

<p>IN THE MATTER OF</p> <p>MARIE-CLAIRE TIMOTHEE, PA-C</p> <p style="padding-left: 40px;">Respondent</p> <p>License Number: C08687</p>	<p>*</p> <p>*</p> <p>*</p> <p>*</p>	<p>BEFORE THE MARYLAND</p> <p>STATE BOARD OF</p> <p>PHYSICIANS</p> <p>Case Number: 2224-0030 A</p>
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CONSENT ORDER

On December 12, 2023, Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the “Board”) charged **MARIE-CLAIRE TIMOTHEE, PA-C**, (the “Respondent”), License Number C08687, with violating the Maryland Physician Assistants Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) §§ 15-101 *et seq.* (2021 Repl. Vol. & 2022 Supp.). Panel A charged the Respondent with violating the following provisions of the Act:

§ 15-314. Reprimand, probation, suspension, revocation.

(a) Subject to the hearing provisions of § 15-315 of this subtitle, a disciplinary panel, on the affirmative vote of a majority of the quorum, may reprimand any physician assistant, place any physician assistant on probation, or suspend or revoke a license if the physician assistant:

.....

(3) Is guilty of:

.....

(ii) Unprofessional conduct in the practice of medicine [and]

(45) Fails to comply with any State or federal law pertaining to the practice as a physician assistant [.]

The pertinent provision under Health Occ. § 15-314(a)(45) is:

COMAR 10.32.03.05 Delegation Agreements — Contents

- A. Before a physician may delegate medical acts and before a physician assistant may perform medical acts, the physician assistant and primary supervising physician shall file with the Board:

(1) A delegation agreement on the Board-approved form . . .[.]

On February 14, 2024, Panel A was convened as a Disciplinary Committee for Case Resolution (“DCCR”) in this matter. Based on the negotiations occurring as a result of this DCCR, the Respondent agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law, Order, and Consent.

FINDINGS OF FACT

Panel A makes the following Findings of Fact:

I. Background

1. At all relevant times, the Respondent was and is licensed as a physician assistant in Maryland. She was initially licensed in the State of Maryland on October 21, 2022, under License Number C08687. Her license is scheduled to expire on June 30, 2025, subject to renewal.

2. The Respondent lives in Florida and is employed as a physician assistant at a national telehealth practice (the “Practice”) based in California.

3. The Respondent began her employment at the Practice on October 21, 2022.

II. The Complaint

4. On or around June 6, 2023, the Board received an email (the “Complaint”)

from an employee at the Practice stating that, due to an oversight at the Practice, the Respondent did not have a delegation with a primary supervising physician since October 21, 2022.

III. Board Investigation

5. The Board investigated the Complaint and determined that the Respondent performed delegated medical acts on Maryland patients without a delegation agreement filed with the Board.

6. Patient records subpoenaed and received by the Board documented that the Respondent performed delegated medical acts without a delegation agreement for approximately seven (7) months.

7. On or around February 17, 2023, the Board received the Respondent's written response to the Board's investigation. The Respondent stated, among other things, that "unfortunately, an administrative oversight was made in my case."

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Panel A concludes as a matter of law that the Respondent's performance of delegated medical acts in the absence of a delegation agreement filed with the Board, constitutes a failure to comply with any State law pertaining to the practice as a physician assistant, specifically COMAR 10.32.03.05(A), in violation of Health Occ. § 15-314(a)(45). Panel A dismisses the charges under the provisions of Health Occ. § 15-314(a)(3)(ii).

ORDER

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

ORDERED that the Respondent is hereby **REPRIMANDED**; and it is further

ORDERED that the Respondent shall pay a civil fine of **ONE THOUSAND DOLLARS (\$1,000)**. The payment shall be by money order or bank certified check made payable to the Maryland Board of Physicians and mailed to P.O. Box 37217, Baltimore, Maryland 21297. The Board will not renew or reinstate the Respondent's license if the Respondent fails to pay the fine; and it is further

ORDERED that the effective date of the Consent Order is the date the Consent Order is signed by the Executive Director of the Board or her designee. The Executive Director signs the Consent Order on behalf of the disciplinary panel which has imposed the terms and conditions of this Consent Order; and it is further

ORDERED that this Consent Order is a public document. *See* Md. Code Ann., Health Occ. §§ 1-607, 15-316.1(b)(2) and Gen. Prov. § 4-333(b)(6).

02/27/2024
Date

Signature On File

Christine A. Farrelly, Executive Director
Maryland State Board of Physicians

CONSENT

I, Marie-Claire Timothee, PA-C, acknowledge that I have consulted with counsel before signing this document.

By this Consent, I agree to be bound by this Consent Order and all its terms and conditions and understand that the disciplinary panel will not entertain any request for amendments or modifications to any condition.

I assert that I am aware of my right to a formal evidentiary hearing, pursuant to Md. Code Ann., Health Occ. § 15-315 and Md. Code Ann., State Gov't §§ 10-201 *et seq.* concerning the pending charges. I waive this right and have elected to sign this Consent Order instead.

I acknowledge the validity and enforceability of this Consent Order as if entered after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural protections as provided by law. I waive those procedural and substantive protections. I acknowledge the legal authority and the jurisdiction of the disciplinary panel to initiate these proceedings and to issue and enforce this Consent Order.

I voluntarily enter into and agree to comply with the terms and conditions set forth in the Consent Order as a resolution of the charges. I waive any right to contest the Findings of Fact and Conclusions of Law and Order set out in the Consent Order. I waive all rights to appeal this Consent Order.

I sign this Consent Order, without reservation, and fully understand the language and meaning of its terms.

Signature On File

02/26/2024
Date

Marie-Claire Timothee, PA-C
Respondent

NOTARY

Florida
STATE OF MARYLAND
CITY/COUNTY OF *Miami Dade*

I HEREBY CERTIFY that on this *24th* day of *February*, 2024,
before me, a Notary Public of the foregoing State and City/County, personally appeared
Marie-Claire Timothee, PA-C, and made oath in due form of law that signing the foregoing
Consent Order was her voluntary act and deed.

AS WITNESSETH my hand and notary seal.

[Handwritten Signature]

Notary Public

My commission expires: *3/13/2027*

