

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2021-038

In the Matter of)
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)
DONALD GRIGER, 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 DONALD GRIGER, 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. 20-586.

Biographical Information

1. The Respondent was born on January 24, 1966. He graduated from the Dartmouth Medical School in 1992. He is certified by the American Board of Internal Medicine in the subspecialty certification of Rheumatology. He has been licensed to practice medicine in Massachusetts under certificate number 204189 since 2000. He has privileges at Baystate Medical Center.

Factual Allegations

2. Patient A is a female born in 1980.

3. On or about February 16, 2018, Patient A was seen by the Respondent for bilateral hand numbness and tingling.

4. On or about February 16, 2018, the Respondent noted that Patient A was a smoker and told her that smoking was bad for her.

5. After one subsequent visits, the Respondent saw Patient A for a follow-up visit on January 7, 2019.

6. On January 7, 2019, the Respondent asked Patient A whether she had stopped smoking. When Patient A told the Respondent that she had not stopped, he jokingly told her that he would discipline her. The Respondent then lightly struck the buttock of Patient A about two times with a small plastic ruler as she was stepping up on the examination table.

7. The Respondent's use of the ruler was not medically warranted and made Patient A feel uncomfortable.

Legal Basis for Proposed Relief

A. Pursuant to *Levy v. Board of Registration in Medicine*, 378 Mass. 519 (1979); *Raymond v. Board of Registration in Medicine*, 387 Mass. 708 (1982), the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said has 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, 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,

A handwritten signature in black ink, appearing to read 'JR' or similar, written over a horizontal line.

Julian Robinson, M.D.,
Board Chair

Date: October 7, 2021