COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS. Board of Registration in Medicine

 Adjudicatory Case No. 2015-035

 )

In the Matter of )

 )

ALBERT WU, M.D. )

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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 Albert Wu, 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 isDocket No. 15-057.

# Biographical Information

1. The Respondent was born on April 26, 1985. He graduated from the University of Michigan Medical School in 2012. The Respondent holds a limited license under certificate number 254980 at Brigham and Women’s Hospital.

Factual Allegations

1. Prior to 2015, the Respondent was prescribed Ambien and Tramadol for multiple years.
2. The Respondent developed dependency on the medication he was being prescribed.
3. In mid-January 2015, as part of his residency training, the Respondent worked in the operating room.
4. In mid-January 2015, the Respondent began diverting fentanyl from his employer.
5. The Respondent continued to divert fentanyl until February 2015.
6. The Respondent became opioid dependent.
7. On or about February 11, 2015, an attending physician observed the Respondent diverting fentanyl.
8. When asked about chemical dependency, Respondent admitted to his condition.
9. On or about February 14, 2015, the Respondent voluntarily entered into treatment for his dependency issues.
10. On May 19, 2015, the Respondent successfully completed an in-patient treatment program.
11. Since completing his in-patient treatment, the Respondent has been in and remained fully compliant with his contract with Physician’s Health Services.

Legal Basis for Proposed Relief

1. Pursuant to G.L. c. 112, §5, ninth par. (d) and 243 CMR 1.03(5)(a)4, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician practiced medicine while his ability to do so was impaired by drugs.
2. 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 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,

 Signed by Candace Lapidus Sloane, M.D.

 Candace Lapidus Sloane, M.D.

 Board Chair

Date: December 3, 2015