

**STATE OF NEW HAMPSHIRE
OFFICE OF PROFESSIONAL
LICENSURE AND CERTIFICATION**

BOARD OF MEDICINE

**In Re: Lawrence Gray, M.D.
Lic. # 7057**

**ORDER OF EMERGENCY
SUSPENSION – 07/21/23**

Docket No.: 2023-MED-019

I. CASE SUMMARY/PROCEDURAL HISTORY:

On or about 07/17/2023, the Office of Professional Licensure and Certification, Division of Enforcement (“OPLC Enforcement”), acting on behalf of the Board of Medicine (“Board”), received a complaint alleging concerns that Lawrence Gray, MD (“Licensee”) had caused two of his patients to suffer unnecessary complications following surgical procedures he performed on them and had otherwise demonstrated incompetence to practice. OPLC Enforcement conducted an expedited investigation into the complaints, which yielded allegations that 1) since 2021 approximately 15-20 of the Licensee’s patients have had corrective reconstructive surgery by a different physician to rectify surgical errors made by the Licensee; 2) has incorrectly recited a patient’s surgical procedure; and 3) recently performed a wrong site surgery on a patient. On 07/21/23, the Board held an emergency meeting and voted to suspend the Licensee’s privilege to practice as a physician in New Hampshire on an emergency basis pursuant RSA 541-A:30(III); RSA 310:12, IV (eff. 07/01/23); and N.H. Code Admin. R., Title Plc 206.07 (“Plc”) (“Rules”).

II. LEGAL STANDARD:

“In cases involving imminent danger to public health, safety, or welfare, a board may order immediate suspension of a license or certification pending an adjudicative proceeding before the board to determine

if the suspension should remain in place pending final adjudication of the matter.” RSA 310:12, IV. The Office of Professional Licensure and Certification has further interpreted that to mean that the Board “... shall issue an order that immediately suspends the respondent’s license based on: (1) [a] determination that there is a reasonable basis to believe that public health, safety, or welfare requires emergency action...” Rule 206.07(a)(1).

III. EVIDENCE PRESENTED AND FINDINGS OF FACT:

A. Evidence Presented

The Board was presented with and/or considered the following evidence: a 07/19/23 “Verified Petition for Emergency Temporary Suspension of Licensure Pursuant to RSA 310:12, IV and N. H. Code Admin.R. Title Plc 206.07” filed by Eric M. Goulet, OPLC Enforcement Investigator and Victoria Davies, OPLC Enforcement Investigator (“Verified Petition”). The Board also relied on its expertise in the field it regulates. A review of the evidence presented, and the reasonable inferences taken there from, allows the Board to find the following facts.

B. Findings of Fact

The Board relied mostly upon the factual allegations contained in paragraphs # 2-4, 17-22, 24-45, 51-55, 56-65, 67-72, 74-78, and 81-83 of the Verified Petition in determining an emergency suspension of the Licensee’s license was warranted. Based upon those findings of fact the Board hereby adopts the following findings of fact:

1. The Respondent [Licensee] is currently listed as the President and Director of Atlantic Plastic Surgery Associates, P.A. 100 Griffin Road, Ste. 13, Portsmouth, NH 03801, which was incorporated July 31, 1986, according to records obtained from the New Hampshire Secretary of State website. On or about July 17, 2023, the OPLC Division of Enforcement (“Division”) received a complaint from Dallas Haines, Esq, alleging that his clients, identified as KW and KS, suffered unnecessary complications following their surgical procedures performed by the Respondent [Licensee].

Verified Petition at paragraphs 1-3.

2. OPLC Enforcement first investigated the complaint by separately interviewing K.W. and K.S. The interviews yielded information that was consistent with the allegations contained in the complaint. *See* Verified Petition at paragraphs 17-22; 24-45; 51-55; 56-65; 67-72; 74-78.
3. On 07/18/23, OPLC Enforcement also interviewed Dr. Alexander Slocum, a surgeon who has practiced under the Licensee at Atlantic Plastic Surgery Associates since 2021. Verified Petition at paragraph 81. Dr. Slocum stated the following: 1) he has witnessed that the Licensee's hands shake persistently; 2) he has witnessed the Licensee's hands shaking during a procedure; 3) he had learned from the staff at Atlantic Plastic Surgery that the Licensee's hand shaking had been ongoing for some time; 4) that he has provided second opinions on the Licensee's work for approximately 15-20 patients, who requested one; 5) that he has performed corrective reconstructive surgery on all those patients to fix surgical errors made by the Licensee; 6) that the Licensee has incorrectly sited marked patients before surgical procedures; 7) that the Licensee has provided incorrect surgical procedures to patients and staff before surgeries; and 8) that very recently the Licensee performed a wrong site surgery on a patient. Verified Petition at Paragraphs 81-83; 88-98.
4. Currently, the Licensee remains actively licensed in New Hampshire and practicing at Atlantic Plastic Surgery Associates. Verified Petition at 1.

IV. CONCLUSIONS OF LAW:

The Board concludes there is a reasonable basis to believe that the public health, safety, or welfare requires the emergency action of suspending the Licensee's New Hampshire physician's license pursuant to RSA 310:12, IV and Plc 206.07(a)(1). The central facts are straightforward— since at least 2021 the Licensee: 1) has performed at least 15-20 surgical errors that needed to be corrected by another physician; 2) had at least two patients that suffered serious complications from his work; 3) provided incorrect instructions for surgeries to patients and staff; 4) performed his work duties with shaking hands on multiple occasions, including at least one surgery; 5) has incorrectly site marked multiple patients; and 6) recently performed a wrong site surgery on a patient. Using its combined training and experience, the Board concludes that the Licensee's conduct, on its face, poses an imminent danger to the public health, safety, or welfare while licensed as a New Hampshire physician. The Board therefore orders the immediate emergency suspension of Lawrence Gray's license pursuant to RSA 310:12, IV, pending a follow-up emergency suspension disciplinary hearing.

V. ORDER:

Pursuant to RSA 310:12, IV and Rule 206.07(a), the Board hereby orders the immediate emergency suspension of Lawrence Gray's license as a New Hampshire physician, pending a follow up emergency hearing in this matter. A Notice of Emergency Hearing with an appropriate date/time shall follow forthwith.

DATED: 7/21/2023

_____/s/ Nikolas K. Frye, Esq._____
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