

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2015-033

\_\_\_\_\_  
In the Matter of )  
 )  
 )  
LEO TCHONG, 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 Leo Tchong, 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. 14-231.

**Biographical Information**

1. The Respondent was born on October 5, 1974. He graduated from Tufts University School of Medicine in 2003. He has been licensed to practice medicine in Massachusetts under certificate number 235786 since 2008. He is certified by the American Board of Internal Medicine. He is employed as an endocrinologist at Lahey Hospital and Medical Center (Lahey).

**Factual Allegations**

2. On June 18, 2002, the Respondent was arrested by Boston Police and charged with one count of Assault and Battery.

3. On June 19, 2002, the Respondent was arraigned in the Brighton District Court, where he entered a plea of not guilty.

4. On August 29, 2002, the Respondent admitted to sufficient facts, and was placed on supervised probation until June 27, 2003, and was ordered to complete a course of education.

5. On May 15, 2003, the Respondent was arrested by Massachusetts State Police and charged with Operating a Motor Vehicle Under the Influence of Alcohol.

6. Also on May 15, 2003, the Respondent admitted to sufficient facts, and was placed on supervised probation until May 14, 2004, and was ordered to complete a course of education.

7. In April 2003, the Respondent submitted an application (Pennsylvania Application) to the Pennsylvania State Board of Medicine (Pennsylvania Board) for the issuance of a Graduate Medical Trainee license (GMT) to begin his internship/residency training at Temple University Hospital, in Pennsylvania.

8. Question 4 of the Pennsylvania Application asked the Respondent the following question:

Have you been convicted, found guilty, or pleaded guilty or nolo contendere, or received probation without verdict on any felony or misdemeanor, including any drug law violation in any state or federal court?

9. The Respondent answered “no” to the above-described question.

10. The Respondent’s application for the issuance of a GMT license to practice medicine in Pennsylvania was approved by the Pennsylvania Board on June 14, 2003, and remained in effect until the Pennsylvania Board issued his a full, unrestricted license to practice medicine, on or about December 20, 2005.

11. The Respondent was continuously licensed to practice medicine in Pennsylvania until December 31, 2010, the date on which the Pennsylvania license expired.

12. In March 2008, the Respondent submitted an application to the Massachusetts Board of Registration in Medicine (Massachusetts Board) for the issuance of an initial full license (Initial License Application) to accept a position at Lahey.

13. Question 10 of the Initial License Application asks the following question:

Have you ever been charged with any criminal offense, other than a minor traffic offense?

14. Despite the Respondent's two arrests identified herein, the Respondent answered "no."

15. The Respondent signed the Initial License Application on March 18, 2003; above his signature appeared the following statement:

I certify under the penalties of perjury that all information on this form (front and back, and all attached pages) is true, to the best of my knowledge.

16. The Massachusetts Board issued a full, unrestricted license to practice medicine to the Respondent on May 15, 2008, and has biennially renewed his license thereafter; his currently bears an expiration date of October 5, 2016.

#### Legal Basis for Proposed Relief

A. Pursuant to G.L. c. 112, § 5, ninth par. (a) and 243 CMR 1.03(5)(a)1, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician has by fraudulently procuring his certificate of registration or its renewal.

B. Pursuant to 243 CMR 1.03(5)(a)10, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician practiced medicine deceitfully, or engaged in conduct that has the capacity to deceive or defraud.

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: November 19, 2015