

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2025-015

In the Matter of)
)
 RICHARD L. CURTIS, 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 RICHARD L. CURTIS, MD. (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. 21-408.

Biographical Information

1. The Respondent is a 1975 graduate of Cornell University Medical College. He has been licensed to practice medicine in Massachusetts since April 22, 1987 under license number 57485. He is ABMS certified in Internal Medicine with a subspecialty certification in Gastroenterology. He practices with Gastroenterology HealthCare Associates.

Factual Allegations

Patient A

1. On or about G.L. c. 4, § 7(26)(c), 2019, the Respondent was performing a colonoscopy on Patient A.

2. The Respondent was assisted during the procedure by two staff members who were not physicians.

3. Prior to the end of the procedure, the Respondent left the procedure room and returned after two to ten minutes to finish the procedure.

4. The Respondent did not ensure that the medical record for Patient A documented his absence.

5. Patient A's care was not negatively impacted by the Respondent's absence.

Patient B

6. On or about G.L. c. 4, § 7(26)(c), 2021, the Respondent performed a colonoscopy on Patient B.

7. The Respondent was assisted during the procedure only by two staff members who were not physicians.

8. Prior to the end of the procedure, the Respondent left the procedure room and returned after two to ten minutes to finish the procedure.

9. The Respondent did not ensure that the medical record for Patient B documented his absence.

10. Patient B's care was not negatively impacted by the Respondent's absence.

Disruptive Behavior

11. In February 2021, a nursing supervisor at Newton-Wellesley Hospital (NWH) communicated to physician and nursing staff about the implementation of a new safety metric affecting physician practice of colonoscopies.

12. Upon learning of the communication, the Respondent, who was at that time the Chief of the Gastroenterology Department, approached the nursing supervisor because he had not been provided notice that the communication would be issued.

13. During his discussion with the nursing supervisor, the Respondent raised his voice in a manner that violated Board Policy Number 01-01 on Disruptive Physician Behavior.

Legal Basis for Proposed Relief

A. Pursuant to 243 CMR 1.03(5)(a)18, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician committed misconduct in the practice of medicine including by engaging in disruptive behavior.

B. Pursuant to G.L. c. 112, §5, eighth par. (h) and 243 CMR 1.03(5)(a)11, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician has violated a rule or regulation of the Board. Specifically:

The attending physician/primary operator at a medical procedure, intervention or treatment requiring the patient's written informed consent shall be responsible for including in the patient's medical record, or having included, written documentation of the attending physician's presence or absence during the procedure, intervention or treatment. If the attending physician/primary operator was absent for any part of the procedure, the medical record shall reflect the time of the absence(s) and who was the attending physician/primary operator during the absence(s).

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,



Date: May 1, 2025

Booker T. Bush, M.D.
Board Chair