



Board of Physicians

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

October 29, 2020

The Honorable Larry Hogan
Governor
100 State Circle
Annapolis, Maryland 21401

Secretary Robert R. Neall
Maryland Department of Health
201 West Preston Street
Baltimore, Maryland 21201

The Honorable Bill Ferguson
President
Senate of Maryland
State House, H-107
Annapolis, Maryland 21401

The Honorable Adrienne A. Jones
Speaker
Maryland House of Delegates
State House, H-101
Annapolis, Maryland 21401

Re: Maryland Board of Physicians 2020 Annual Report – MSAR #12707

Dear Governor Hogan, Secretary Neall, President Ferguson, and Speaker Jones:

It is my pleasure to respectfully submit to you the 2020 Annual Report of the Maryland Board of Physicians.

Please do not hesitate to contact me at (410) 764-4771 if you have any questions concerning the attached report. Thank you for your continued support of the Maryland Board of Physicians.

Sincerely,

Christine A. Farrelly
Executive Director

cc: Damean W. E. Freas, D.O., Chair, Maryland Board of Physicians
Webster Ye, Director, Office of Governmental Affairs - MDH
Sarah Albert, Department of Legislative Services – 5 copies



Maryland Board of Physicians

Annual Report Fiscal Year 2020

Damean W. E. Freas, D.O., Chair
Christine A. Farrelly, Executive Director

**Maryland Board of Physicians
FY 2020 Annual Reporting Requirements**

Pursuant to the Health Occupations Article (H.O.), Md. Code Annotated, § §1-212, 14-205.1 and Chapters 612 and 613, Acts of 2020, information regarding the operations of the Board of Physicians (the “Board”) as outlined in items 1 through 15 below is provided as follows:

1. The number of new complaints¹ investigated for physicians, allied health practitioners, and unlicensed individuals:

- 864 complaints

2. The number of complaints that remain open as of June 30 of the immediately preceding fiscal year at the Board and at the Office of the Attorney General:

Open Complaints as of June 30	Total
Board	156 ²
Office of the Attorney General, Prosecutor’s Office	115
Office of the Attorney General, Board Counsel	1

3. The three most common grounds for complaints:

- Disciplinary Ground §14-404(a)(3)(ii), is guilty of unprofessional conduct in the practice of medicine;
 - 398 allegations of unprofessional conduct in the practice of medicine.
- Disciplinary Ground §14-404(a)(22), fails to meet appropriate standards as determined by appropriate peer review of the delivery of quality medical and surgical care performed in an outpatient surgical facility, office, hospital, or any other location in this State;
 - 272 allegations of failure to meet the standard of care.
- Disciplinary Ground §14-404(a)(40), fails to keep adequate medical records as determined by appropriate peer review;
 - 82 allegations of failure to keep adequate medical records.

¹ All complaints received by the Board do not result in an investigation.

² The Annual Report is based on a 12-month fiscal year cycle; these cases are not over 18 months old.

4. The three most common sources out of the 864 complaints received:

Common Sources of Complaints Received	Total
Patients/Family	439
Criminal History Record Checks (CHRC)	80
Renewal Applications	65

5. The number and types of disciplinary actions taken by the Board are provided in Tables A and A-1 on pages 3-6:

Table A
FY20 Disciplinary Actions Summarized by Practitioner Category

Disciplinary Actions	Allied Health (Excludes Physician Assistant)	Physician	Physician Assistant	Unlicensed Medical Practitione rs	Facility	Grand Total
Loss of License						
Denials	1	2	0	2	0	5
Revocation	3	6	0	0	0	9
Summary Suspension	4	9	0	0	0	13
Summary Suspension Affirmed	4	6	0	0	0	10
Suspension	1	12	3	0	0	16
Surrender of License	4	16	1	0	0	21
Loss of License Total	17	51	4	2	0	74

FY20 Disciplinary Actions Summarized by Practitioner Category

Disciplinary Actions	Allied Health (Excludes Physician Assistant)	Physician	Physician Assistant	Unlicensed Medical Practitione rs	Facility	Grand Total
Non-Prejudicial Action						
Dismissal	0	6	0	0	0	6
License Granted	0	1	0	0	0	1
Termination Order	2	9	0	3	3	17
Termination Order - Reprimand Remains	1	49	5	0	0	55
Non-Prejudicial Action Total	3	65	5	3	3	79

Other Prejudicial Action						
Cease and Desist	0	1	0	3	0	4
Reprimand	0	9	2	0	0	11
Final Cease and Desist	0	1	0	1	0	2
Other Prejudicial Action Total	0	11	2	4	0	17

Restriction of License						
Reinstatement with Probation or Conditions	0	2	0	0	0	2
Reprimand with Conditions Only	2	50	1	0	0	53
Reprimand with Probation and Conditions	2	27	2	0	0	31

Disciplinary Actions	Allied Health (Excludes Physician Assistant)	Physician	Physician Assistant	Unlicensed Medical Practitioners	Facility	Grand Total
Restriction of License (continued)						
Suspension Terminated - Imposition of Probation with Terms and Conditions	2	2	0	0	0	4
Probation	0	3	0	0	0	3
Suspension Terminated - Imposition of Reprimand with Terms and Conditions	0	1	0	0	0	1
Restriction of License Total	6	85	3	0	0	94

Administrative (non-disciplinary)						
CME	0	9	0	0	0	9
Fine Only	1	2	0	5	3	11
Administrative Total	1	11	0	5	3	20
Grand Total	27	223	14	14	6	284

**Table A-1
FY20 Fines Imposed Summarized by Practitioner Type**

Disciplinary Action Fines	Allied Health (Excludes Physician Assistant)	Physician	Physician Assistant	Unlicensed Medical Practitioners	Facility	Grand Total
Total Fines through Disciplinary Actions	\$1,500	\$326,000	\$0	\$0	\$0	\$427,500

Administrative Fines	Allied Health (Excludes Physician Assistant)	Physician	Physician Assistant	Unlicensed Medical Practitioners	Facility	Grand Total
	\$0	\$23,775	\$0	\$0	\$0	\$23,775
	\$0	\$100	\$0	\$0	\$0	\$100
	\$13,500	\$1,000	\$0	\$35,500	\$3,500	\$53,500
	\$0	\$0	\$0	\$40,000	\$0	\$40,000
Total Administrative Fines	\$13,500	\$24,875	\$0	\$75,500	\$3,500	\$117,375

6. The total number of cases referred to peer review:

- 43

7. The chart below provides a summary of the cases referred to peer review³:

Number of Cases Referred to Peer Review	Total
Peer review cases that resulted in total disagreement	0
Peer review cases that resulted in charges being issued	15
Peer review cases that resulted in closure or closure with an advisory letter	17

8. The number of cases not completed within 18 months by the Board:

- 0

8a. The reasons for the failure to complete the cases in 18 months:

- N/A

³ The number of cases referred will not equal the number of cases resolved due to the overlap of fiscal years.

8b. The chart below provides a summary of the 50 cases forwarded to the Office of the Attorney General (OAG) that are greater than 18 months old:

Board Cases Over 18 Months at OAG	Total
Board	0
OAG, Prosecutor’s Office	49
OAG, Board Counsel’s Office	1

9. The number of active licensees for physicians and allied health practitioners:

Active Licensees	Total
Physicians, M.D.	30,826
Physicians, D.O.	1,571
Total Active Physicians	32,397
Allied Health Practitioners / License Prefix	
Athletic Trainers (A)	741
Physician Assistants (C)	4,013
Naturopathic Doctors (J)	41
Radiologist Assistants (K)	5
Respiratory Care Practitioners (L)	2,605
Rad Therapist/Radiographers (M)	40
Nuclear Medicine Technologists (N)	572
Radiation Therapists (O)	386
Radiographers (R)	5,629
Perfusionists-Basic (B)	4
Perfusionists-Advanced (Y)	105
Polysomnographers (Z)	379
Psychiatrist Assistants (S)	5

Total Active Allied Health Practitioners	14,525
Grand Total Physicians and Allied Health Practitioners	46,922⁴

10. The number of initial, renewal, and reinstatement licenses issued for physicians and allied health practitioners:

Practitioner Type	Initial	Reinstatement	Renewal	Total Licenses Issued
Total Physicians	2,073	236	13,730	16,039
Allied Health Practitioners				
Athletic Trainers	109	10	653	772
Physician Assistants	344	42	0	386
Radiologic Technologists (N, O, R, M, K)	320	85	0	405
Respiratory Care Practitioners	169	17	2,574	2,760
Polysomnographers	9	4	0	13
Perfusionists	12	0	103	115
Psychiatrist Assistants	0	0	5	5
Naturopathic Doctors	6	0	39	45
Total Allied Health Practitioners	969	158	3,374	4,501
Total Physician and Allied Health Practitioners	3,042	394	17,104	20,540

11. Additional workload statistics including the number of compact licenses, drug dispensing permits, and collaborative agreements on file with the Board:

Workload Statistics	Total
Compact Licensure	

⁴ The grand total of active licensees does not include those with expired or inactive licenses.

Letters of Qualification issued by the Board	132
Total Active Licenses Issued via Compact	224

Drug Dispensing Permits	
Active drug dispensing permits	563
New drug dispensing permits	54
Renewed drug dispensing permits	52
Total Drug Dispensing Permits	669

Physician Assistant Delegation Agreements	
Number of delegation agreements processed	1,544
Advanced duties addendums processed	81
Number of Physician Assistants with dispensing authority	229

Athletic Trainers	
Evaluation & Treatment protocols processed	164

Verification of Licensure	
Number of license verifications processed	5,852

12. The number of positive and negative Criminal History Records Checks (CHRC) results received for physicians and allied health practitioners:

Practitioner Type	Positive	Negative	Total Processed
Athletic Trainers	4	207	211
Naturopathic Doctors	0	3	3

Unlicensed (applicants)	0	244	244
Nuclear Medicine Technologists	4	65	69
Perfusionists-Advanced	0	4	4
Perfusionists-Basic	0	4	4
Physicians-M.D.	61	3,959	4,020
Physicians-D.O.	5	382	387
Physician Assistants	18	725	743
Polysomnographers	3	22	25
Radiation Therapists	0	28	28
Radiographers	28	488	516
Respiratory Care Practitioners	13	241	254
Total CHRC Processed	136	6,372	6,508

13. The number of individuals denied initial or renewal licensure due to positive Criminal History Records Checks results:

- 0

14. The number of individuals denied initial, renewal, or reinstatement licensure due to reasons other than a positive Criminal History Records Check:

- 5

15. State Board of Physicians and Allied Health Advisory Committees – Sunset Extension and Program Evaluation - Section 3 Reporting Requirement⁵:

On May 8, 2020, sunset legislation, titled “State Board of Physicians and Allied Health Advisory Committees – Sunset Extension and Program Evaluation,” went into effect. Section 3 of the sunset legislation requested that the Board study the combining of two allied health committees:

⁵ This item is required by the Board’s most recent Sunset. It is a one-time reporting requirement. Please note that it is being reported early.

“AND BE IT FURTHER ENACTED, That, in the annual report the State Board of Physicians is required to submit under § 14–205.1 of the Health Occupations Article, as enacted by Section 1 of this Act, on or before October 1, 2021, the Board shall include:

(1) a description of the study conducted by the Board in consultation with the Polysomnography Professional Standards Committee and the Respiratory Care Professional Standards Committee on the powers and duties of the Polysomnography Professional Standards Committee; and

(2) make recommendations on whether to alter the duties of the Polysomnography Professional Standards Committee or combine the Polysomnography Professional Standards Committee with the Respiratory Care Professional Standards Committee or another allied health advisory committee.”

During the 2020 interim, the Respiratory Care Professional Standards Committee (RCPSC) and the Polysomnography Professional Standards Committee (PPSC) conducted the study at their scheduled meetings and made the following recommendations:

- There is a need for both committees based on members’ areas of expertise; the RCPSC cannot absorb the responsibilities of the PPSC;
- Collaboration would be beneficial for the committee members when overlapping issues arise; and
- The committees could hold at least one joint meeting per year on an as-needed basis.

During the Board open session on August 26, 2020, disciplinary panels A and B considered and agreed with the conclusions reached by the committee members. The recommendations will be implemented immediately, beginning at the next scheduled RCPSC and PPSC meetings.