

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Board of Registration in Medicine

Adjudicatory Case No. 2024-040

)
In the Matter of)
)

KATHERINE E. KROLL, 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 violations for which a licensee may be sanctioned by the Board. The Board therefore alleges that Katherine E. Kroll, 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. 23-617.

Biographical Information

1. The Respondent is Board-certified in emergency medicine. She graduated from the University of Texas, Southwestern Medical School in 2009. The Respondent was licensed to practice medicine in Massachusetts under certificate number 249968 between 2011 and 2016, when her license lapsed. The Respondent was previously affiliated with Cambridge Health Alliance (CHA). The Respondent now resides in Sweden.

Factual Allegations

2. On G.L. c. 4, § 7(26)(c), 2014, Patient A fell G.L. c. 4, § 7(26)(c) and presented to the Respondent at G.L. c. 4, § 7(26)(c) Hospital for evaluation and treatment.

3. Patient A had a history of G.L. c. 4, § 7(26)(c).

4. Among other things, the Respondent ordered a *G.L. c. 4, § 7(26)(c)*.
5. The *G.L. c. 4, § 7(26)(c)* revealed an incidental finding of a *G.L. c. 4, § 7(26)(c)* *G.L. c. 4, § 7(26)(c)*.
6. The *G.L. c. 4, § 7(26)(c)* discussed the *G.L. c. 4, § 7(26)(c)* findings with the Respondent and recommended that a *G.L. c. 4, § 7(26)(c)* patient, such as a *G.L. c. 4, § 7(26)(c)*, should receive a follow-up *G.L. c. 4, § 7(26)(c)* *G.L. c. 4, § 7(26)(c)* to further evaluate the *G.L. c. 4, § 7(26)(c)*.
7. The Respondent noted that the *G.L. c. 4, § 7(26)(c)* were negative for traumatic injury in Patient A's medical records.
8. The Respondent discharged Patient A home with a plan to follow-up with his primary care physician and an *G.L. c. 4, § 7(26)(c)* surgeon.
9. The Respondent failed to document informing Patient A of the *G.L. c. 4, § 7(26)(c)* *G.L. c. 4, § 7(26)(c)*.
10. The Respondent failed to inform Patient A's primary care physician of the *G.L. c. 4, § 7(26)(c)* *G.L. c. 4, § 7(26)(c)* as she was under the impression that Patient A was transferring his care to a different, in-network primary care physician.
11. The Respondent understood that Patient A would also receive a written letter by the *G.L. c. 4, § 7(26)(c)* also notifying him of the *G.L. c. 4, § 7(26)(c)* finding and advising him to follow up with his primary care physician for further evaluation.
12. In *G.L. c. 4, § 7(26)(c)*, Patient A was diagnosed with *G.L. c. 4, § 7(26)(c)*.
13. On *G.L. c. 4, § 7(26)(c)* 2015, Patient A died from his *G.L. c. 4, § 7(26)(c)*.
14. In May 2017, the representatives of Patient A's estate filed a medical malpractice and wrongful death suit against the Respondent.

15. In April 2023, the jury returned a verdict finding the Respondent to be grossly negligent in her care and treatment of Patient A and that her negligence caused Patient A's injury and/or death. A copy of the Verdict Form is attached hereto as **Exhibit 1** and incorporated by reference.

16. The jury awarded damages totaling more than \$9 million.

Legal Basis for Proposed Relief

A. Pursuant to G.L. c. 112, §5, eighth par. (c) and 243 CMR 1.03(5)(a)3, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that she engaged in conduct that places into question the Respondent's competence to practice medicine, including but not limited to gross negligence on a particular occasion.

B. Pursuant to 243 CMR 1.03(5)(a)17, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician has committed malpractice within the meaning of M.G.L. c. 112, § 61.

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 'Booker T. Bush', written over a horizontal line.

Booker T. Bush, M.D.
Board Chair

Date: August 15, 2024