

IN THE MATTER OF

AMY QUYNH-TRANG PHAM, M.D.

Applicant

\* BEFORE THE

\* MARYLAND STATE

\* BOARD OF PHYSICIANS

\* Case Number: 2222-0006B

\* \* \* \* \*

**FINAL ORDER**

On or about April 26, 2022, Disciplinary Panel B of the Maryland State Board of Physicians (the “Board”) notified AMY QUYNH-TRANG PHAM, M.D. (the “Applicant”) of its intent to deny her Application for Initial Medical Licensure under the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) §§ 14-101 *et seq.* (2021 Repl. Vol.).

The pertinent provisions of the Act provide:

**Health Occ. § 14-205. Miscellaneous powers and duties.**

(b) *Additional powers.*

(3) Subject to the Administrative Procedure Act and the hearing provisions of § 14-405 of this title, a disciplinary panel may deny a license to an applicant . . . for:

(i) Any of the reasons that are grounds for action under § 14-404 of this title[.]

**§ 14-307. License qualifications**

(b) The applicant shall be of good moral character.

**Health Occ. § 14-404. Denials, reprimands, suspensions, and revocations – Grounds.**

- (a) *In general.* -- Subject to the hearing provisions of § 14-405 of this subtitle, a disciplinary panel, on the affirmative vote of a majority of the quorum of the disciplinary panel, may reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the licensee:
- (3) Is guilty of:
    - (ii) Unprofessional conduct in the practice of medicine;
  - (4) Is professionally, physically, or mentally incompetent;
  - (21) Is disciplined by a licensing or disciplinary authority or convicted or disciplined by a court of any state or country or disciplined by any branch of the United States uniformed services or the Veterans' Administration for an act that would be grounds for disciplinary action under this section;
- (b) *Criminal convictions.*
- (2) After completion of the appellate process if the conviction has not been reversed or the plea has not been set aside with respect to a crime involving moral turpitude, a disciplinary panel shall order the revocation of a license on the certification by the Office of the Attorney General.

In its Notice, Disciplinary Panel B informed the Applicant that she had the opportunity to request a hearing by submitting a request in writing to the Board's Executive Director within thirty days of service of the Notice. More than thirty days have elapsed since the service of the Notice on the Applicant, and the Applicant has not requested a hearing.

**FINDINGS OF FACT**

Disciplinary Panel B makes the following Findings of Fact:

## **I. The Application**

### **The Application**

1. At all times relevant, the Applicant is not and has never been licensed to practice medicine in the State of Maryland.

2. On or about February 3, 2021, the Board received an Application for Initial Medical Licensure (the “Application”), dated January 16, 2021, from the Applicant.

3. In the Application under Section 13, which is entitled “Postgraduate Training,” the Applicant answered “YES” to the following questions:

A. During your years of postgraduate training, did you have a break in training? If “Yes,” please provide an explanation.

C. During your years of postgraduate training, was any action taken against you by any training program, hospital, medical board, licensing authority, or court? Such actions include but are not limited to investigations, limitations of privileges or special conditions, requirements imposed for academic incompetence, disciplinary actions, probationary actions, etc. If “Yes,” please provide an explanation.

4. In response to Section 13(A) the Applicant enclosed a written explanation that disclosed that, “I took a break between my interns [and] residency due to illness and also to take care of my newborn son.”

5. In response to Section 13(C) the Applicant enclosed a written explanation that disclosed that, “I was asked to resign from my . . . internal medicine residency due to my illness. I was also fired from my . . . FM residency because of my illness.”

6. In the Application under Section 15, which is entitled "Licensing History," the Applicant answered "YES" to the following question:

- d. Has any disciplinary action ever been taken against your license? If "Yes," please enclose an explanation.

7. In response to Section 15(d) the Applicant enclosed a written explanation that disclosed the following:

My TX physician license was temporary [*sic*] on hold because they said I didn't show up to court listing reasons why the Physician Health Program didn't let me work because of my [Medical Condition<sup>1</sup>]. They said I could reapply after 1 year.

South Carolina took my license away and said I could never reapply for their license anymore because I had prescribed my medication to myself even though I had prescriptions from my doctor the pharmacy wouldn't let me fill them. They kept saying they didn't have any in stock.

Oklahoma medical board is now wanting to go to court or surrender my license given my past history.

8. In the Application under Section 16, which is entitled "Character and Fitness Questions," the Applicant answered "YES" to the following questions:

- i. Are there any charges pending against you in any court of law, are you currently under arrest, released pending trial with or without bond, or is there an outstanding warrant for your arrest?
- p. Have you ever surrendered your license or allowed it to lapse while you were under investigation by any licensing or disciplinary board of any jurisdiction, any entity of the armed services, or the Veterans Administration?

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<sup>1</sup> For confidentiality and privacy purposes, the Applicant's medical condition and medications are not disclosed in this document. The Applicant may obtain the redacted medical condition referenced in this document by contacting the administrative prosecutor.

9. In response to Section 16(i) the Applicant enclosed a written explanation that disclosed the following:

I currently have a charge in Collin County, TX for kidnapping my [Juvenile Family Member<sup>2</sup>] [and] I am on release pending trial. After my divorce my ex-husband fought for sole custody due to my depression as I was deemed unfit to be a mother. He didn't let me see my [Juvenile Family Member] for 10 months. All I did was take my [Juvenile Family Member] from TX to Maryland so [the Juvenile Family Member] could see [the] bedroom that I decorated for [the Juvenile Family Member]. We were together for less than 24 hours and the cop took my [Juvenile Family Member] to CPS.

10. In response to Section 16(p) the Applicant enclosed a written explanation that disclosed that, "I surrendered my SC license to avoid pending investigation in regards to prescribing my medication to myself [and] also so that I could get out of jail."

11. Based on the Applicant's affirmative responses in her Application, the Board initiated an investigation of the Applicant.

## **II. Board Investigation**

12. As part of its investigation, Board staff obtained the Applicant's criminal history, the Applicant's prior disciplinary history, and the Applicant's residency file from her residency program.

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<sup>2</sup> For confidentiality and privacy purposes, the names of individuals and health care facilities involved in this case are not disclosed in this document. The Applicant may obtain the names of all individuals and health care facilities referenced in this document by contacting the administrative prosecutor.

**A. Criminal History**

13. On or about July 23, 2018, the Applicant pled guilty to Obtaining Controlled Substance by Fraud<sup>3</sup> in the State of South Carolina County of Orangeburg Court of General Sessions. The Applicant was sentenced to one year of imprisonment and ordered to pay a \$482.50 fine.

14. On or about December 12, 2020, the Applicant was arrested in Maryland and extradited to Texas based on an arrest warrant and subsequent charges of Interference with Child Custody. Subsequently, on or about January 9, 2021, the Applicant was released on bond. The case is currently pending.

15. On or about March 8, 2021, the Applicant was arrested in Collin County, Texas, and charged with Class C Assault stemming from a domestic disturbance where the Applicant “hit her sister multiple times on her arm and hand.” The case is currently pending.

**B. Other State Disciplinary Actions**

16. On or about April 27, 2018, the South Carolina State Board of Medical Examiners issued an Order of Temporary Suspension, which temporarily suspended the Applicant’s license to practice medicine in South Carolina. On or about May 7, 2018, the Applicant signed, and the South Carolina Board executed, a Relinquishment of License to Practice Medicine after the South Carolina Board received an initial complaint of

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<sup>3</sup> According to the Arrest Warrant, on or about March 13, 2018, the Applicant unlawfully distributed a Schedule IV Controlled Dangerous Substance to herself when she “phone[d] in a controlled substance to . . . Pharmacy . . . for herself without a valid practitioner-patient relationship.”

professional misconduct, and the board conducted an investigation, regarding possible violations of the Medical Practice Act.

17. On or about June 15, 2018, the Texas Medical Board issued an Agreed Order on Formal Filing, which ordered the Applicant not practice medicine in Texas unless granted permission, undergo an independent medical evaluation, and compliance with treatment and rehabilitation monitoring. The Order was based on the Applicant's termination from the Texas Physician Health Program due to noncompliance with her agreement, and allegations of the Applicant's inability to safely practice medicine due to a mental or physical condition. Subsequently, on March 1, 2019, the Texas Medical Board executed an Agreed Order of Voluntary Surrender, which surrendered the Applicant's license to practice medicine in Texas. According to the Voluntary Surrender, the Texas Board found that the Applicant violated the June 2018 Texas Order "by failing to timely provide letters from up to three board certified treating physicians; failing to provide written proof that she had provided a copy of her Order to her employer(s); and failing to cooperate with and communicate with her compliance officer. Further [the Applicant] was practicing telemedicine in Texas when her June 2018 Order prohibited her from the practice of medicine in Texas."

18. On or about May 6, 2021, the Oklahoma State Board of Medical Licensure issued an Order Revoking License with the Right to Reapply based on the disciplinary

actions taken in South Carolina and Texas, as well as, the July 2018 guilty plea to obtaining controlled substances by fraud.<sup>4</sup>

### **C. Postgraduate Education**

19. In or around October 2016, the Applicant was terminated from her residency due to unprofessional behavior and inappropriate clinic attire which caused concern about her conduct and behavior. The Applicant was provided an opportunity to remedy her behavior, however, the residency program agreed to terminate the Applicant due to her lack of insight and/or understanding with regard to her behavior.

### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, Disciplinary Panel B concludes as a matter of law that the Applicant's actions constitute a violation of Health Occ. § 14-307(b) (The applicant shall be of good moral character), § 14-404(a)(3)(ii) (Is guilty of unprofessional conduct in the practice of medicine), § 14-404(a)(4) (Is professionally, physically, or mentally incompetent), § 14-404(a)(21) (Is disciplined by a licensing or disciplinary authority or convicted or disciplined by a court of any state or country or disciplined by any branch of the United States uniformed services or the Veterans' Administration for an act that would be grounds for disciplinary action under this section), and/or § 14-404(b)(2) (After completion of the appellate process if the conviction has not been reversed or the plea has not been set aside with respect to a crime

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<sup>4</sup> According to the revocation order the Applicant has the right to reapply after one year. Prior to reinstatement the Applicant will be required to obtain a psychiatric evaluation and to appear in person before the board to consider the results and to submit further evidence of competency to safely practice medicine.



involving moral turpitude, a disciplinary panel shall order the revocation of a license on the certification by the Office of the Attorney General), which are grounds for denial of her Application under Health Occ. § 14-205(b)(3)(i).

**ORDER**

It is, on the affirmative vote of a majority of the quorum of Disciplinary Panel B, hereby:

**ORDERED** that the Application of Amy Quynh-Trang Pham, M.D. for a license to practice medicine in Maryland, filed on or about February 3, 2021, is hereby **DENIED**, and it is further

**ORDERED** that this Final Order is a public document. See Md. Code Ann., Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

06/13/2022

***Signature On File***

Christine A. Farrelly  
Executive Director  
Maryland State Board of Physicians

**NOTICE OF RIGHT TO APPEAL**

Pursuant to Md. Code Ann., Health Occ. § 4-319(b) (2021 Repl. Vol.), you have a right to take a direct judicial appeal. A Petition for Judicial Review must be filed within thirty (30) days of service of this Order and shall be made as provided for judicial review of a final decision in the Md. Code Ann., State Gov't §§ 10-201 *et seq.* (2021 Repl. Vol.) and Title 7, Chapter 200 of the Maryland Rules.