

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2024-006

In the Matter of

Wayne W. Liou, M.D.

CONSENT ORDER

Pursuant to G.L. c. 30A, § 10, Wayne W. Liou, 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 C.M.R 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 number 23-165.

Findings of Fact

1. The Respondent graduated from the Wayne State University School of Medicine in 1996. He is certified by the American Board of Medical Specialties in Diagnostic Radiology. The Respondent has been licensed to practice medicine in Massachusetts under license number 226630 since 2005.

2. The Respondent is licensed to practice medicine in many other states, including Wisconsin, Tennessee, and Texas. On March 15, 2023, the Wisconsin Medical Examining Board (“WI Board”) imposed discipline on the Respondent’s license in Wisconsin due to Respondent’s violation of Wisconsin law governing the practice of medicine.

3. Specifically, the WI Board disciplined the Respondent for unprofessional conduct by departing from or failing to conform to the standard of minimally competent medical practice which creates an unacceptable risk of harm to a patient or the public whether or not the act or omission resulted in actual harm to any person.

4. The WI Board disciplined the Respondent for the following conduct:

a. On September ^{G.L. c. 4, §} 2014, a ^{G.L. c. 4, § 7(26)(c)} male patient (“Patient A”) was admitted to the hospital in Wisconsin where Respondent practiced as a radiologist and provided remote/teleradiology services.

b. Patient A was admitted to the hospital after presenting to the emergency room

G.L. c. 4, § 7(26)(c)

c. Patient A underwent a CT ^{G.L. c. 4, § 7(26)(c)}, among other imaging studies. Respondent performed a preliminary interpretation of the CT on an emergent basis. Respondent’s finding included ^{G.L. c. 4, § 7(26)(c)}

G.L. c. 4, § 7(26)(c)

d. On September ^{G.L. c. 4}, 2014, the hospital’s in-house radiologist reviewed and interpreted the same CT ^{G.L. c. 4, § 7(26)(c)} that Respondent interpreted, and found,

G.L. c. 4, § 7(26)(c)

G.L. c. 4, § 7(26)(c)

- e. Respondent's failure to report that the CT **G.L. c. 4, § 7(26)(c)**
G.L. c. 4, § 7(26)(c)
G.L. c. 4, § 7(26)(c) departed from the standard of minimally competent medical practice.
5. The WI Board imposed a reprimand and ordered Respondent to complete three hours of education on the topic of imaging and neurological emergencies in the spine.
6. Based on the WI Board's action, the Tennessee Board of Medical Examiners reprimanded Dr. Liou's medical license.
7. Based on the WI Board's action, the Texas Medical Board reprimanded Dr. Liou's medical license and assessed him a monetary penalty.

Conclusions of Law

- A. Respondent violated 243 C.M.R. 1.03(5)(a)(12) by being disciplined by the WI Board for reasons substantially the same as those set forth in G.L. c. 112, § 5 or 243 C.M.R. 1.03(5). More specifically, the reason discipline was imposed by the WI Board is substantially the same as Respondent having violated:
1. 243 C.M.R. 1.03(5)(a)(3) by engaging in conduct which places into question the Respondent's competence to practice medicine, including but not limited to gross misconduct in the practice of medicine, or practicing medicine fraudulently, or beyond its authorized scope, or with gross incompetence, or with gross negligence on a particular occasion or negligence on repeated

occasions.

Order

The Respondent's medical 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 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.

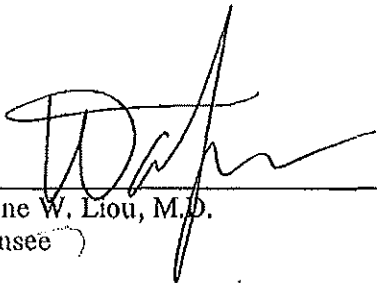
As to any matter in this Consent Order left to the discretion of the Board, neither the Respondent, nor anyone acting on his behalf, has received any promises or representations regarding the same.

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 within ten (10) days by certified mail, return receipt requested, electronic mail, 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

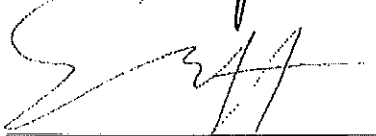
kind of license to practice medicine; the Drug Enforcement Administration Boston Diversion Group; and the Massachusetts Department of Public Health Drug Control Program. If the Respondent chooses to utilize electronic mail to notify any of the aforementioned designated entities, the Respondent shall obtain written confirmation of their receipt of a complete copy of this Consent Order from those designated entities. 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.



Wayne W. Liou, M.D.
Licensee


Jan 22 2024
Date



Erik R. Bennett, Esq.
Complaint Counsel

1/29/2024
Date

So ORDERED by the Board of Registration in Medicine this 8th day of February 2024.



Booker T. Bush, M.D.
Board Chair