

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Board of Registration in Medicine

Adjudicatory Case No. 2025-003

In the Matter of

ANDREW MICHAEL EPSTEIN, D.O.

STATEMENT OF ALLEGATIONS

The Board of Registration in Medicine ("Board") has determined that good cause exists to believe the following acts occurred and constitute violations for which a licensee may be sanctioned by the Board. The Board therefore alleges that Andrew Michael Epstein, D.O. ("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. 24-020.

Biographical Information

1. The Respondent graduated from Midwestern University, Arizona Campus in 2012. He has been licensed to practice medicine in Massachusetts under license number 1013129 since April 6, 2023. His practice specialty is Family Medicine/Family Practice. He is not board-certified. He resides in Tucson, Arizona and maintains business mailing addresses at personal mailbox facilities in Tucson, Arizona and Boston, Massachusetts. He is not affiliated with any hospital.

Factual Allegations

2. The Respondent is licensed to practice osteopathic medicine in North Carolina.
3. On or about January 4, 2024, Dr. Epstein entered a Consent Order with the North Carolina Medical Board for a reprimand and restriction and prohibition from using his North

Carolina medical license to prescribe the drug Ketamine and any other drug that may contain Ketamine and he was required to complete continuing education hours in medical record documentation.

4. The North Carolina discipline was based on the Respondent's inappropriate prescribing of ketamine to telehealth patients. Specifically, the North Carolina Consent Order provides that for four telehealth patients the Respondent failed to conduct urine drug screens before prescribing ketamine; conduct and document physical examinations and obtain comprehensive medical histories before prescribing ketamine; ensure protocols were in place regarding patient monitoring, follow-up, assessment for side effects, and adverse reactions; and establish guidelines for prescribing, dispensing, and monitoring the use of ketamine to prevent its misuse.

5. The North Carolina Consent Order provides that the Respondent's conduct, as described above, constitutes unprofessional conduct, including, but not limited to, a departure from, or the failure to conform to the standards of acceptable and prevailing medical practice, within the meaning of North Carolina General Statutes § 90-14(a)(6), which is grounds to annul, suspend, revoke, condition, or limit the Respondent's license to practice medicine in North Carolina or to deny any application he may make in the future.

Legal Basis for Proposed Relief

A. Pursuant to 243 C.M.R. 1.03(5)(a)(12), the Board may discipline a physician upon satisfactory proof to a majority of the Board that said physician has been disciplined in another jurisdiction in any way by the proper licensing authority for reasons substantially the same as those set forth in G.L. c. 112, § 5 or 243 C.M.R. 1.03(5). More specifically:

1. Pursuant to 243 C.M.R. 1.03(5)(a)(3), the Board may discipline a physician upon proof satisfactory to a majority of the Board that said

physician has engaged in conduct which places into question the physician's competence to practice medicine, including but not limited to gross misconduct in the practice of medicine, or practicing medicine fraudulently, or beyond its authorized scope, or with gross incompetence, or with gross negligence on a particular occasion or negligence on repeated occasions.

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: January 23, 2025