CASE STUDY EXAMPLES
of MA Board of Medicine in Registration Complaints
that may impact your medical license and career
from MMS Legal Advisor Plan legal counsel,
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www.adlercohen.com/healthcare

A pediatrician who had been in practice for over 40 years saw a new pediatric patient who was accompanied by her parent. The pediatrician performed a well child exam with the parent present throughout the duration of the exam. No concerns or objections were raised by the parent during the visit. Subsequently, the parent filed a Board Complaint alleging that the pediatrician’s examination was inappropriate. A well-crafted response was drafted citing the pediatrician’s extensive experience and lack of prior complaints over a long career. The Board agreed and dismissed the Complaint.

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A physician was the subject of a Board Complaint for inappropriate prescribing practices. The physician was able to use LAP coverage throughout the investigatory process prior to using the malpractice insurance thus allowing the physician the full use of the insurance coverage for retaining supportive experts to defend again the Complaint.

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A peer Complaint was filed by a physician alleging another physician treating the patient failed to meet current standards of care for treating patients in the performance of an independent medical examination. The response crafted by counsel was able to identify several flaws in the complaining physician’s Complaint and successfully defended the matter with the Board recommending that the Complaint be closed without any discipline.

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A former patient filed a Complaint against a physician alleging that the physician was rude and performed an inappropriate exam. Specifically, the patient alleged that the physician made her feel uncomfortable about her medical and social history. She also alleged that the exam caused her excessive bleeding. A response was drafted on behalf of the doctor explaining the examination and the doctor’s behavior. The Complaint was closed and no discipline was issued.

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A patient submitted a Complaint to the Board of Registration in Medicine alleging that the physician discriminated against her on the basis of her disability. The patient also filed a companion Complaint with the Massachusetts Commission Against Discrimination. The physician received paperwork requesting medical verification of the patient’s request for disability. The physician engaged in a discussion with the patient relative to her symptoms and physical limitations. The patient claimed that physician’s questioning of her disability claim was discriminatory. The Complaints at both the Board of Registration in Medicine and the Massachusetts Commission Against Discrimination were dismissed with any discipline or finding of discrimination.

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