

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine  
Adjudicatory Case No. 2025-002

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In the Matter of )  
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ERIC HU, M.D. )  
\_\_\_\_\_ )

**STATEMENT OF ALLEGATIONS**

The Board of Registration in Medicine (Board) determined 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 Eric Hu, 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 No. 20-048.

**Biographical Information**

1. The Respondent graduated from the University of Toledo College of Medicine in 2014 and completed residency and further training at the Cleveland Clinic Foundation in 2019. The Respondent was licensed to practice medicine in Massachusetts under certificate number 277070 from August 29, 2018 until March 15, 2021.

**Factual Allegations**

2. In September 2019 the Respondent joined Steward Medical Group as a full-time attending anesthesiologist and he began working 50 to 60 hours a week including overtime and call coverage.

3. Shortly after the Respondent began working at Steward Medical Group, staffing shortages resulted in him working upwards of 80 hours a week including overtime and call coverage.

4. The Respondent has experienced G.L. c. 4, § 7(26)(c)

5. In February 2019 the Respondent began diverting G.L. c. 4, § 7(26)(c) fentanyl from the medical waste after his procedures at SMG.

- a. At first the Respondent diverted G.L. c. 4, § 7(26)(c) fentanyl one time each week and shortly after he diverted one time each day.
- b. By the time he was confronted, the Respondent was diverting G.L. c. 4, § 7(26)(c) between 50 and 100 micrograms of fentanyl each day while at work.
- c. The Respondent diverted G.L. c. 4, § 7(26)(c) Versed and morphine or two times while at work.
- d. The Respondent provided clinical care to patients after diverting G.L. c. 4, § 7(26)(c) fentanyl, Versed, and morphine.

6. On April 9, 2019, SMG staff confronted the Respondent when he was acting erratically and exhibiting abnormal behavior after he finished an overtime shift during which he diverted G.L. c. 4, § 7(26)(c) fentanyl. The Respondent took a G.L. c. 4, § 7(26)(c) from SMG.

7. G.L. c. 4, § 7(26)(a)

8. G.L. c. 4, § 7(26)(a)

#### Legal Basis for Proposed Relief

A. Pursuant to G.L. c. 112, §5, eighth par. (d) and 243 CMR 1.03(5)(a)4, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician

practiced medicine while his ability to do so was impaired by alcohol, drugs, physical disability or mental instability.

B. Pursuant to G.L. c. 112, §5, eighth par. (b) and 243 CMR 1.03(5)(a)2, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician committed an offense against a provision of the laws of the Commonwealth relating to the practice of medicine, or a rule or regulation adopted thereunder. More specifically: G.L. c. 94C, §33(b).

C. Pursuant to 243 CMR 1.03(5)(a)18, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician committed misconduct in the practice of medicine.

D. 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 lacks good moral character and 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, the Respondent is hereby **ORDERED** to show cause why the Board should not discipline him for the conduct described herein.

By the Board of Registration in Medicine,

A handwritten signature in black ink, appearing to read 'Booker T. Bush', written over a horizontal line.

Booker T. Bush, M.D.  
Board Chair

Date: January 22, 2025