

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No.2021-010

In the Matter of

THOMAS J. McLAUGHLIN, M.D.

CONSENT ORDER

Pursuant to G.L. c. 30A, § 10, Thomas J. McLaughlin, M.D. (Respondent) and the Board of Registration in Medicine (Board) (hereinafter referred to jointly as the "Parties") agree that the Board may issue this Consent Order to resolve the above-captioned adjudicatory proceeding.

The Parties further agree that this Consent Order will have all the force and effect of a Final

Decision within the meaning of 801 CMR 1.01(11)(d). The Respondent admits to the findings of fact specified below and agrees that the Board may make the conclusions of law and impose the sanction set forth below in resolution of investigative Docket No. 19-030.

Findings of Fact

1. The Respondent was born on January 15, 1944. He graduated from the University of Medicine and Dentistry of New Jersey in 1980. He is certified by the American Board of Medical Specialties in Neurology and Psychiatry. He has been licensed to practice medicine in Massachusetts under certificate number 53828 since November 1984. He has privileges at Lawrence General Hospital. Until July 2020, the Respondent owned the Center for Psychiatric Medicine (CPM), located in Lawrence, Massachusetts.

2. The Respondent purchased CPM in 2010.

3. CPM services include outpatient psychiatric and addiction treatment, including

treatment to MassHealth members.

4. CPM treatment includes prescriptions for Suboxone, Subutex, and buprenorphine-naloxone.

5. In August 2018, the Respondent, CPM, and CPM's practice manager settled a case with the Massachusetts Attorney General's office. The Massachusetts Attorney General's office alleged that the Respondent violated various Massachusetts laws and regulations by accepting cash payments from MassHealth patients for medical treatment, rather than having CPM accept payment only from MassHealth.

6. The Respondent further acknowledged to Board staff that CPM accepted cash payments from MassHealth patients for medical treatment.

7. The Massachusetts Superior Court ruled that the Respondent and CPM violated G.L. c. 93A and engaged in unfair and deceptive practices for accepting cash payments from MassHealth patients.

Conclusion of Law

A. The Respondent has engaged in conduct that undermines the public confidence in the integrity of the medical profession. *See Levy v. Board of Registration in Medicine*, 378 Mass. 519 (1979); *Raymond v. Board of Registration in Medicine*, 387 Mass. 708 (1982).

Sanction and Order

The Respondent's license is hereby Reprimanded. This sanction is imposed for each violation of law listed in the Conclusion section and not a combination of any or all of them.

Execution of this Consent Order

Complaint Counsel and the Respondent agree that the approval of this Consent Order is left to the discretion of the Board. The signature of Complaint Counsel, the Respondent, and the

Respondent's counsel are expressly conditioned on the Board accepting this Consent Order. If the Board rejects this Consent Order in whole or in part, then the entire document shall be null and void; thereafter, neither of the parties nor anyone else may rely on these stipulations in this proceeding.

As to any matter in this Consent Order left to the discretion of the Board, neither the Respondent, nor anyone acting on her behalf, has received any promises or representations regarding the same.

The Respondent waives any right of appeal that he may have resulting from the Board's acceptance of this Consent Order.

The Respondent shall provide a complete copy of this Consent Order and Probation Agreement with all exhibits and attachments within ten (10) days by certified mail, return receipt requested, or by hand delivery to the following designated entities: any in- or out-of-state hospital, nursing home, clinic, other licensed facility, or municipal, state, or federal facility at which s/he practices medicine; any in- or out-of-state health maintenance organization with whom the Respondent has privileges or any other kind of association; any state agency, in- or out-of-state, with which the Respondent has a provider contract; any in- or out-of-state medical employer, whether or not the Respondent practices medicine there; the state licensing boards of all states in which the Respondent has any kind of license to practice medicine; the Drug Enforcement Administration Boston Diversion Group; and the Massachusetts Department of Public Health Drug Control Program. The Respondent shall also provide this notification to any such designated entities with which the Respondent becomes associated in the year following the date of imposition of this reprimand. The Respondent is further directed to certify to the Board within ten (10) days that the Respondent has complied with this directive.

The Board expressly reserves the authority to independently notify, at any time, any of the entities designated above, or any other affected entity, of any action it has taken.

Thomas J. McLaughlin
Thomas J. McLaughlin, M.D.
Licensee

1.20.21
Date

Robert L. Kirby
Robert L. Kirby, Esq.
Attorney for the Licensee

1/21/21
Date

Karen A. Robinson
Karen A. Robinson, Esq. *KAC*
Complaint Counsel

2/1/21
Date

So ORDERED by the Board of Registration in Medicine this 11 day of March, 2021.

George Abraham
George Abraham, M.D.
Board Chair