

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2018-025

In the Matter of

SHANNON M. BYLER, M.D.

STATEMENT OF ALLEGATIONS

The Board of Registration in Medicine (Board) has determined that good cause exists to believe the following acts occurred and constitute a violation for which a licensee may be sanctioned by the Board. The Board therefore alleges that SHANNON M. BYLER, M.D. (Respondent) has practiced medicine in violation of law, regulations, or good and accepted medical practice as set forth herein. The investigative docket number associated with this order to show cause is Docket No. 16-334.

Biographical Information

1. The Respondent was born on December 21, 1987. She graduated from Boston University School of Medicine in May 2015. She received a limited license to practice medicine in Massachusetts in May 2015 under certificate number 263384 to begin training at Boston Children's Hospital Pediatric Residency Program. From November 2015 to February 2016, the Respondent took a medical leave of absence from her residency program. In February 2016, the Respondent resumed participation in her residency program.

Factual Allegations

2. Effective July 1, 2016, the Board approved the renewal of the Respondent's limited license renewal application on the condition that her program director submit monthly performance monitoring reports to the Board.

3. In September 2016, the Respondent's program director reported that the Respondent had left her clinic session and was later found in a disoriented state.

4. The Respondent had consumed alcohol prior to reporting to work and had a bottle of wine in her bag when she reported to work.

5. The Respondent saw at least one patient during her clinic session while she was intoxicated by alcohol.

6. In September 2016, the Respondent took another medical leave of absence.

7. In October 2016, the Board ratified the Respondent's Voluntary Agreement Not to Practice Medicine.

8. After her Voluntary Agreement Not to Practice Medicine in October 2016, the Respondent underwent medical treatment, including treatment for alcohol dependency.

9. In April 2017, the Respondent entered into a substance abuse monitoring contract with Physician's Health Services.

Legal Basis for Proposed Relief

A. Pursuant to G.L. c. 112, §5, eighth par. (d) and 243 CMR 1.03(5)(a)4, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician practiced medicine while her ability to do so was impaired by alcohol, drugs, physical disability or mental instability.

B. Pursuant to *Levy v. Board of Registration in Medicine*, 378 Mass. 519 (1979); *Raymond v. Board of Registration in Medicine*, 387 Mass. 708 (1982), the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said has engaged in conduct that undermines the public confidence in the integrity of the medical profession.

The Board has jurisdiction over this matter pursuant to G.L. c. 112, §§ 5, 61 and 62. This adjudicatory proceeding will be conducted in accordance with the provisions of G.L. c. 30A and 801 CMR 1.01.

Nature of Relief Sought

The Board is authorized and empowered to order appropriate disciplinary action, which may include revocation or suspension of the Respondent's license to practice medicine. The Board may also order, in addition to or instead of revocation or suspension, one or more of the following: admonishment, censure, reprimand, fine, the performance of uncompensated public service, a course of education or training or other restrictions upon the Respondent's practice of medicine.

Order

Wherefore, it is hereby **ORDERED** that the Respondent show cause why the Board should not discipline the Respondent for the conduct described herein.

By the Board of Registration in Medicine,
Candice Lapidus Sloane, MD

Date: June 28, 2018

Candice Lapidus Sloane, M.D.
Board Chair