

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2023-031

In the Matter of

DANIEL HAMILOS, 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 DANIEL HAMILOS, 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. 22-038.

Biographical Information

1. The Respondent graduated from Northwestern University School of Medicine on June 16, 1979. He is certified by the American Board of Allergy and Immunology. He has been licensed to practice medicine in Massachusetts under certificate number 219164 since 2003.

Factual Allegations

1. Patient A is a female patient with a number of complex co-morbidities who the Respondent treated from 2017 to 2021.
2. Beginning in 2019, Patient A and the Respondent began developing a friendly, non-romantic relationship.

3. During his treatment of Patient A, which encompassed much of the COVID pandemic the Respondent and Patient A spoke on the phone hundreds of times, relating to an ongoing or claimed urgent medical condition.

4. During one hospitalization of Patient A, she perceived Respondent's treatment-related visits to be social and not medical in nature.

5. During the same hospitalization, the hospital arranged for Patient A to be transported home after discharge.

6. Patient A cancelled the hospital arranged transport and instead was driven home by the Respondent who also had members of his family in his car.

7. After he transported Patient A home, an incident report was filed, and the Respondent was informed by the hospital of its concerns regarding him giving Patient A a ride home.

8. The Respondent told Patient A of the hospital's concerns.

9. During a second hospitalization, Patient A complained to one of her treating inpatient physicians about the hospital's concerns. Because of Patient A's complaint, the treating inpatient physician found it necessary to transfer Patient A's care to another inpatient physician.

10. On a separate occasion, the Respondent went to Patient A's home where he took a culture of a skin infection located on her stomach.

11. After the Respondent stopped his treatment of Patient A, he went to her home to deliver a Christmas card, and stayed for approximately ten minutes.

12. The Respondent should have been aware that Patient A misperceived their relationship.

13. The Respondent has taken an accredited 3-day continuing medical education credits in maintaining proper patient/physician boundaries.

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 physician 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,



Julian N. Robinson, M.D.
Board Chair

Date: September 7, 2023