

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine
Adjudicatory Case No. 2022-018

In the Matter of)
)
)

SCOTT D. DREIKER, 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 Scott D. Dreiker, M.D., (Respondent) 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 Nos. 20-396.

Biographical Information

1. The Respondent graduated from the State University of New York Downstate Medical Center College of Medicine in June 1991 and is board certified in obstetrics and gynecology. Dr. Dreiker has been fully licensed to practice medicine in Massachusetts under certificate number 76530 since August 10, 1992.

Factual Allegations

2. On a date between March 15, 2018 and July 3, 2018 during a prenatal obstetrics office appointment, the Respondent was alone with a twenty-seven-year old patient.

3. While holding the fetal doppler and before beginning to listen to the fetal heart rate the Respondent said "come here girlfriend, lets listen to the heart rate, show me some skin" causing the patient alarm and discomfort.

4. On July 17, 2018 and while alone with the Respondent during a postpartum birth control conversation, the same twenty-seven-year old patient asked about alternatives to an oral medication due to potential side effects. The Respondent stated there are side effects to every oral medication and asked her if she knew the side effects of not taking a birth control medication, causing shock and alarm to the patient as a new mother.

5. After prior female gynecology patient allegations in 2005 and 2006 about unwelcome and uncomfortable statements made by the Respondent during office visits, the Respondent completed a three-day course entitled "Maintaining Proper Boundaries" at The Center for Professional Health at Vanderbilt University Medical Center from November 8-10, 2006.

6. On December 21, 2007 the Complaint Committee of the Board of Registration in Medicine expressly warned the Respondent at that time to continue to have a chaperone present during all physical examinations and discussion of sexual matters, and continued use of the patient questionnaire he implemented by that time to assist in communications about sensitive matters.

7. Board Policy Number 01-01 on Disruptive Physician Behavior states "Disruptive behavior by a physician has a deleterious effect on the health care system and increases the risk of patient harm."

8. Behaviors such as offensive comments are now recognized as detrimental to patient care.

Legal Basis for Proposed Relief

A. Pursuant to 243 CMR 1.03(5)(a)(11) the Board may discipline a physician upon proof satisfactory to a majority of the Board that said violated a rule or regulation of the Board,

to wit: Policy No. 01-01: Disruptive Physician Behavior Policy, Board of Registration in Medicine adopted June 13, 2001.

B. Pursuant to Raymond v. Board of Registration in Medicine, 387 Mass. 708 (1982) and Levy v. Board of Registration in Medicine, 378 Mass. 519 (1979) the Board may discipline a physician upon proof satisfactory to a majority of the Board that said physician 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, the Respondent is hereby **ORDERED** to show cause why the Board should not discipline the Respondent for the conduct described herein.

By the Board of Registration in Medicine,



Julian N. Robinson, M.D.
Board Chair, Physician Member

Date: June 2, 2022