

IN THE MATTER OF	*	BEFORE THE MARYLAND
ILYA RABKIN, M.D.	*	STATE BOARD OF
Respondent	*	PHYSICIANS
License Number: D96761	*	Case Number: 2224-0134B

* * * * *

CONSENT ORDER

PROCEDURAL BACKGROUND

The Maryland Board of Physicians (the “Maryland Board”) received information that Ilya Rabkin, M.D., (the “Respondent”) License Number D96761, was disciplined by the Virginia Board of Medicine (the “Virginia Board”). In an Order dated February 14, 2024, the Virginia Board disciplined the Respondent by reprimand and ordered him to complete ten (10) hours of continuing education in professional boundaries and ethics.

Based on the above referenced Virginia 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 B (“Panel B”) has determined that the acts for which the Respondent was disciplined in Virginia 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[.]

(43) Except for the licensure process described under Subtitle 3A of this title, violates any provision of this title, any rule or regulation adopted by the Board, or any State or federal law pertaining to the practice of medicine;

The pertinent provisions under H.O. § 14-404(a)(43) are;

According to Health Occ. § 1-212.

(a) Each health occupations board authorized to issue a license or certificate under this article shall adopt regulations that:

(1) Prohibit sexual misconduct; and

(2) Provide for the discipline of a licensee or certificate holder found to be guilty of sexual misconduct.

According to Code of Maryland Regulations (COMAR) 10.32.17.03

(A). Health care practitioners may not engage in sexual misconduct.

(C). Sexual misconduct includes, but is not limited to:

(1). Engaging in sexual harassment of a patient, key third party, employee, student, or coworker regardless of whether the sexual harassment occurs inside or outside of a professional setting;

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

FINDINGS OF FACT

Panel B 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 March 6, 2023.

2. The Virginia Board found that between 2019 and 2022, the Respondent pursued or was involved in multiple dating, romantic, and/or sexual relationships with medical co-workers in such a manner that could reasonably be expected to adversely impact the quality of care to patients.

3. By Order dated February 14, 2024, the Virginia Board disciplined the Respondent by reprimand and ordered him to complete ten hours of continuing education in professional boundaries and ethics.

A copy of the Virginia Order is attached hereto.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Panel B 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 Virginia 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 (43) in accordance with COMAR 10.32.17.03, promulgated under Health Occ. § 1-212.

ORDER

It is, thus, by Panel B, hereby:

ORDERED that the Respondent is hereby **REPRIMANDED**; and it is further **ORDERED** that the Respondent shall comply with all terms and conditions of the February 14, 2024, Virginia Board Consent Order; 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).

Signature On File

03/21/2024
Date

Christine A. Farrelly
Executive Director
Maryland Board of Physicians

CONSENT

I, Ilya Rabkin, 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.

03/13/2024
Date

Signature On File

Ilya Rabkin, MD
Respondent

NOTARY

STATE OF Virginia

CITY/COUNTY OF Fairfax

I HEREBY CERTIFY that on this 13th day of March, 2024, before me, a Notary Public of the State and City/County aforesaid, personally Ilya Rabkin, 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.

Daniel J. Paolini III
Notary Public

My Commission expires: 12/31/2024



Attachment 1

BEFORE THE VIRGINIA BOARD OF MEDICINE

IN RE: ILYA RABKIN, M.D.
License Number: 0101-256735
Case Number: 23066

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Medicine (“Board”) and Ilya Rabkin, M.D., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Dr. Rabkin’s license to practice medicine in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Ilya Rabkin, M.D., was issued License Number 0101-256735 to practice medicine on July 10, 2014, which is scheduled to expire on March 31, 2024.

2. Dr. Rabkin violated Virginia Code § 54.1-2915(A)(12) and (16), and 18 VAC 85-20-29(A)(2) and 18 VAC 85-20-100(E) of the Regulations Governing the Practice of Medicine, in that, between 2019 and 2022, he pursued or was involved in multiple dating, romantic, and/or sexual relationships with medical co-workers in such a manner that could reasonably be expected to adversely impact the quality of care to patients. Specifically:

a. In or about late 2018/early 2019, Dr. Rabkin engaged in a consensual, dating relationship with a nurse who was employed at a community health clinic where Dr. Rabkin was working as a preceptor for medical residents from his Northern Virginia family practice. In the spring of 2019, the nurse reported to her supervisor that Dr. Rabkin continued sending her unwanted text messages of a sexual nature after she had asked him to stop. As a result, Dr. Rabkin was asked by management to stop contacting the clinic nurse, the family practice removed him from precepting at the clinic site, and Dr. Rabkin agreed to complete a continuing education course on medical ethics and boundaries.

b. In or about the spring of 2022, a member of the nursing staff at the family practice reported to her supervisor, and subsequently to law enforcement, that Dr. Rabkin was sending inappropriate and unwanted text messages to her, making her feel uncomfortable working around him. In an interview with the Department of Health Professions investigator, Dr. Rabkin described his interactions with the family practice nurse, who he noted was not a subordinate of his, as a “texting relationship,” and he said that he stopped contacting her after being requested to do so.

c. At a family practice social event in the fall of 2022, multiple employees began discussing rumors about Dr. Rabkin’s behavior with respect to the clinic nurse in 2019, his interactions with the family practice nurse in early 2022, and suggestive comments or interactions that Dr. Rabkin had with other female employees, resulting in some female residents expressing discomfort about working with him. After management began an investigation and removed Dr. Rabkin from precepting responsibilities, he resigned from the family practice in October 2022.

d. Several weeks after Dr. Rabkin resigned, a PGY-2 medical resident, whom Dr. Rabkin had directly supervised in a clinical and educational capacity, reported to the family practice that following overtures from Dr. Rabkin, for approximately six weeks in early 2022, they had engaged in a relationship primarily involving social media and text messaging, but also including a physical relationship with meeting up socially on two occasions. The resident reported that she had “tried to put the brakes on” the relationship sooner, but she felt pressured due to Dr. Rabkin’s position on the residency committee and having clinical oversight as her attending/precepting physician. As a result, the medical resident went on leave from the residency program in November 2022, and she resigned from the program in February 2023.

3. Dr. Rabkin stated that all of the personal relationships that he engaged in with co-workers were consensual, and he left the family practice in October 2022 to pursue other employment options.

CONSENT

Ilya Rabkin, M.D., by affixing his signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document and am represented by Ramon Rodriguez, III, Esq.;
2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; and the right to representation by counsel;
4. I waive my right to an informal conference;
5. I neither admit nor deny the Findings of Fact and Conclusions of Law contained herein but waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;
6. I consent to the entry of the following Order affecting my license to practice medicine in the Commonwealth of Virginia.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Medicine hereby ORDERS as follows:

1. Ilya Rabkin, M.D., is REPRMANDED.
2. Within nine (9) months of entry of this Order, Dr. Rabkin shall provide written proof satisfactory to the Board of successful completion of ten (10) hours of Board-approved continuing education in the subject of professional boundaries and ethics. Such course(s) shall be approved in advance of registration by the Executive Director of the Board. Requests for approval must be received within 15 business days prior to the course date. All continuing education hours shall be completed

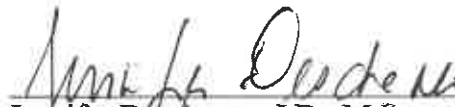
through face-to-face, interactive sessions (i.e., no home study, journal, or Internet courses). Continuing education obtained through compliance with this term shall not be used toward licensure renewal.

3. Upon receipt of evidence that Dr. Rabkin has complied with the foregoing terms of this Order, the Executive Director is authorized to close this matter, or refer it to a special conference committee for review.

4. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of medicine shall constitute grounds for further disciplinary action.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD


Jennifer Deschenes, J.D., M.S.
Deputy Executive Director
Virginia Board of Medicine

A TRUE COPY TESTE:


VIRGINIA BOARD OF MEDICINE

ENTERED: 2/14/2024

SEEN AND AGREED TO:



Ilya Rabkin, M.D.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Fairfax, TO WIT:

Subscribed and sworn to before me, a notary public in and for the Commonwealth of Virginia at large, on
this 24th day of January, 2024.



Notary Public

My commission expires: July 31, 2026

Registration No.: 8019083

