

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2018-034

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In the Matter of)
DAVID SIEGEL, MD.)
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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 David Siegel, 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 Nos. 11-088 and 13-356.

Biographical Information

1. The Respondent was born on September 24, 1963. He graduated from the University of Minnesota Medical School in 1994. He is certified by the American Board of Physical Medicine and Rehabilitation in Pain Medicine and in Spinal Cord Injury Medicine. He has been licensed to practice medicine in Massachusetts under certificate number 245337 since August 18, 2010. He is also licensed to practice medicine in New York.

Patient A

2. In 2011, the Respondent treated Patient A for pain management.

3. The Respondent was rude and abrasive during his interaction with Patient A and Patient A's health aide.

4. The Respondent accused the Patient A of having a temper tantrum when Patient A expressed sadness and frustration.

5. The Respondent was insensitive when Patient A was describing his pain symptoms.

Patient B

6. In August 2013, Patient B, who had a history of Post-traumatic Stress Disorder, was sent by his employer to the Respondent's occupational medical practice for an evaluation.

7. The Respondent told Patient B that he could not see him because he did not have all of Patient B's paperwork.

8. Patient B asked the Respondent to request the information and to have it faxed to the Respondent's office.

9. The Respondent accused Patient B of being angry and the Respondent then appeared to become defensive and angry.

10. Board Policy Number 01-01 on Disruptive Physician Behavior states "Behaviors such as foul language; rude, loud or offensive comments; and intimidation of staff, patients and family members are now recognized as detrimental to patient care."

11. Disruptive behavior by a physician has a deleterious effect on the health care system and increases the risk of patient harm.

12. By his actions, the Respondent violated the Board of Registration in Medicine's Disruptive Physician Behavior Policy.

Legal Basis for Proposed Relief

A. 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 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,

Candace Lapidus Sloane, MD

Candace Lapidus Sloane, M.D.
Board Chair

Date: August 9, 2018