

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2018-034

_____)
 In the Matter of)
)
 DAVID SIEGEL, M.D.)
 _____)

CONSENT ORDER

Pursuant to G.L. c. 30A, § 10, David Siegel, 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 Nos. 11-088 and 13-356.

Findings of Fact

1. The Respondent was born on September 24, 1963. He graduated from the University of Minnesota Medical School in 1994. He is certified by the American Board of Physical Medicine and Rehabilitation in Pain Medicine and in Spinal Cord Injury Medicine. He has been licensed to practice medicine in Massachusetts under certificate number 245337 since August 18, 2010. He is also licensed to practice medicine in New York.

Patient A

2. In 2011, the Respondent treated Patient A for pain management.

3. The Respondent was rude and abrasive during his interaction with Patient A and Patient A's health aide.

4. The Respondent accused the Patient A of having a temper tantrum when Patient A expressed sadness and frustration.

5. The Respondent was insensitive when Patient A was describing his pain symptoms.

Patient B

6. In August 2013, Patient B, who had a history of Post-traumatic Stress Disorder, was sent by his employer to the Respondent's occupational medical practice for an evaluation.

7. The Respondent told Patient B that he could not see him because he did not have all of Patient B's paperwork.

8. Patient B asked the Respondent to request the information and to have it faxed to the Respondent's office.

9. The Respondent accused Patient B of being angry and the Respondent then appeared to become defensive and angry.

10. Board Policy Number 01-01 on Disruptive Physician Behavior states "Behaviors such as foul language; rude, loud or offensive comments; and intimidation of staff, patients and family members are now recognized as detrimental to patient care."

11. Disruptive behavior by a physician has a deleterious effect on the health care system and increases the risk of patient harm.

12. By his actions, the Respondent violated the Board of Registration in Medicine's Disruptive Physician Behavior Policy.

Conclusion of Law

A. Pursuant to *Levy v. Board of Registration in Medicine*, 378 Mass. 519 (1979); *Raymond v. Board of Registration in Medicine*, 387 Mass. 708 (1982), the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician has engaged in conduct that undermines the public confidence in the integrity of the medical profession.

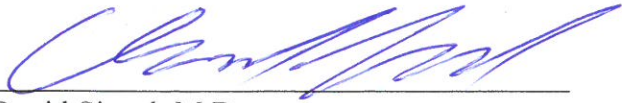
Sanction and Order

The Respondent's license is hereby Admonished. The Respondent waives any right of appeal that he may have resulting from the Board's acceptance of this Consent Order.

Execution 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 in the year following the date of imposition of this admonishment. The Respondent is further directed to certify to the Board within ten (10) days that the Respondent has complied with this directive.

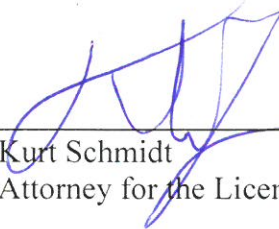
The Board expressly reserves the authority to independently notify, at any time, any of the entities designated above, or any other affected entity, of any action it has taken.



David Siegel, M.D.
Licensee

8/9/18

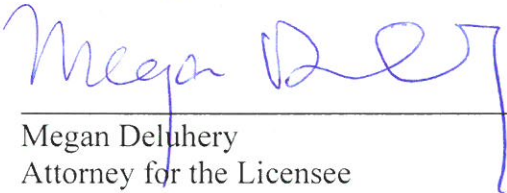
Date



Kurt Schmidt
Attorney for the Licensee

8/9/18

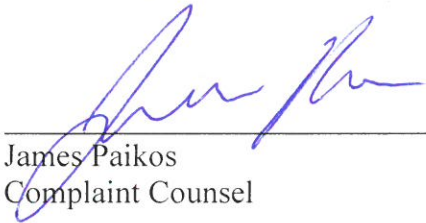
Date



Megan Deluhery
Attorney for the Licensee

8/9/18

Date



James Paikos
Complaint Counsel

8/9/2018

Date

So ORDERED by the Board of Registration in Medicine this 9 day of August, 2018.

Candace Lapidus Sloane, MD
Candace Lapidus Sloane, M.D.
Board Chair