

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Board of Registration in Medicine

Adjudicatory Case No. 2024-008

\_\_\_\_\_  
)  
In the Matter of )

PAUL A. SKUDDER, M.D. )  
\_\_\_\_\_)

**CONSENT ORDER**

Paul A. Skudder, M.D. (Respondent) and Complaint Counsel agree the Board of Registration in Medicine (Board) may issue this Consent Order with 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 described below and agrees the Board may make conclusions of law and impose a sanction in resolution of Docket No. 18-202.

**BIOGRAPHICAL INFORMATION**

1. The Respondent is a 1979 graduate of Cornell University Medical College. He has been licensed to practice medicine in Massachusetts since 1986 under certificate number 55871. He is Board-certified in General Surgery and Vascular Surgery. The Respondent lists his practice specialty as Vascular Surgery. He was previously affiliated with Cape Cod Healthcare and Falmouth Hospital.

**FINDINGS OF FACT**

2. In 2016, an investigation was conducted into allegations of inappropriate conduct at the G.L. c. 4, § 7(26)(c) Center in G.L. c. 4, § 7(26)(c) Hospital. The Respondent's conduct was a precipitating factor in the decision to require the Respondent and staff to attend a sexual harassment in the workplace training.

3. Following the 2016 training, the Respondent, on four or five occasions made comments to Medical Assistant 1 which inappropriately referred to the appearance of some staff members. Medical Assistant 1 told the Respondent his comments were unwanted and inappropriate for the workplace according to the sexual harassment training.

4. In or about 2016, the Respondent made an inappropriate comment to Nurse 2 about her physical appearance.

5. The Respondent approached Nurse 2 later and apologized for his inappropriate comment.

6. The Respondent continued to compliment Nurse 2's appearance, sometimes in the presence of patients and other staff.

7. In or about G.L. c. 4, § 7(26)(c) 2017, the Respondent inappropriately commented on a female patient's attire (Patient A).

8. On G.L. c. 4, § 7(26)(c) 2018, the Respondent was in a treatment room with a male patient, and MA 1. Nurses 1 and 2 were present. The Respondent inappropriately commented on Nurse 2's physical appearance.

9. In 2018, G.L. c. 4, § 7(26)(c) Healthcare investigated allegations the Respondent made inappropriate comments to Patient A and female staff members while working at the G.L. c. 4, § 7(26)(c)

G.L. c. 4, § 7(26)(c) Center.

10. The Respondent resigned from G.L. c. 4, § 7(26)(c) Healthcare on G.L. c. 4, § 7(26)(c) 2018, after the hospital requested to interview him as part of its internal investigation into the alleged inappropriate conduct.

11. Since leaving G.L. c. 4, § 7(26)(c) Healthcare in 2018, the Respondent has worked in three different office settings and delivered care in four different nursing homes for a total of three days per week, without complaints or incidents.

12. According to the American Medical Association's Code of Medical Ethics, sexual harassment includes unwelcome verbal conduct of a sexual nature. Also,

Sexual harassment in the practice of medicine is unethical. Sexual harassment exploits inequalities in status and power, abuses the rights and trust of those who are subjected to such conduct; interferes with an individual's work performance, and may influence or be perceived as influencing professional advancement in a manner unrelated to clinical or academic performance[,] harm professional working relationships, and create an intimidating or hostile work environment; and is likely to jeopardize patient care...

Physicians should promote and adhere to strict sexual harassment policies in medical workplaces.

AMA Code of Medical Ethics, 9.1.3 Sexual Harassment in the Practice of Medicine.

13. The Respondent subsequently received extended coaching from an experienced physician coach. The Respondent has expressed his deep remorse for his inappropriate conduct.

### **CONCLUSIONS OF LAW**

A. The Respondent has violated 243 CMR 1.03(5)(a)18 by committing misconduct in 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).

C. The Respondent has violated an ethical principle. See Aronoff v. Board of Registration in Medicine, 420 Mass. 830, 834 (1995).

### **SANCTION**

The Respondent's license is hereby Reprimanded. This sanction is imposed for Conclusions of Law A, B, and C individually and not for any combination 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.

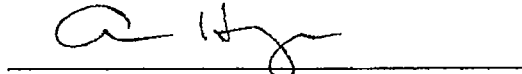
The Respondent shall provide a complete copy of this Consent Order with all exhibits and attachments within ten (10) days by certified mail, return receipt requested, or by hand delivery to the following designated entities: any in- or out-of-state hospital, nursing home, clinic, other licensed facility, or municipal, state, or federal facility at which he practices medicine; any in- or out-of-state health maintenance organization with whom he has privileges or any other kind of association; any state agency, in- or out-of-state, with which he has a provider contract; any in- or out-of-state medical employer, whether or not he practices medicine there; the state licensing boards of all states in which he has any kind of license to practice

or any other kind of association; any state agency, in- or out-of-state, with which he has a provider contract; any in- or out-of-state medical employer, whether or not he practices medicine there; the state licensing boards of all states in which he has any kind of license to practice medicine; the Drug Enforcement Administration Boston Diversion Group; and the Massachusetts Department of Public Health Drug Control Unit. The Respondent shall also provide this notification to any such designated entities with which he becomes associated in the year following the date on which the reprimand is imposed. The Respondent is further directed to certify to the Board within ten (10) days that he has complied with this directive.

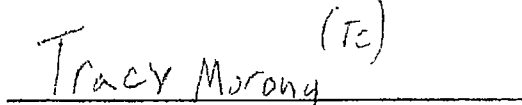
The Board expressly reserves the authority to independently notify, at any time, any of the entities designated above, or any other affected entity, of any action it has taken.

  
Paul A. Skudder, M.D.  
Respondent

2/2/24  
Date

  
Andrew Hyams, Esq.  
Attorney for Respondent

2/5/24  
Date

  
Tracy Morong (TC)  
Complaint Counsel

2/12/2024  
Date

So ordered by the Board of Registration in Medicine this 13th day of February, 2024.

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

Brooker T. Bush, M.D.  
Board Chair