EXCERPT: **Emergency Regulation 243 CMR 2.06(7)(b)3**

Effective 1/7/2020

243 CMR 2.06 …

(7)   Lapsed License Status.

(a)   Effect of a Lapsed License. A license not renewed shall lapse at 11:59 P.M. on the license renewal date. A licensee whose license has lapsed shall not practice medicine. Continued practice of medicine following the lapse of the license is the unauthorized practice of medicine, and shall be referred to the Enforcement Division of the Board and to law enforcement.

(b)   Reviving a Lapsed License. A licensee whose license has lapsed may petition the Board, upon submission of a lapsed license application and payment of the required fee, to revive his or her license.

1.   The Board shall require the licensee to satisfy such continuing medical education requirements as have accumulated during the period of the lapse, including the EHR Proficiency requirement, or such CME requirements as determined by the Board. The Board shall require that the licensee reinstate appropriate professional malpractice liability requirements.

2.   If the Board has reason to believe the lapsed licensee has committed a violation of law or regulation, or has deviated from good and acceptable standards of medical practice, the matter will be forwarded to the Enforcement Division. The Enforcement Division will review the lapsed license application and if necessary, investigate the matter as an open complaint. The Board may defer action on the lapsed licensee renewal pending completion of the investigation or 180 days after the Board's receipt of a complete lapsed license application, whichever is shorter, or, should the Board issue a Statement of Allegations against the lapsed licensee, pending completion of the adjudicatory process by the Board. The 180-day period allowed for investigation shall be extended by any period of time during which the licensee is unavailable or fails to cooperate with the Board.

3. Where a license has lapsed during the pendency of a temporary suspension or final order of suspension, and the temporary or final order of suspension has been vacated, the lapsed licensee may renew his/her license under the renewal processes set forth in 243 CMR 2.06. The renewal application must be completed and filed with the Board within 60 days of the temporary suspension having been vacated. All information and responses in the application must cover the time period commencing on the date the licensee signed his/her last license application that was granted by the Board. Such license renewal shall not constitute a waiver of the Board’s authority to issue a restricted license or otherwise take disciplinary action against the license or physician. Any action taken by the Board on the license renewal application or against the physician shall be subject to and in accordance with 801 CMR 1.00 and M.G.L. c. 30A. After the 60 day period, the physician must seek to revive his/her license under 243 CMR 2.06(7)(b)(1) and (2).