

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2024-006

In the Matter of
Wayne W. Liou, 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 Wayne W. Liou, 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. 23-165.

Biographical Information

1. The Respondent graduated from the Wayne State University School of Medicine in 1996. He is certified by the American Board of Medical Specialties in Diagnostic Radiology. The Respondent has been licensed to practice medicine in Massachusetts under license number 226630 since 2005.

Factual Allegations

2. The Respondent is licensed to practice medicine in many other states, including Wisconsin, Tennessee, and Texas. On March 15, 2023, the Wisconsin Medical Examining Board (“WI Board”) imposed discipline on the Respondent’s license in Wisconsin due to

Respondent's violation of Wisconsin law governing the practice of medicine.

3. Specifically, the WI Board disciplined the Respondent for unprofessional conduct by departing from or failing to conform to the standard of minimally competent medical practice which creates an unacceptable risk of harm to a patient or the public whether or not the act or omission resulted in actual harm to any person.

4. The WI Board disciplined the Respondent for the following conduct:

- a. On **G.L. c. 4, § 7(26)(c)** 2014, a **G.L. c. 4, § 7(26)(c)** male patient ("Patient A") was admitted to the hospital in Wisconsin where Respondent practiced as a radiologist and provided remote/teleradiology services.
- b. Patient A was admitted to the hospital after presenting to the emergency room **G.L. c. 4, § 7(26)(c)**

G.L. c. 4

- c. Patient A underwent a CT **G.L. c. 4, § 7(26)(c)**, among other imaging studies. Respondent performed a preliminary interpretation of the CT on an emergent basis. Respondent's finding included **G.L. c. 4, § 7(26)(c)**

G.L. c. 4, § 7(26)(c)

- d. On September **G.L. c. 4**, 2014, the hospital's in-house radiologist reviewed and interpreted the same CT **G.L. c. 4, § 7(26)(c)** that Respondent interpreted, and found, **G.L. c. 4, § 7(26)(c)**

G.L. c. 4, § 7(26)(c)

G.L. c. 4, § 7(26)(c)

- e. Respondent's failure to report that the CT showed G.L. c. 4, § 7(26)(c)

G.L. c. 4, § 7(26)(c)

departed from the standard of minimally competent medical practice.

5. The WI Board imposed a reprimand and ordered Respondent to complete three hours of education on the topic of imaging and neurological emergencies in the spine.

6. Based on the WI Board's action, the Tennessee Board of Medical Examiners reprimanded Dr. Liou's medical license.

7. Based on the WI Board's action, the Texas Medical Board reprimanded Dr. Liou's medical license and assessed him a monetary penalty.

Legal Basis for Proposed Relief

- A. Pursuant to 243 C.M.R. 1.03(5)(a)(12), the Board may discipline a physician upon satisfactory proof to a majority of the Board that said physician has been disciplined in another jurisdiction in any way by the proper licensing authority for reasons substantially the same as those set forth in G.L. c. 112, § 5 or 243 C.M.R. 1.03(5). More specifically, in Massachusetts, the Board may discipline a physician upon proof satisfactory to a majority of the Board that said physician

has:

1. Violated 243 C.M.R. 1.03(5)(a)(3) by engaging in conduct which places into question the Respondent's competence to practice medicine, including but not limited to gross misconduct in the practice of medicine, or practicing medicine fraudulently, or beyond its authorized scope, or with gross incompetence, or with gross negligence on a particular occasion or negligence on repeated occasions.

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 C.M.R. 1.01.

Nature of Relief Sought

The Board is authorized and empowered to order appropriate disciplinary action, which may include revocation or suspension of 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 Respondent's practice of medicine.

Order

Wherefore, it is hereby **ORDERED** that the Respondent show cause why the Board should not discipline 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: February 8, 2024