

**IN THE MATTER OF**

**\* BEFORE THE MARYLAND**

**SCOTT LEVITT, M.D.**

**\* STATE BOARD OF**

**Respondent**

**\* PHYSICIANS**

**License Number: D94625**

**\* Case Number: 2224-0114A**

\* \* \* \* \*

**CONSENT ORDER**

**PROCEDURAL BACKGROUND**

The Maryland Board of Physicians (the "Maryland Board") received information that Scott Levitt, M.D., (the "Respondent") License Number D94626, was disciplined by the Oregon Medical Board (the "Oregon Board"). In an Order dated January 4, 2024, the Oregon Board disciplined the Respondent by reprimand, prohibited him from performing any form of aesthetic medicine or elective or office-based aesthetic surgeries on patients, and held a 90-day suspension and civil penalty in abeyance.

Based on the above-referenced Oregon Board sanction, the Maryland Board has grounds to charge the Respondent with violating the following provisions of the Maryland Medical Practice Act (the "Act"), under H. O. § 14-404(a):

- (a) 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:
  - (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 Veteran's Administration for an act that would be grounds for disciplinary action under this section,

Disciplinary Panel A ("Panel A") has determined that the acts for which the Respondent was disciplined in Oregon would be grounds for disciplinary action under H.O. § 14-404(a). The grounds for disciplinary action under H.O. § 14-404(a) are as follows:

(3) Is guilty of:

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

(22) Fails to meet appropriate standards as determined by appropriate peer review for the delivery of quality medical and surgical care in an outpatient surgical facility, office, hospital, or any other location in this State.

Based on the action taken by the Oregon Board, the Respondent agrees to enter into this Consent Order with Panel A, consisting of Procedural Background, Findings of Fact, Conclusions of Law, Order and Consent.

#### **FINDINGS OF FACT**

Panel A makes the following findings of fact:

1. At all times relevant hereto, the Respondent was a physician licensed to practice medicine in the State of Maryland. The Respondent was initially licensed in Maryland on or about June 1, 2022.

2. In its January 4, 2024, Stipulated Order, the Oregon Board found that the Respondent, after establishing a personal relationship (friendship) with a patient, performed a liposuction with Bodytite fat grafting on that patient as an office-based procedure after business hours. The Respondent failed to conduct an appropriate assessment of the patient or obtain her informed consent for the surgery.

3. The Respondent further failed to establish a diagnosis or create a pre-surgical, surgical, or post-surgical plan with the patient. He also, prior to performing surgery, failed to record the patient's medical history, perform a physical examination, or obtain the patient's blood pressure or temperature. He failed to obtain the patient's weight prior to administering lidocaine and epinephrine.

4. The Respondent failed to refer the patient for a sepsis examination despite multiple days of fever, chills, increasing pain, redness, and swelling at the surgical site and discouraged the patient from seeking emergency care. After reporting to an urgent care center, the patient was immediately transferred to an emergency department and admitted. The patient was septic.

5. The Oregon Board also found that the Respondent kept alcohol at his medical clinic for patient and employee use and allowed medical clinic staff to consume alcohol on clinic premises when patients were present.

6. By Order dated January 4, 2024, the Oregon Board disciplined the Respondent, by reprimand, prohibited him from performing any form of aesthetic medicine or elective or office-based aesthetic surgeries on patients, and held a 90-day suspension and civil penalty in abeyance.

### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, Panel A concludes as a matter of law that the Respondent is subject to discipline under Health Occ. § 14-404(a)(21) for the disciplinary action taken by the Oregon Board against the Respondent for an act or acts that would be grounds for disciplinary action under Health Occ. §14-404(a)(3)(ii) and (22).

**ORDER**

It is, thus, by Panel A, hereby:

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

**ORDERED** that the Respondent is prohibited from performing any form of aesthetic medicine within the State of Maryland until he has obtained training pre-approved by the Oregon Medical Board; and it is further

**ORDERED** that the Respondent is prohibited from performing elective or office-based aesthetic surgeries on patients; and it is further

**ORDERED** that the Respondent shall comply with all terms and conditions of the January 4, 2024, Stipulated Order he entered into with the Oregon Medical Board; 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 or her designee 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 the Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and it is further

**ORDERED** that, if the Respondent allegedly fails to comply with any term or condition imposed by this Consent Order, the Respondent shall be given notice and an opportunity for a hearing. If the disciplinary panel determines there is a genuine dispute as to a material fact, the hearing shall be before an Administrative Law Judge of the Office of Administrative Hearings followed by an exceptions process before a disciplinary panel; and if the disciplinary panel determines there is no genuine dispute as

to a material fact, the Respondent shall be given a show cause hearing before a disciplinary panel; and it is further

**ORDERED** that, after the appropriate hearing, if the disciplinary panel determines that the Respondent has failed to comply with any term or condition imposed by this Consent Order, the disciplinary panel may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, or suspend Respondent's license with appropriate terms and conditions, or revoke the Respondent's license. The disciplinary panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine on the Respondent; and it is further

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

03/27/2024  
Date

## *Signature On File*

Christine A. Farrelly  
Executive Director  
Maryland Board of Physicians

### CONSENT

I, Scott Levitt, MD, acknowledge that I am aware of my right to consult with and be represented by counsel in considering this Consent Order. I have chosen to proceed without counsel and I acknowledge that the decision to proceed without counsel is freely and voluntarily made.

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. § 14-405 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

3/13/24  
Date

\_\_\_\_\_  
Scott Levitt, MD  
Respondent

### NOTARY

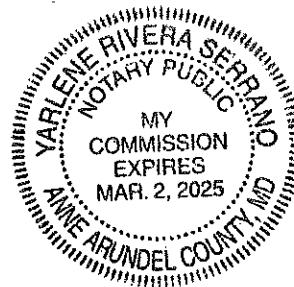
STATE OF Maryland  
CITY/COUNTY OF Anne Arundel

I HEREBY CERTIFY that on this 13 day of March, 2024, before me, a Notary Public of the State and City/County aforesaid, personally Scott Levitt, MD, and made oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

[Signature]  
Notary Public

My Commission expires: March 2, 2025



# Attachment 1

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BEFORE THE  
OREGON MEDICAL BOARD  
STATE OF OREGON

In the Matter of )  
 )  
SCOTT PAUL LEVITT, MD ) STIPULATED ORDER  
LICENSE NO. MD177071 )  
 )

1.

The Oregon Medical Board (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including physicians, in the State of Oregon. Scott Paul Levitt, MD (Licensee) is a licensed physician in the State of Oregon.

2.

On June 1, 2023, the Board issued a Notice of Proposed Disciplinary Action (Notice) in which the Board proposed to take disciplinary action against Licensee by imposing the following sanctions identified in ORS 677.205(2): six-month suspension of license; reprimand; license limitations that exclude performance of aesthetic procedures, elective procedures, and office-based surgeries; a \$10,000 civil penalty per violation; and assessment of costs not to exceed \$50,000. These sanctions were proposed for the following violations of the Medical Practice Act: ORS 677.190(1)(a) unprofessional or dishonorable conduct as defined in 677.188(4)(a) any conduct or practice contrary to recognized standards of ethics of the medical profession, and also as defined in ORS 677.188(4)(a) any conduct or practice which does or might constitute a danger to the health or safety of a patient; ORS 677.190(13) gross negligence in the practice of medicine; and ORS 677.190(17) violations of Board rules, specifically OAR 847-017-0010(1) obeying all federal laws related to his facility's practice, 847-017-0015(2) PARQ conference and informed consent requirements for office-based surgery, 847-017-0020(1) medical documentation requirements for office-based surgery, and 847-017-0037(1) incident reporting requirements for office-based surgery.

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3.

Licensee and the Board desire to settle this matter by entry of this Stipulated Order. Licensee understands that he has the right to a contested case hearing under the Administrative Procedures Act (Oregon Revised Statutes chapter 183) and, by the signing and issuance of this Order, Licensee fully and finally waives the right to a contested case hearing, understands and acknowledges that this order is not subject to judicial review, and acknowledges and agrees that this Order was signed freely, without fraud or duress. Licensee neither admits nor denies, but the Board finds that Licensee's conduct as described in the June 1, 2023, Notice of Proposed Disciplinary Action violated ORS 677.190(1)(a) as defined in 677.188(4)(a); ORS 677.190(13); and ORS 677.190(17), specifically OAR 847-017-0010(1), 847-017-0015(2), 847-017-0020(1), and 847-017-0037(1). Licensee understands that this Order is a public record and is a disciplinary action that is reportable to the National Practitioner Data Bank and the Federation of State Medical Boards.

4.

Licensee and the Board agree to resolve this matter by the entry of this Stipulated Order subject to the following terms and conditions:

4.1 Licensee is reprimanded.

4.2 Licensee must not perform any form of aesthetic medicine within the State of Oregon unless he obtains additional training pre-approved by the Board's Medical Director. Licensee will not perform elective or office-based aesthetic surgeries on patients.

4.3 Licensee must pay a civil penalty of \$10,000; however, the civil penalty is held in abeyance as long as Licensee is in compliance with all other terms and conditions of this Order. If Licensee fails to comply with the terms of this Order, the \$10,000 held in abeyance shall be due and payable.

4.4 Licensee's license to practice medicine is suspended for 90 days; however, the suspension is held in abeyance and will automatically terminate at the end of 90 days so long as Licensee complies with the following terms. If Licensee fails to comply with the following

1 terms, the suspension shall become immediately effective, and Licensee's license will be placed  
2 in a suspended status for a full 90 days.

3 4.4.1 Within three months from the effective date of this Order, Licensee must  
4 successfully complete a professional boundaries course that has been pre-approved by the  
5 Board's Medical Director.

6 4.4.2 Within three months from the effective date of this Order, Licensee must  
7 successfully complete an ethics course that has been pre-approved by the Board's  
8 Medical Director.

9 4.5 At the discretion of the Board or its designees, random, no notice chart audits  
10 and/or office visits may be conducted by Board designees.

11 4.6 Licensee must inform the Compliance Section of the Board of any and all practice  
12 sites, as well as any changes in practice address(es), contact information, employment, or  
13 practice status within 10 business days.

14 4.7 Licensee must obey all federal and Oregon state laws and regulations pertaining  
15 to the practice of medicine.

16 4.8 Licensee stipulates and agrees that any violation of the terms of this Order shall  
17 be grounds for further disciplinary action under ORS 677.190(17).

18 4.9 Licensee stipulates and agrees that this Order becomes effective the date it is  
19 signed by the Board Chair.

20 IT IS SO STIPULATED THIS 4th day of December, 2023.

21   
22 SCOTT PAUL LEVITT, MD

23  
24 IT IS SO ORDERED THIS 4th day of JANUARY, 2024.

25 OREGON MEDICAL BOARD  
26 State of Oregon

27   
28 ERIN L. CRAMER, PA-C  
BOARD CHAIR