

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Board of Registration in Medicine

Adjudicatory Case No. 2025-016

Docket No.

In the Matter of

ANU R. PATHAK, 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 disciplined by the Board. The Board therefore alleges that Anu R. Pathak, 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. 23-370.

Biographical Information

1. The Respondent graduated from the Dayanand Medical College, Punjab University in 1985. She has been licensed to practice medicine in Massachusetts under license number 154034 since 1999. Her practice specialty is pediatrics, and she is board-certified in pediatrics. She practices as a sole practitioner in Southbridge, Massachusetts. She has privileges at Harrington Memorial Hospital and University of Massachusetts Medical Center.

Factual Allegations

2. The Respondent is a general pediatrician, who treats patients from age zero to twenty-one. She provides a full spectrum of care, including treatment of certain common mental health disorders including ADHD, depression, and anxiety.

3. In her practice, the Respondent prescribes Schedule II medications, including stimulants such as Vyvanse, Concerta, Adderall, and Focalin.

4. The Respondent travelled out of state for vacation and was out of the office from March 17, 2023 to March 27, 2023 and from June 1, 2023 to June 9, 2023.

5. Prior to going out of state for vacation from March 17-27, 2023 and from June 1-9, 2023, the Respondent had her staff identify patients who would need refill prescriptions for Schedule II medications in her absence.

6. The Respondent had her staff prepare paper prescriptions for Schedule II medication refills for the Respondent to review and sign before she left for vacation.

7. On at least five prescriptions for Schedule II medications, the drug name, strength, dosage form, quantity prescribed, directions for use, name and address of the patient, registration numbers of the practitioner, and date of said prescriptions were handwritten by the Respondent's staff and then signed by the Respondent.

8. The Respondent signed prescriptions for Schedule II medications before she left for vacation but did not indicate the date she signed them. Instead, the dates on the prescriptions were intended to represent the dates on which the patients would need the prescription refills during her absence.

9. The Respondent post-dated these prescriptions for Schedule II medication, thereby not accurately reflecting the dates they were written.

10. Such prescriptions for Schedule II medications were delivered to the patient's parent in person by staff while the Respondent was away on vacation.

11. The Respondent did not indicate on the prescriptions for Schedule II medications the dates they were delivered to the patient's parent.

12. The Respondent signed such prescriptions for Schedule II medications for a total of 30 days, but signed them before the prior 30-day period lapsed and did not indicate a “Do Not Fill Before” date on the prescriptions.

Legal Basis for Proposed Relief

A. Pursuant to M.G.L. c. 112, §5 and 243 C.M.R. 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 any provision of the laws of the Commonwealth relating to the practice of medicine, or any rule or regulation adopted thereunder;

B. Pursuant to M.G.L. c. 112, §5 and 243 CMR 1.03(5)(b)11, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician violated any rule or regulation of the Board;

C. The Board may discipline a physician upon proof satisfactory to the Board, that said physician engaged in conduct that undermines the public confidence in the integrity of the medical profession, a basis for discipline 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 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.

Date: May 1, 2025

Booker T. Bush, M.D.
Board Chair