

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals

Board of Registration in Medicine,
Petitioner

Docket No. RM-20-0219

v.

August 19, 2020

Moutaz Almawaldi, M.D.,
Respondent

ORDER OF DEFAULT RECOMMENDED DECISION

On April 24, 2020, the petitioner, Board of Registration in Medicine, issued a Statement of Allegations ordering the respondent, Moutaz Almawaldi, M.D., to show cause why he should not be disciplined for violations of law, regulations, or good and accepted medical practices. 801 CMR 1.01(6)(d) required that an Answer to the Statement of Allegations be filed within 21 days of receipt of it. Dr. Almawaldi did not file an Answer.

On May 22, 2020, the Division of Administrative Law Appeals issued to the parties a Notice of Pre-hearing Conference to be held on June 17, 2020. The Notice directed Dr. Almawaldi to supply an email address so that an invitation via WebEx could be sent to him. The Notice sent to him was not returned to DALA as undeliverable. Dr. Almawaldi did not respond and the prehearing conference was cancelled.

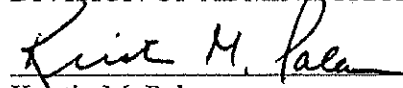
On June 25, 2020, the Division of Administrative Law Appeals issued a second Notice of Pre-hearing Conference to be held on August 3, 2020 and informed Dr. Almawaldi that the Conference would be conducted by phone. The Notice warned that failure to appear by telephone could result in the entry of an order of default. The Notice

sent to Dr. Almawaldi was not returned to DALA as undeliverable. The prehearing conference was held by telephone on August 3, 2020. Dr. Almawaldi did not appear and did not send word to explain his absence.

On August 4, 2020, the Board of Registration in Medicine filed a Motion for Entry of Default Judgment and Summary Decision and served the motion on Dr. Almawaldi. Dr. Almawaldi did not respond.

Dr. Almawaldi failed to file an Answer, failed to participate in the pre-hearing conference, and failed to respond to the Motion for Entry of Default Judgment and Summary Decision. I therefore find Dr. Almawaldi in default under G.L. c. 30A, §10, and 801 CMR 1.01(7)(a)(1) and 801 CMR 1.01(7)(g)2. *See Bd. of Reg. in Med. v. Owens*, RM-17-840 (Div. Admin. Law App. Jan. 9, 2018, *adopted* Apr. 25, 2018). I recommend that the Board make final this decision and its allegations against Dr. Almawaldi, and discipline him as it sees fit.

DIVISION OF ADMINISTRATIVE LAW APPEALS



Kristin M. Palace
Administrative Magistrate

Order sent to:

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Katelyn Giliberti, Esq., Complain Counsel, Board of Registration in Medicine
Debra Stoller, Esq., Senior Board Counsel, Board of Registration in Medicine
George M. Abraham, M.D., Chair, Board of Registration in Medicine