

FOR IMMEDIATE RELEASE:

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STATE BOARD OF MEDICINE TAKES DISCIPLINARY ACTION

BOSTON: At its meeting today, the State Board of Registration in Medicine took disciplinary action against the medical licenses of six physicians: John J. Walsh, Jr., M.D., Robert C. Shepard, M.D., Chester W. Zarnoch, M.D., Douglas Raines, M.D., Elias C. Dow, M.D. and David A. Bowers, M.D.

The Board revoked the license of Dr. John J. Walsh, Jr. Dr. Walsh is a 1996 graduate of the University of Vermont College of Medicine. He is a board-certified orthopedic surgeon who was first licensed to practice medicine in Massachusetts in 1966. Dr. Walsh is also licensed in Vermont, and in Maine where he currently practices. The Maine Board of Licensure in Medicine disciplined Dr. Walsh for having engaged in a sexual relationship with a patient. The Massachusetts Board may discipline a physician who has been disciplined by another jurisdiction for reasons substantially the same as those allowed by Massachusetts regulations. Today the Board revoked Dr. Walsh's license.

In another matter the Board revoked the right of Dr. Robert C. Shepard to renew his license to practice medicine. Dr. Shepard is a 1978 graduate of the Duke University School of Medicine, and has been licensed to practice medicine since 1981. He is board-certified in medical oncology and hematology. In 2003 Dr. Shepard signed a Consent Order with the Board whereby he was reprimanded and required to perform 60 hours of community service. Subsequent to that Consent Order, Dr. Shepard repeatedly failed to respond to multiple communications and Orders from the Board and repeatedly disregarded the Board's administrative directives to respond.

Dr. Chester W. Zarnoch signed a Consent Order with the Board in which he accepts a reprimand and is required to complete 20 hours of Continuing Medical Education credits, beyond those required for license renewal, in the area of current trends and advances in ophthalmology and office management. Dr. Zarnoch specializes in ophthalmology. He graduated from Boston University School of Medicine in 1973 and has been licensed to practice medicine in Massachusetts since 1974. Dr. Zarnoch was found to have failed to meet the standard of care in that he failed to conduct an examination sufficient to

determine a patient's condition, that he failed to recognize the urgency of the patient's condition and did not arrange for the patient to be seen emergently.

In the case of Dr. Douglas Raines, he signed a Consent Order with the Board accepting indefinite suspension of his license to practice medicine, retroactive to March 9, 2004, the date on which he took a medical leave of absence from his practice. Dr. Raines is a board-certified anesthesiologist. He graduated from the University of Virginia School of Medicine in 1987, and has been licensed to practice medicine in Massachusetts since 1991. The Board found that Dr. Raines had self-administered a sedative anesthetic on March 9, 2004 while on call, but has that he has not been determined to have a diagnosis of either chemical dependency or abuse. The suspension was stayed immediately upon Dr. Raines entering into a Probation Agreement with the Board.

Dr. Elias C. Dow entered into a Consent Order with the Board in which it was found that he had engaged in the practice of current procedural terminology upcoding, a form of improper Medicare billing, between 1997 and 1999. Dr. Dow, in a Settlement Agreement with the federal government, agreed to pay the United States \$185,000. Dr. Dow graduated from Tufts University School of Medicine in 1953 and has been licensed to practice in Massachusetts since 1955. He is board-certified in internal medicine, endocrinology, diabetes and metabolism. The Consent Order required Dr. Dow to enter into a five-year Probation Agreement with the Board that incorporates the provisions of the Settlement Agreement and an Integrity Agreement he signed with the federal government, including monitoring, auditing and reporting requirements in his practice.

The Board reprimanded Dr. David A. Bowers and ordered him to participate in the Case Western Reserve University School of Medicine Intensive Course in Medical Ethics. Dr. Bowers is a 1993 graduate of the Medical College of Wisconsin. He is board-certified in physical medicine and rehabilitation, and has been licensed to practice in Massachusetts since 1997. The Board found that Dr. Bowers improperly recorded and then improperly deleted a medical note on a patient's record.

The Massachusetts Board of Registration in Medicine licenses more than 30,000 physicians, osteopaths and acupuncturists. The Board was created in 1894 to protect the public health and safety by setting standards for the practice of medicine and ensuring that doctors who practice in the Commonwealth are appropriately qualified and competent. The Board investigates complaints, holds hearings and determines sanctions. More information about the Board is available at www.massmedboard.org.

NOTE TO EDITORS: Copies of orders issued by the Board are available by calling the Public Information Coordinator at (617) 654-9831.

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