

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2018-061

In the Matter of	)
MARC DEBELL, 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 Marc DeBell, 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. 17-297.

Biographical Information

1. The Respondent was born on February 18, 1967. He graduated from the Columbia University College of Physicians & Surgeons in 1993. He is certified by the American Board of Emergency Medicine. He has been licensed to practice medicine in Massachusetts under certificate number 151191 since 1991. He is also licensed to practice medicine in Maine.

Factual Allegations

2. On September 24, 2017, the Respondent had lunch at a Mexican restaurant and consumed alcoholic beverages.

3. On September 24, 2017, the Respondent went to work at Heywood Hospital's emergency room for his 7:00 p.m. shift.
4. During his shift, the Respondent treated at least two patients including one child.
5. During his shift, Heywood Hospital staff smelled alcohol on the Respondent.
6. At approximately 9:30 p.m., the Respondent was asked to stop working.
7. Pursuant to Heywood Hospital policy, the Respondent submitted to alcohol and drug screens.
8. The blood screen showed a blood alcohol level of 0.14; the urine screen was positive for cannabinoid.
9. On September 24, 2017, the Respondent resigned from the medical staff of Heywood Hospital and Athol Hospital.
10. The Respondent subsequently consulted with the Physicians Health Services (PHS) which recommended a comprehensive independent evaluation.
11. On or about October 11, 2017 Respondent self-reported to the Board of Registration of Medicine (the Board) that the Respondent had resigned from Heywood Hospital and that while he was working, the Respondent's blood alcohol level was 0.14.
12. On October 12, 2017, the Respondent entered into a Voluntary Agreement not to Practice Medicine with the Board.
13. The Respondent obtained treatment at the Florida Recovery Center from November 3, 2017 to February 2, 2018.
14. On February 14, 2018, the Respondent entered into a PHS Substance Use Monitoring Contract.

Legal Basis for Proposed Relief

A. The Respondent has violated G.L. c. 112, §5 eighth par. (d) and 243 CMR 1.03(5)(a)4 by practicing medicine while his ability to do so was impaired by alcohol. 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,

*Candace Lapidus Sloane, MD*

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Candace Lapidus Sloane, M.D.  
Board Chair

Date: December 20, 2018