

**Before the
Board of Registration in Podiatry
Concord, NH 03301**

In the Matter of:

**William C. Hubbard, DPM
(Misconduct Allegations)**

Docket #95-001

DECISION AND ORDER

The Board of Registration in Podiatry ("Board") after notice and public hearing held on May 6, 1996 does hereby find that there is insufficient cause, grounds or evidence presented to find that William C. Hubbard, D.P.M. ("the Respondent") has engaged in any acts of gross or repeated negligence pursuant to RSA 315:9 (d).

The Board also finds insufficient grounds, cause or evidence presented to substantiate a claim of fraudulent billing of Medicare, under RSA 315:9 (c), that would justify sanctions placed upon the Respondent's license to practice in New Hampshire.

The Board, does feel that the Respondent has violated the spirit of podiatric practice in New Hampshire by performing elective, non-emergent procedures in patients' homes. Despite his training and assurances to the Board, the Board does not condone the practice of treating patients in their homes for non-emergent invasive procedures. These procedures, done in homes and away from the scrutiny and control which the practice of Podiatry demands, are potentially dangerous to the public we serve.

Furthermore, the aggressive nature of Medicare billing, while falling short of misconduct, certainly stretches the standard practices within the profession. The convenient assignment of blame to the billing company does nothing to shield the licensee from the glare of this rather opportunistic billing practice.

THEREFORE, IT IS ORDERED, That William C. Hubbard, D.P.M. is reprimanded pursuant to RSA 315:10 (a) for conduct which the Board deems to be so far beyond the accepted norm of current practice that it invites public skepticism and peer investigation. Further, the Board strongly suggests that Dr. Hubbard be more careful with his billing procedures and that he seriously reconsider his position of continuing to perform elective, non-emergent procedures in patients' homes.

BY ORDER OF THE BOARD/*

DATE: May 10, 1996

Karen LaCroix
Karen LaCroix
Administrator

/*Brian Fradette, DPM, Board member, not participating.