

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No.: 2023-048

In the Matter of  
Robert A. Martin, M.D.

**CONSENT ORDER**

Pursuant to G.L. c. 30A, § 10, Robert A. Martin, 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 23-783.

**Findings of Fact**

1. The Respondent graduated from the University of Massachusetts Medical School in 2017. He has been licensed to practice medicine in Massachusetts under license number 287630 since 2021. He is board-certified in Neurology and has privileges at Baystate Medical Center (“Baystate”).

2. The Respondent is an employee of Baystate Medical Practice where he has worked in Baystate’s Neurology Department at 3300 Main Street in Springfield since October 2022.

3. On November 21, 2023, the Respondent saw six patients in clinic from 8:00 a.m. to 2:30 p.m.

4. The Respondent then returned to his administrative office, which was locked from the inside, where he remained until approximately 5:00 p.m. that afternoon.

5. The Respondent's administrative office is located on a floor that is shared by two other departments and has patient examination rooms.

6. The Respondent's administrative office has two large windows facing the Damour Center for Cancer Care (DCCC), which is located across the street at 3350 Main Street and is open for appointments until approximately 5:00 p.m.

7. Between approximately 4:00 and 5:00 pm that afternoon, approximately 10-20 employees from DCCC observed the Respondent masturbating in his office.

8. The DCCC staff were upset by the Respondent's actions.

9. The DCCC staff reported what they observed to security and to administration, which commenced an immediate investigation.

10. The Respondent was fully cooperative with that investigation and admitted his conduct.

11. Baystate placed the Respondent on administrative leave as a result of his conduct on November 21, 2023.

12. On November 30, 2023, the Respondent voluntarily contacted the Physicians Health Services Program of the Massachusetts Medical Society ("PHS"), which undertook a comprehensive evaluation and assessment process that culminated in Respondent entering into a Behavioral Health Monitoring Contract with PHS on May 2, 2024.

#### Conclusions of Law

A. Respondent violated a rule or regulation of the Board, in violation of G.L. c. 112,

§ 5, eighth par. (h) and 243 C.M.R. 1.03(5)(a)(11) by engaging in disruptive behavior in violation of Board Policy 01-01, *Disruptive Physician Behavior* (adopted June 13, 2001).

- B. Respondent committed misconduct in the practice of medicine in violation of 243 C.M.R. 1.03(5)(a)(18).
- C. Pursuant to *Raymond v. Board of Registration in Medicine*, 387 Mass. 708 (1982); *Levy v. Board of Registration in Medicine*, 378 Mass. 519 (1979), the Respondent lacked good moral character and engaged in conduct that undermines the public confidence in the integrity of the medical profession.

#### Order

The Respondent's medical license is hereby SUSPENDED, indefinitely. The Respondent is granted leave to petition the Board for a stay of the suspension upon demonstrating his fitness to practice. Any stay of the suspension would be at the Board's discretion and contingent upon the Respondent entering into a five-year Probation Agreement with terms including: (1) entry into and compliance with a PHS Behavioral Health Monitoring Contract; (2) a Board-approved workplace monitor; (3) ongoing treatment; (4) and successful completion of the Acumen Institute's Longitudinal Treatment program. This sanction is imposed for each violation of law listed in the Conclusions 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 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 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.



Robert A, Martin, M.D.  
Licensee

9/9/2024

Date



Paul R. Cirel, Esq.  
Counsel for Licensee

9/12/24

Date



Erik R. Bennett, Esq.  
Complaint Counsel

10/21/2024

Date

So ORDERED by the Board of Registration in Medicine this 21<sup>st</sup> day of October, 2024.



Booker T. Bush, M.D.  
Board Chair