

3. Specifically, the MS Board disciplined the Respondent for failing to establish a valid physician/patient relationship, utilizing a questionnaire in lieu of a physical examination, and unprofessional conduct, which includes, but is not limited to, being guilty of any dishonorable or unethical conduct likely to deceive, defraud, or harm the public.

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

- a. On or about May 23, 2022, the MS Board received a complaint from a physician alleging that Respondent was prescribing medications such as Ozempic via telehealth with no audio and/or video contact with at least one patient. It was also alleged that side effects of those drugs were not discussed with the patient prior to prescribing.
- b. During the MS Board's investigation, it was discovered that Respondent was also prescribing medications to at least two other patients in the State of Mississippi. The investigation found that all patient encounters were conducted via instant messages through a phone application and website cased "Push Health."
- c. Communication for all patient encounters was conducted via instant messages on the website "Push Health."
- d. Respondent testified that she only reviewed questionnaires completed by patients when they registered for "Push Health" prior to prescribing medication. Other than the instant messages, Respondent testified that she did not ask any questions or engage in any relevant communication with patients to establish the physician/patient relationship needed to practice telemedicine in the state of Mississippi.

5. The MS Board; suspended Respondent's Mississippi medical license for three months, which was immediately stayed; ordered her to complete the Center for Personalized

Education for Physicians' PROBE course; prohibited her from practicing telemedicine in the state for one month; and required her to submit her telehealth operating procedures for MS Board review prior to her returning to telehealth practice in Mississippi.

6. Based on the MS Board's action, the following medical Board's have imposed discipline on her medical license to practice there: Colorado; District of Columbia; Hawaii; Illinois; Kansas; Kentucky; Louisiana; Maine; Maryland; New Mexico; North Carolina; Pennsylvania; South Dakota; Tennessee; Vermont; Virginia; and West Virginia.

Conclusions of Law

A. Respondent violated 243 C.M.R. 1.03(5)(a)(12) by being disciplined by the MS 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 MS Board is substantially the same as Respondent having violated:

1. 243 C.M.R. 1.03(5)(a)(10) by practicing medicine deceitfully, or engaging in conduct which has the capacity to deceive or defraud; or
2. 243 C.M.R. 1.03(5)(a)(11) by violating any rule or regulation of the Board.

More specifically, violating:

a) *Massachusetts Board of Registration in Medicine Prescribing*

Practices Policy and Guidelines, Policy No. 15-05 (adopted October 8, 2015), Section 4: Internet Prescribing, which states:

1. To be valid, a prescription must be in the usual course of the physician's professional practice, and within a physician-patient relationship that is for the purpose of maintaining the patient's well-being. In addition, the physician must conform to certain minimum standards of patient care, such as taking an

adequate medical history, doing a physical and/or mental status examination and documenting the findings. This rule applies to any prescription, issued by any means, including the Internet or other electronic process. Prescribing that does not meet these requirements is unlawful.

Order

The Respondent's medical license is hereby reprimanded. Furthermore, Respondent must also pay a \$1,000.00 fine for violating 243 C.M.R. 1.03(5)(a)(12) by being disciplined by the MS Board for reasons substantially the same as those set forth in G.L. c. 112, § 5 or 243 C.M.R. 1.03(5). The fines must be paid within sixty (60) days of the acceptance of this Consent Order by the Board. The Board will not renew the license of any physician who fails to pay a fine in a timely manner; this step will be taken automatically and no further notice or process will apply.

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.

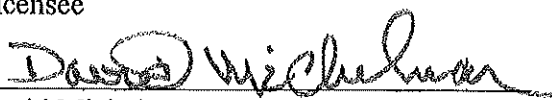
The Respondent shall provide a complete copy of this Consent Order within ten (10) days by certified mail, return receipt requested, or by hand delivery to the following designated entities: any in- or out-of-state hospital, nursing home, clinic, other licensed facility, or municipal, state, or federal 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.



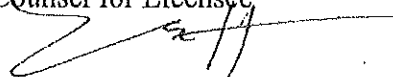
Laura E. Purdy, M.D.
Licensee

4-23-24
Date



David Michelman, Esq.
Counsel for Licensee

4/11/24
Date



Erik R. Bennett, Esq.
Complaint Counsel

4/29/2024
Date

So ORDERED by the Board of Registration in Medicine this 18th day of June, 2024.

A handwritten signature in black ink, appearing to read 'Booker T. Bush', written over a horizontal line.

Booker T. Bush, M.D.
Board Chair