

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals

Board of Registration in Medicine,
Petitioner

v.

Docket No. RM-24-0332

Scott D. Harris, M.D.,
Respondent

Appearance for Petitioner:

Sheryl M. Bourbeau, Esq.
Board of Registration in Medicine
200 Harvard Mill Square, Ste. 330
Wakefield, MA 01880

Appearance for Respondent:

Scott D. Harris, M.D., *pro se*

Administrative Magistrate:

Kenneth J. Forton

ORDER OF DEFAULT AND RECOMMENDED DECISION

On May 23, 2024, the Board of Registration in Medicine issued a Statement of Allegations against Respondent Dr. Scott D. Harris. He has been licensed to practice medicine in Massachusetts since 1984. The Board seeks to discipline Dr. Harris for failing to timely review lab results following a physical exam and to order a diagnostic test that was indicated, and for failing to respond to the Board's Complaint Committee.

DALA scheduled a pre-hearing conference on the Statement of Allegations for June 21, 2024 at 2:30 p.m. The Board appeared for the pre-hearing conference. The Respondent did not.

Consequently, on June 21, 2024, I ordered Dr. Harris to show good cause no later than July 19, 2024 why an Order of Default should not be entered against him for failure to appear at the pre-hearing conference. I also ordered Dr. Harris to file an Answer to the Statement of Allegations.

801 CMR 1.01(6)(d) requires that a Respondent file full, direct, and specific answers to a Statement of Allegations. The Respondent has failed to file such an Answer. Further, Respondent's failure to appear at the pre-hearing conference and his failure to respond to the Order to Show Cause indicate his intention not to defend his license. Accordingly, as permitted by G.L. c. 30A, § 10, the Respondent is defaulted. *See also* 801 CMR 1.07(g).

As a consequence of the default, all of the allegations contained in the Statement of Allegations are deemed proven and true, and accordingly I hereby recommend to the Board of Registration in Medicine that it impose appropriate sanctions against the Respondent.

So ordered.

DIVISION OF ADMINISTRATIVE LAW APPEALS

/s/ Kenneth J. Forton

Kenneth J. Forton
Administrative Magistrate

Dated: AUG - 2 2024