

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Board of Registration in Medicine

Adjudicatory Case No. 2025-029

In the Matter of

FRANCIS J. SCHOLZ, M. D.

CONSENT ORDER

Pursuant to G.L. c. 30A, § 10, Francis J. Scholz, 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. 23-464.

Findings of Fact

1. The Respondent graduated from Georgetown University School of Medicine in 1969. He has been licensed to practice medicine in Massachusetts under license number 32484 since August 3, 1970. He is certified by the American Board of Medical Specialties in Radiology. He is currently affiliated with Massachusetts General Hospital (MGH) and Nantucket Cottage Hospital.

2. The Respondent worked in the Radiology Department at Lahey Hospital and Medical Center from 1975 until 2021.

3. From 2021 until December 31, 2024, the Respondent worked part time as an attending Radiologist at Massachusetts General Hospital and taught fluoroscopy at Harvard Medical School.

4. On [REDACTED], 2023, the Respondent accompanied his [REDACTED] who was scheduled to have a [REDACTED] study at Lahey Hospital and Medical Center. The Respondent was familiar with the procedure and had performed it on patients numerous times at Lahey and MGH.

5. A third-year resident entered the room to conduct the procedure and began to speak with the patient/the Respondent's [REDACTED]. The Respondent engaged in conversation with the resident to elaborate on the Respondent's [REDACTED] unprovoked episodes of [REDACTED], which was the basis for the diagnostic [REDACTED] study. The Respondent discussed the method to perform the procedure optimally. The Respondent stated "well, why don't you start? I'll watch and make sure everything is fine...". The resident and the Respondent began the procedure.

6. The Respondent entered the control room, positioned himself beside the resident and operated the instrument during the procedure. By doing these things, he participated in and performed portions of the procedure. The Respondent gave advice on positioning the patient and obtaining the needed images. The Respondent positioned himself beside the resident and assisted the resident in positioning the patient and the imaging camera and told the resident when to take images.

7. At the time of his [REDACTED] procedure, the Respondent did not hold privileges at Lahey Hospital and Medical Center.

8. The third-year resident reviewed the images and dictated the note for the procedure. The attending physician reviewed the images and signed off on the report. The procedure was executed proficiently.

9. A safety report was entered to notify the hospital risk management department of the occurrence because the Respondent performed this procedure when he was no longer credentialed at Lahey Hospital and Medical Center and did so on a family member.

10. In mitigation, the Respondent intended no misconduct. He participated in the procedure because of his expert knowledge and experience as a practitioner in this specific area. Several times he operated the instrument to speed up the examination, improve the images and decrease the patient's exposure time.

11. In further mitigation, after the Respondent's departure from Lahey Hospital and Medical Center, Lahey Hospital and Medical personnel continued to seek his opinions by sending him examinations to review.

Conclusions of Law

The Respondent has engaged in misconduct in the practice of medicine within the meaning of 243 CMR 1.03(5)(a)(18).

Sanction and Order

The Respondent's license is hereby REPRIMANDED.

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, 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.

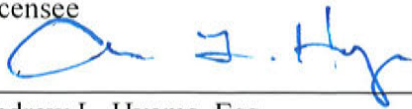
The Board expressly reserves the authority to independently notify, at any time, any of the entities designated above, or any other affected entity, of any action it has taken.



Francis J. Scholz
Licensee

04-03-2025


Date



Andrew L. Hyams, Esq.
Licensee's Counsel

4/3/25

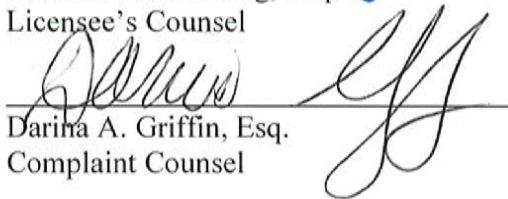
Date



Kenneth R. Kohlberg, Esq.
Licensee's Counsel

4/3/25

Date




Darina A. Griffin, Esq.
Complaint Counsel

4/28/25

Date

So ORDERED by the Board of Registration in Medicine this 26th day of June,
20 25.


Booker T. Bush, M.D.
Board Chair