

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2024-026

In the Matter of

MARK P. HATTON, 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 MARK P. HATTON, 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. 23-02.

Factual Allegations

1. The Respondent graduated from the University of Massachusetts Medical School on June 7, 1998. The Respondent was first licensed to practice medicine in Massachusetts under certificate number 214062 in April 2002. He is board certified in ophthalmology. His license to practice medicine in Massachusetts expired on July 2, 2023.
2. On Thursday, November 10, 2022, the Respondent was arrested for Operating Under the Influence of Liquor.
3. On Monday, November 14, 2022, the Respondent admitted that there were sufficient facts to find him guilty of Operating Under the Influence of Liquor. He received a Continuance

Without a Finding, was placed on probation for one year, lost his license for 45 days, and entered into a driver's alcohol program.

4. On January 7, 2023, police found the Respondent's car, unoccupied, unlocked, with the driver's side window down approximately one mile from his house. The car contained alcohol bottles.

5. On January 20, 2023, the Respondent signed a Voluntary Agreement not to Practice (VANP).

Legal Basis for Proposed Relief

A. Pursuant to G.L. c. 112, §5, eighth par. (g), the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician has been convicted of a criminal offense which reasonably calls into question his ability to practice medicine.

B. 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,



Booker T. Bush, M.D.
Board Chair

Date: 5.23.24