

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in

Medicine Adjudicatory Case No.

2025-012

)
In the Matter of)

ELIZABETH T. CURTIS, MD.)
_____)

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 ELIZABETH T. CURTIS, 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. 24-106.

Biographical Information

1. The Respondent graduated from Tulane University School of Medicine in 1981. She has been licensed to practice medicine in Massachusetts under certificate number 58211 since August 19, 1987. She is board certified in internal medicine with a subspecialty in rheumatology. Dr. Curtis has a private rheumatology practice with offices in North Andover and Newburyport.

Factual Allegations

2. On or about January 4, 2023, Patient A’s relative filed a complaint against the Respondent with the Board, which staff docketed as Docket No. 23-022.

3. On or about January 24, 2023, Board staff mailed the Respondent a copy of the complaint filed by Patient A's relative along with a letter advising her of her obligation to submit a response to the allegations within thirty days.

4. According to the United States Postal Service (USPS) tracking information, the complaint and accompanying letter were delivered to the Respondent's address on file with the Board on January 26, 2023.

5. On or about August 8, 2023, Board staff sent an email to the email address on file for the Respondent advising her that her response to Docket No. 23-022 was overdue and needed to be submitted forthwith.

6. On or about September 28, 2023, Board staff again sent an email to the email address on file for the Respondent advising her that her response to Docket No. 23-022 was overdue and needed to be submitted.

7. On or about December 21, 2023, the Complaint Committee issued a Ten-Day Order (Order) based on the Respondent's failure to file a response to Docket No. 23-022.

8. On or about January 12, 2024, a copy of the Order was mailed to the Respondent's mailing address on file with the Board. A copy of the Order was also sent to the email address the Board has on file for the Respondent.

9. According to the USPS tracking information, the Order was delivered to the Respondent's mailing address on January 16, 2024.

10. On or about February 9, 2024, after hearing nothing from the Respondent, the Board docketed Complaint No. 24-106 against the Respondent for failing to provide the Board with information it is entitled to receive.

11. On or about February 14, 2024, Board staff spoke with the Respondent who confirmed that she had received the initial mailing requesting a response to Docket No. 23-022 and the subsequent Order issued by the Complaint Committee. The Respondent explained she had been dealing with her own [REDACTED] but would be able to submit her response within two weeks.

12. On March 5, 2024, Board staff contacted the Respondent to inquire about the status of her response as it remained outstanding. At that time, the Respondent represented she would mail her response the following day (March 6, 2024).

13. On March 19, 2024, Board staff called the Respondent regarding her overdue response; however, her voicemail was full and a message could not be left for her.

14. On March 20, 2024, Board staff called the Respondent regarding her overdue response; however, her voicemail was full and a message could not be left for her. As a result, Board staff followed up with an email to the Respondent's email address on file regarding the overdue response.

15. On or about March 27, 2024, Board staff received the Respondent's written submission regarding Docket No. 23-022.

16. On or about April 19, 2024, Board staff mailed a subpoena for Patient A's medical records to the Respondent's offices in North Andover and Newburyport.

17. The April 19, 2024 subpoena requested copies of Patient A's medical records for treatment provided between April 1, 2019 and present. The subpoena advised the Respondent that the records needed to be submitted on or before May 20, 2024 along with a certification cover sheet.

18. On or about May 22, 2024, Board staff contacted the Respondent to inquire about the status of the medical records as the Respondent had not submitted anything on or before May 20, 2024 as required. The Respondent reported that she believed the records were not due until the following week (week of May 27, 2024). The Respondent further stated she would put the records in the mail the following morning.

19. On diverse dates between May 30, 2024 and June 13, 2024, Board staff called the Respondent inquiring about the status of Patient A's medical records as nothing had been submitted in response to the April 19, 2024 subpoena.

20. On or about June 17, 2024, the Respondent sent Board staff three faxes. The first two faxes each contained the same 10 pages of medical records for Patient A. The third fax contained 2 pages, one of which was the fax cover sheet.

21. The records the Respondent faxed on June 17, 2024 did not contain the certification page required per the April 19, 2024 subpoena.

22. The record the Respondent faxed Board staff on June 17, 2024 referenced 21 encounters for Patient A between July 2019 and November 2022 but only contained one substantive note dated November 4, 2022.

23. On June 20, 2024, Board staff scheduled an interview with the Respondent to be conducted via video conference on July 9, 2024 at 11:00 am.

24. On July 8, 2024, the Respondent sent Board staff multiple faxes, two of which contained the same pages of medical records.

25. The July 8, 2024 faxes contained individual encounter notes for Patient A but did not contain encounter notes for all the dates the Respondent saw Patient A between April 1, 2019 and present as required by the subpoena.

26. The July 8, 2024 faxes did not contain certification cover sheets as required by the April 19, 2024 subpoena.

27. On July 9, 2024, the Respondent did not appear for the scheduled interview via video conferencing. Board staff attempted to reach the Respondent to inquire if she was having trouble logging on for the interview but were unable to speak with her directly.

28. On July 10, 2024, Board staff spoke with the Respondent who reported she woke up at 4:00 am on July 9, 2024 but then fell back to sleep and slept through the previously scheduled 11:00 am interview.

29. On July 11, 2024, Board staff spoke with the Respondent and scheduled an interview via video conference for the following day, July 12, 2024 at 11:00 am.

30. On July 12, 2024, the Respondent did not appear for the interview she had agreed to attend the day before.

31. On or about September 16, 2024, Board staff sent a subpoena to the Respondent via hand-service instructing her to appear at the Board's office in Wakefield on October 1, 2024 at 11:00 am with a copy of the outstanding medical records.

32. On October 1, 2024, the Respondent did not appear at the Board's office as required by the September 16, 2024 subpoena.

Legal Basis for Proposed Relief

Pursuant to G.L. c. 112, §5, eighth par. (h) and 243 CMR 1.03(5)(a)(11), the Board may discipline the Respondent upon proof satisfactory to a majority of the Board, that she has violated any rule or regulation of the Board governing the practice of medicine. More

specifically, the Board may discipline the Respondent upon proof satisfactory to a majority of the Board that she:

1. Violated 243 CMR 2.07(12)(a) by failing to respond to a written communication from the Board within thirty days;
2. Violated 243 CMR 1.03(5)(a)(16) by failing to respond to a subpoena or to furnish the Board, its investigators or representatives, documents, information or testimony which the Board is legally entitled; or
3. Violated 243 CMR 1.03(7) and 243 CMR 2.07(12)(b) by failing to respond within ten days to an Order to Respond issued by the Complaint Committee.

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,



Booker T. Bush, M.D.
Board Chair

Date: March 27, 2025