7(26)(c)* 2015, Patient A died from his *G.L. c. 4, § 7(26)(c)*.
14. In May 2017, the representatives of Patient A's estate filed a medical malpractice and wrongful death suit against the Respondent.

15. In April 2023, the jury returned a verdict finding the Respondent to be grossly negligent in her care and treatment of Patient A and that her negligence caused Patient A's injury and/or death. A copy of the Verdict Form is attached hereto as **Exhibit 1** and incorporated by reference.

16. The jury awarded damages totaling \$5,875,000, of which \$275,000 was awarded for punitive damages as a result of the finding of gross negligence.

#### Conclusion of Law

A. The Respondent has violated G.L. c. 112, §5, ninth par. (c) and 243 C.M.R. 1.03(5)(a) 3 in that he engaged in conduct which calls into question her competence to practice medicine, including but not limited to practicing medicine with gross incompetence, or with gross negligence on a particular occasion or negligence on repeated occasions.

B. The Respondent has violated 243 C.M.R. 1.03(5)(a) 17 in that she committed malpractice within the meaning of G.L. c. 112, § 61.

#### Sanction and Order

Pursuant to G.L. c. 112, § 5A and 243 C.M.R. 1.05(7), the Respondent's license to practice medicine 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

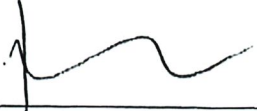
Complaint Counsel and the Respondent agree that the approval of this Consent Order is left to the discretion of the Board. The signature of Complaint Counsel and the Respondent are expressly conditioned on the Board accepting this Consent Order. If the Board rejects this Consent Order in whole or in 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 her behalf, has received any promises or representations regarding the same.

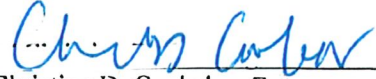
The Respondent waives any right of appeal that she may have resulting from the Board's acceptance of this Consent Order.

The Respondent shall provide a complete copy of this Consent Order with all exhibits and attachments 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 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 that the Respondent has complied with this directive.

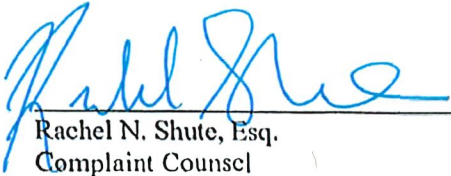
The Board expressly reserves the authority to independently notify, at any time, any of the entities designated above, or any other affected entity, of any action it has taken.

  
\_\_\_\_\_  
Katherine E. Kroll, M.D.  
Licensee

May 21, 2024  
Date


  
\_\_\_\_\_  
Christine D. Cooledge, Esq.  
Counsel for Licensee

May 21, 2024  
Date

  
\_\_\_\_\_  
Rachel N. Shute, Esq.  
Complaint Counsel

May 23, 2024  
Date

So ORDERED by the Board of Registration in Medicine this 15th day of August,  
2024.

  
\_\_\_\_\_  
Booker T. Bush, M.D.  
Board Chair

3