

Before the  
N.H. Board of Medicine  
Concord, N.H. 03301

In the Matter of:

Greg R. Thompson, M.D.  
(Misconduct Allegations)

Docket No. 96-005

DECISION AND ORDER

By: Lawrence W. O'Connell, Ph.D., *President*; Jean O. Barnes, Bruce J. Friedman, M.D., Maureen P. Knepp, PA-C, and Wassfy M. Hanna, M.D., *Board Members*.

Not Participating: Cynthia S. Cooper, M.D., *Vice President*; Dana A. Merrithew, M.D., *Board Member*.

Appearances: Dahlia George, Esq., as Hearing Counsel  
Stanton E. Tefft, Esq., for the Respondent

Background Information

The N.H. Board of Medicine ("the Board") commenced this proceeding on November 7, 1996 by issuing a Notice of Hearing containing allegations that Greg Ross Thompson, M.D., ("the Respondent" or "Dr. Thompson") had engaged in professional misconduct between March 10, 1994 and March 1, 1995 by engaging in sexual contact and otherwise failing to observe professional boundaries with a female patient under his care. The specific issues designated in the hearing notice were whether the sexual contact or the failure to maintain adequate boundaries, or both, constituted unprofessional conduct, or gross or repeated negligence, within the meaning of RSA 329:17, VI(d).

The Notice of Hearing advised the Respondent of his right to be represented by legal counsel, requested any such counsel to file an appearance with the Board, and directed the parties to submit all

filings in the form of an original and six copies, and to serve copies of their filings upon each other and upon the Board's legal advisor. The Notice of Hearing was also served upon the complaining patient, Mary Hatton, and advised her of her right to intervene in the proceeding. Ms. Hatton elected not to intervene, but retained a right under RSA 329:18, VIII and former section Med 401.04(e) of the Board's rules to comment in writing upon any settlement being proposed to the Board.<sup>1</sup>

On December 2, 1996, attorney Stanton E. Tefft appeared for the Respondent and filed a letter transmitting a consented-to motion to hold a prehearing conference in lieu of a merits hearing on December 4, 1996. Among other things, this letter stated:

. . . I fully expect we will be able to avoid a protracted evidentiary hearing. Dr. Thompson is fully cognizant of his delinquency in his handling of this case, and I don't expect that to be an issue for the Board. I am comfortable in representing to you that there appear to be no other skeletons waiting to come out of the closet.

The accompanying motion included the following statement:

The petitioner [sic] represents . . . that there are no other patients who have any reason to complain of his professional conduct; that he is fully and abjectly aware that he failed to retain control of the doctor-patient relationship in this matter, but he can warrant to the Board that no "pattern" of such failure exists . . . .

---

<sup>1</sup> The 1990 version of the Board's rules expired on November 8, 1996. Although replacement rules were initially proposed on August 6, 1996, these rules did not finally take effect until May 30, 1997. Between November 8, 1996 and May 29, 1997, the Board continued to follow the procedures established in the 1990 rules. The 1997 version retains the substance of former rule Med 401.04(e) in a section now numbered as Med 205.02(f) and (g).

The Board granted this motion and held a prehearing conference on December 10, 1996. At this conference, Hearing Counsel filed her list of witnesses (which included Mary Hatton) and premarked exhibits (which included Ms. Hatton's complaint), but the Respondent did not.

The parties undertook to file stipulations of fact by January 2, 1997 which would simplify the taking of evidence and permit the hearing, now to be held on February 5, 1997, to be limited to the issue of sanctions.

The deadline for filing stipulations was subsequently extended to January 10, 1997, and stipulations were actually filed on January 8, 1997. They included a statement that sexual contact, including "hugging, kissing and ejaculation," had occurred between the Respondent and Ms. Hatton on more than one occasion, a statement that the Respondent revealed inappropriate details of his personal life to Ms. Hatton, and an admission that these events represented a failure to maintain proper therapeutic boundaries in treating Ms. Hatton. The parties also stipulated that the Respondent referred Ms. Hatton to other mental health care professionals at an early date in her treatment; in January 1995 Ms. Hatton advised one of these practitioners in January 1995 (Dr. Reynolds) of her sexual contact with the Respondent; and the Respondent did not actually treat Ms. Hatton after December 15, 1994.

The parties submitted a settlement proposal to the Board on January 30, 1997, but the Respondent also submitted a unilateral motion for the imposition of a more lenient sanction than that agreed to by Hearing Counsel. Both motions were presented to the Board on the morning of February 5, 1997. The Board denied both motions

