

**Before the
New Hampshire Board of Medicine
Concord, New Hampshire 03301**

In the Matter of:
Matthew J. Masewic, M.D.
Licensee No.: 12217

Docket No.:
16-04; 16-08
Complaint No.:
2014-354; 2015-276;
2015-366; 2015-424;
2016-65; 2016-222;
2016-223; 2016-329

VOLUNTARY SURRENDER OF LICENSE

In order to avoid the delay and expense of further proceedings before the New Hampshire Board of Medicine ("Board"), I, Matthew J. Masewic, M.D., per Med 412.03, do hereby voluntarily surrender my New Hampshire license (#12217) to practice medicine, effective on the date that I sign this document.

By voluntarily surrendering my license, I understand that:

1. I relinquish all rights and privileges to practice medicine in the State of New Hampshire as of the date that I sign this document.
2. Pursuant to RSA 329:18, the Board has commenced an investigation into my practice of medicine at the Hillsborough County Department of Corrections after receiving multiple complaints.
3. On April 28, 2016, the Board issued an Order of Emergency Conditional License Suspension and Notice of Hearing (docket No. 16-04), which temporarily prohibited me from practicing medicine at any correctional facility in the State of New Hampshire.


4. On May 2, 2016, the Board approved a Preliminary Agreement for Practice Restrictions, in which I agreed not to practice medicine at any correctional facility in the State of New Hampshire until further Order of the Board.
5. While the investigation was pending, I filed an application for the renewal of my license. In response, on September 6, 2016, the Board issued a Notice of Hearing to Show Cause (docket No. 16-08) due to the pending investigation into allegations of misconduct. The Notice of Hearing to Show Cause ordered that docket No. 16-08 be consolidated with docket No. 16-04.
6. This license surrender has occurred in settlement of pending allegations that I:
 - a. Failed to ever see multiple patients with significant medical conditions at HCDOC and inadequately examined, evaluated, communicated with, and cared for other patients with significant medical conditions at HCDOC;
 - b. Failed to appropriately supervise nursing staff at HCDOC as they engaged in the unauthorized practice of medicine by evaluating, diagnosing, and treating patients;
 - c. Inappropriately stopped patients' medications and failed to monitor patients going through medication withdrawals;
 - d. Failed to order appropriate medications to treat patients' underlying conditions and prescribed medications to patients via a standing order without ever evaluating or examining them;
 - e. Failed to maintain adequate medical record documentation of the care provided to patients at HCDOC;

7. I dispute the pending allegations and admit to no violations of RSA 329:17, VI or any administrative rules or ethics provisions adopted by the Board.
8. Should I again seek licensure in the State of New Hampshire, I must meet, and shall bear the burden of proving compliance with, all of the standards and prerequisites then required by the Board for new applicants, including professional character requirements.
9. The pending allegations that resulted in the signing of this *Voluntary Surrender of License* shall be resolved in any future licensure application I may submit in New Hampshire by the commencement of a Show Cause Hearing at which it shall be my burden to demonstrate why, in light of such allegations, the Board should grant my license application. I hereby specifically waive any statute of limitations or laches defense, which might then be available, including, but not limited to, those based on RSA 332-G:8 and 9, as well as any potential issues regarding a lack of a speedy hearing or spoliation of the evidence.
10. Once this this document goes into effect, it will constitute an Order of the Board and will be reported as discipline and distributed to all relevant licensing authorities and professional societies in the same manner as a final decision making specific findings of professional misconduct.
11. This document shall become a permanent part of my file, and will be maintained by the Board as a public document.


12. I voluntarily submit this surrender of license to the Board and state that no promises or representations have been made to me other than those terms and conditions expressly stated herein.
13. I have read this document titled *Voluntary Surrender of License* and understand that by signing this document, except as provided in Paragraph 9, I waive the right to a formal adjudicatory hearing, the right to call witnesses, the right to present evidence, the right to confront and cross-examine witnesses, the right to testify on my own behalf, the right to contest the allegations at issue, the right to present oral argument, and the right to appeal to the courts.
14. I have had the opportunity to seek and obtain the advice of an attorney of my choosing in connection with my decision to sign this document.
15. I am of sound mind and not under the influence of any substance that would impair my judgment at the time I sign this document.

FOR RESPONDENT

11-17-17
Date


Matthew J. Masewic, M.D.

11-20-17
Date


Peter A. Meyer, Esq.
Sarah S. Murdough, Esq.
Counsel for Respondent

FOR THE BOARD*/

ACCEPTED BY THE BOARD OF MEDICINE on this 6th day of December,
2017.

Effective
Date: December 7, 2017

Penny Taylor
(Signature)

PENNY TAYLOR
(Print or Type Name)

Authorized Representative of the
New Hampshire Board of Medicine

* / Board members not participating:

Nina Gardner, Public Member