

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2022-042

In the Matter of

JEREMY B. RICHARDS, M.D.

CONSENT ORDER

Pursuant to G.L. c. 30A, § 10, Jeremy B. Richards, 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. 21-420.

Findings of Fact

1. The Respondent graduated from the Washington University School of Medicine in 2004. He has been licensed to practice medicine in Massachusetts under certificate number 229945 since 2006. He is Board-certified in Internal Medicine, Critical Care Medicine, and Pulmonary Disease. He has privileges at Beth Israel Deaconess Medical Center (BIDMC), South Shore Hospital, and Mount Auburn Hospital.

2. The Respondent was scheduled to work as the Attending ICU Physician at South Shore Hospital from 7:00pm on August 7, 2021 until 7:00am on August 8, 2021.

3. Earlier in the day of August 7, 2021, the Respondent consumed a bottle of wine and fell asleep on the couch after dealing with a personal matter.

4. Sometime after 7:00pm on August 7, 2021, the Respondent awoke to several calls and text messages.

5. The Respondent received a text message from the outgoing Attending ICU Physician (outgoing Attending) at 7:27pm inquiring as to the Respondent's whereabouts.

6. The Respondent thereafter communicated several times with the outgoing Attending and the Chair of Critical Care Medicine (Chair) between 7:27pm and 10:37pm. In each of those communications, the Respondent provided misinformation concerning his whereabouts by stating either that he was on his way to South Shore Hospital, or that he had arrived and was elsewhere in the hospital.

7. During each of his communications on August 7, 2021 with the outgoing Attending and the Chair, the Respondent was intoxicated.

8. By 5:48am on August 8, 2021, the Respondent had yet to arrive at South Shore Hospital.

9. At all times from August 7, 2021 at 7:00pm until August 8, 2021 at 7:00am, including during each of his communications with the outgoing Attending and the Chair, the Respondent remained at an apartment in Boston, Massachusetts.

10. The outgoing Attending worked the Respondent's scheduled shift from August 7, 2021 at 7:00pm until August 8, 2021 at 7:00am.

11. The Chair worked the outgoing Attending's next scheduled shift on August 8, 2021.

12. The Respondent emailed the Chair on August 10, 2021 and August 12, 2021 informing him, respectively, that the Respondent was in Wisconsin attending to a personal matter, and that his September shifts should be cancelled as he would be remaining in Wisconsin for some time.

13. On August 10, 2021 and August 12, 2021, the Respondent was receiving substance abuse treatment in Massachusetts.

14. Following his substance abuse treatment in August, the Respondent contacted the Physician Health Services program of the Massachusetts Medical Society (“PHS”), which recommended additional evaluation and potential treatment.

15. In accordance with the PHS recommendation, the Respondent received evaluation and treatment at the Florida Recovery Center from October 25, 2021 to January 20, 2022.

16. On January 13, 2022, the Respondent entered into a “Physician’s Substance Abuse Monitoring Contract” with PHS, with which he has been fully compliant.

Conclusion of Law

- A. The Respondent has violated 243 CMR 1.03(5)(a)10 by practicing medicine deceitfully, or engaging in conduct that has the capacity to deceive or defraud. The Respondent has violated G.L. c. 112, § 61(5) by engaging in dishonesty, fraud or deceit which is reasonably related to the practice of medicine.
- B. The Respondent has engaged in conduct that undermines the public confidence in the integrity of the medical profession. *See Levy v. Board of Registration in Medicine*, 378 Mass. 519 (1979); *Raymond v. Board of Registration in Medicine*, 387 Mass. 708 (1982).

Sanction and Order

The Respondent's license is hereby reprimanded. Further, the Respondent agrees to enter into a Five-year Probation Agreement with terms and conditions the Board deems appropriate including continued compliance with his Physician Health Services (PHS) contract, practice pursuant to a Board-approved plan and monitoring to be performed by a Board-approved workplace monitor who agrees to submit quarterly reports to the Board regarding the Respondent's fitness to practice medicine. 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, the Respondent, and the Respondent's counsel 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 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 during this period of probation. 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.



Jeremy B. Richards
Licensee

08/09/2022

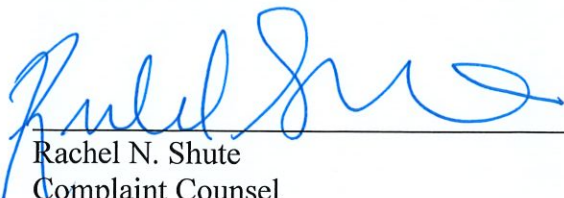
Date



Paul Cirel
Attorney for the Licensee

8/18/22

Date



Rachel N. Shute
Complaint Counsel

8/24/2022

Date

So ORDERED by the Board of Registration in Medicine this 3rd day of November, 2022.



Julian N. Robinson, M.D.
Board Chair