

The Board adopts the Findings of Fact and Conclusions of Law in the Recommended Decision and adds the following:

Discussion

It is well established that the Board is authorized, pursuant to 243 CMR 1.03(5)(a)12, to discipline a physician who has been disciplined in another jurisdiction in any way by the proper licensing authority for reasons substantially the same as those set forth in M.G.L. c. 112, § 5 or 243 CMR 1.03(5). *Ramirez v. Board of Registration in Medicine*, 441 Mass. 479 (2004).

The Tennessee Board disciplined the Respondent for “[h]abitual intoxication or personal misuse of any drugs or the use of intoxicating liquors, narcotics, controlled substances, controlled substance analogues or other drugs or stimulants in such manner as to adversely affect the person’s ability to practice medicine.” Tenn. Code Ann. §63-6-214(b). This basis for discipline is substantially the same as the Massachusetts Board’s ability to impose discipline pursuant to M.G.L. c. 112 §5 (d)-(e) and 243 CMR 1.03(5)(a)4-5 for “practicing medicine while the ability to practice is impaired by alcohol, drugs, physical disability or mental instability” or “being habitually drunk or being or having been addicted to, dependent on, or a habitual user of narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having similar effects.”

When the Board imposes reciprocal discipline, it may impose any sanction consistent with its policies and precedent and based on the out-of-state facts.⁵ The Board is not bound by the out-of-state sanction.⁶

When determining the appropriate sanction, the Board is guided by its paramount duty to ensure the health and safety of patients. Accordingly, the Board considers both the nature and extent of the physician’s wrong-doing and mitigating factors, including documented remediation of deficits.

Sanction

The record reflects that, beginning in 2018, the Respondent was “habitually intoxicated.” On May 16, 2023, the Tennessee Board disciplined the Respondent, requiring him to enter into a monitoring agreement with the Tennessee Medical Foundation and pay a civil penalty, as well as certain costs associated with the proceeding.

⁵ See *In the Matter of Carmen A. Puliafito, M.D.*, Board of Registration in Medicine, Adjudicatory Case No. 2016-012 (Final Decision and Order, December 5, 2019)(Board revoked inchoate right to renew license based on out-of-state discipline for practicing while impaired, prescribing violations, and other transgressions).

⁶ *Id.*

In cases where physicians have practiced while impaired and have engaged in other transgressions, the Board has imposed license revocation as the sanction.⁷ In cases where there are no violations beyond practicing while impaired, the Board generally has imposed an indefinite suspension of the physician's inchoate right to renew his license with the possibility of staying the suspension if certain conditions are met.⁸

When fashioning a sanction in the pending matter, the Board considers:

- the gravity of the Respondent's practice while impaired;
- the absence of additional transgressions;
- the Respondent's entry into a TMF contract; and
- the absence of documentation with respect to the Respondent's compliance with that contract and practice of medicine since May of 2023.

In consideration of these factors and consistent with Board precedent, the Board SUSPENDS indefinitely the Respondent's inchoate right to renew his medical license. The Respondent is granted leave to petition for a stay of the suspension upon demonstrating his fitness to practice, including but not limited to: documentation of his consistent compliance with his Tennessee monitoring contract or the equivalent for the eighteen months immediately preceding his petition and such other terms as the Board may require.

The Respondent shall provide a complete copy of this Final Decision and Order within ten (10) days by certified mail, return receipt requested, or by hand delivery to the following designate 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

⁷ *In the Matter of Carmen A. Puliafito, M.D.*, supra, *In the Matter of Joseph Knight, M.D.*, Board of Registration in Medicine, Adjudicatory Case No. 2016-012(Final Decision and Order, November 8, 2019)(Board revoked inchoate right to renew license based on out-of-state discipline for practicing while impaired, failure to report out-of-state medical board discipline and action by the Drug Enforcement Administration)

⁸ *In the Matter of Courtney E. Barrows, M.D.*, Board of Registration in Medicine, Adjudicatory Case No. 2025-006 (Consent Order, March 13, 2025)(Board indefinitely suspended inchoate right to renew with leave to petition for stay of suspension upon demonstrating fitness to practice, including but, not limited to, documented consistent compliance for twelve months with Ohio Medical Board Substance Abuse Monitoring Contract, documentation from treating therapist, and entry into five-year Probation Agreement) and *In the Matter of Patricia Myers, M.D.*, Board of Registration in Medicine, Adjudicatory Case No. 2020-050 (Final Decision and Order, January 19, 2023)(Board indefinitely suspended inchoate right to renew license with the possibility of a stay upon 18 months compliance with a PHS or out-of-state monitoring contract, providing the Board with a release allowing it to communicate and exchange information with the physician health program monitoring entity, completing and submitting an evaluation by a Board-approved psychiatrist with specialization in addiction and entering a standard Probation Agreement.)

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 for the duration of the suspension and any subsequent Probation Agreement. 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.

On February 12, 2026, in accordance with the Board's authority and statutory mandate, the Board voted to issue this Order, indefinitely suspending Dr. Brian J. Poore's inchoate right to renew his license to practice medicine under certificate 74082.

Board Members Voting Affirmatively:

- Booker T. Bush, M.D., Physician Member, Chair
- Frank O'Donnell, Esq., Public Member, Vice Chair
- Sandeep Singh Jubbal, M.D., Physician Member, Secretary
- Aviva Lee-Parritz, M.D., Physician Member
- David Rosenbloom, Ph.D., Public Member

Board Members Voting to Oppose: None

Board Members Recused: None

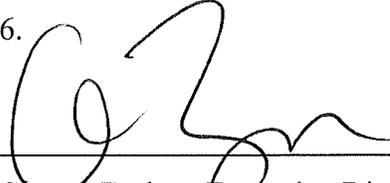
Board Members Absent:

- Yvonne Y. Cheung, MD, MPH, MBA, Physician Member
- Jason Qu, M.D., Physician Member

EFFECTIVE DATE OF ORDER

The Order is effective as of February 12, 2026.

Date Issued: February 12, 2026



George Zachos, Executive Director
Board of Registration in Medicine