

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2017-010

_____)
 In the Matter of)
)
 KRISTIN L. HOWARD, 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 Kristin L. Howard, M.D. (Respondent) has practiced medicine in violation of law, regulation, and/or good and accepted medical practice, as set forth herein. The investigative docket number associated with this order to show cause is Docket No. 12-512.

FINDINGS OF FACT

1. The Respondent was born on January 26, 1956. She graduated from Boston University School of Medicine in 1992. She has been licensed to practice medicine in Massachusetts under certificate number 150162 since 1996. She is board-certified in Emergency Medicine.
2. On November 9, 2012, the Respondent caused a serious three-car motor vehicle crash.
3. On November 11, 2012, the Respondent entered into a Physician Health Services (PHS) Substance Use Monitoring Contract which required abstinence from substances of abuse.
4. On November 13, 2012, the Respondent appeared before the Dedham District Court for arraignment on charges of Operating Under the Influence of Liquor (OUI) and Causing Serious Bodily Injury, OUI Drugs and Causing Serious Bodily Injury, Operating to Endanger, two counts of Leaving the

Scene of an Accident after Property Damage, Possession of a Class C Controlled Substance, and Possession of a Class E Controlled Substance.

5. On November 14, 2012, Candace Lapidus Sloane, M.D. (Board Chair) accepted the Respondent's Voluntary Agreement Not to Practice (VANP). The Board ratified the VANP on November 20, 2012.

6. On September 13, 2013, the Respondent resolved her criminal matter by pleading guilty to OUI and Causing Serious Bodily Injury and one count of Leaving the Scene of an Accident after Property Damage. The court accepted the Respondent's guilty plea and ordered that the Respondent be placed on probation for three years.

7. That same day, the Respondent admitted to sufficient facts for a finding of guilty on the additional charges for Possession of a Class C Controlled Substance and Possession of a Class E Controlled Substance. The court accepted the Respondent's admission and continued the charges without a finding (CWOFF) for three years pending the Respondent's compliance with the terms of her probation.

8. In a letter dated November 25, 2013, the Director of PHS stated that the Respondent had been compliant with her PHS contract since she entered into it on November 11, 2012.

Legal Basis for Proposed Relief

Pursuant to Levy v. Board of Registration in Medicine, 378 Mass. 519 (1979); Raymond v. Board of Registration in Medicine, 387 Mass. 708 (1982), and Sugarman v. Board of Registration in Medicine, 422 Mass. 338 (1996), the Board may discipline a physician upon proof satisfactory to a majority of the Board that said physician lacks good moral character and 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: March 23, 2017

SENT CERTIFIED MAIL 3/24/17 ³ms