COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION IN MEDICINE

POLICY 2023-01

POLICY ON DRU REFERRALS OF CERTAIN REPORTS

Issued May 11, 2023

The Board adopts this policy to direct referral of certain reports received by the Data Repository Unit (DRU) to the Division of Enforcement (DOE).

1. This policy applies to reports received by the DRU of
   1. discipline imposed against a license or registration held by a physician by another licensing board or government agency,
   2. criminal convictions against a physician, and
   3. criminal charges against a physician resolved following an admission to sufficient facts.
2. DRU shall refer to DOE all reports, without regard to the physician’s Massachusetts license status, when the discipline, criminal conviction or criminal charge is based upon conduct that involves:
   1. Immediate and serious threat to the public health, safety and welfare
   2. Violence
   3. Sexual misconduct
   4. Practice while impaired due to a physical or mental health condition, including substance use disorder
   5. Unlawful possession, distribution, manufacture, dispensing, administration or prescribing of controlled substances
   6. Fraud or misrepresentation with respect to licensure, credentials, or the practice of medicine
3. For reports of discipline, criminal convictions and criminal charges based on other types of conduct, DRU shall refer all such reports to DOE if the physician’s license is active or active with restrictions and may defer referral of reports to DOE if the physician’s license is in a status other than active or active with restrictions until such time as the physician applies to revive or reinstate licensure.
4. DRU shall maintain a record of all deferred reports.  Upon receipt of an application to revive or reinstate licensure, the Licensing Division shall consult with DRU to identify whether DRU has deferred referral of any reports concerning the applicant.
5. This policy does not modify the provisions of Board Policy 19-04 Policy Relating to Malpractice.