

IN THE MATTER OF  
JAMES JUHNG, M.D.

Applicant

\* BEFORE THE  
\* MARYLAND STATE  
\* BOARD OF PHYSICIANS  
\* Case Number: 2224-0023B

\* \* \* \* \*

**CONSENT ORDER**

On November 28, 2023, Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) notified JAMES JUHNG, M.D. (the “Applicant”) of its intent to deny his Initial Application for Medical Licensure (the “Application”) under the Maryland Medical Practice Act (the “Act”), codified at Md. Code Ann., Health Occ. §§ 14-101 *et seq.* (2021 Repl. Vol., 2022 Supp.).

The pertinent provisions of the Act provide the following:

**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[.]

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

(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:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;
- ...
- (3) Is guilty of: (ii) Unprofessional conduct in the practice of medicine;
- ...
- (11) Willfully makes or files a false report or record in the practice of medicine;
- ...
- (36) Willfully makes a false representation when seeking or making application for licensure or any other application related to the practice of medicine[.]

On March 27, 2024, Panel B 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 Applicant agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law, Order, and Consent.

### **FINDINGS OF FACT**

Panel B finds:

1. On or about March 17, 2023, the Applicant submitted his Application to the Board.

2. The Application contained a series of questions regarding the Applicant's postgraduate training to which the Applicant was required to respond "YES" or "NO". The Applicant responded "NO" to the following question on Part 4 of the Application:

Question 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 action, etc.

3. At the conclusion of the Application, the Applicant certified that he personally reviewed all responses to the items in the Application and that the information he gave was true to the best of his knowledge, information and belief. He further attested that he understood that providing any false, misleading, or incomplete information may result in disciplinary action by the Board.

4. On or about May 16, 2023, the Board notified the Applicant that it had information that he was placed on professional probation and requested an explanation.

5. On or about May 16, 2023, the Applicant provided a written response regarding the circumstances of his probation. He explained:

"I was told by my leadership that I would not be placed on professional probation. They told me as long as I complied with their requests that it wouldn't result in probation. That's unfortunate to hear. This was at the beginning of my PGY3 year. A junior ED resident slapped my hand and the attending's hand away during an emergency trauma procedure which resulted in a sidebar after the trauma. They felt threatened and reported the

event to their program director who then had HR involved. It resulted in encouragement to seek therapy. At the behest of my program director, I partook in therapy sessions and resolved the ordeal without further consequence.”

6. On or about August 21, 2023, the Board received the following information about the Applicant’s resident training:

- a. The Applicant was placed on academic probation and coaching from 2019-2021 due to professionalism concerns.
- b. In mid-2021, the Applicant was given a final written warning by Human Resources for multiple documented corrective action and repeated unprofessional behaviors.
- c. In Spring 2022, the Applicant was placed on a coaching status for poor academic performance with an action plan that was completed prior to graduation. There was no agreement that the probation would be dismissed upon graduation as the Applicant claimed.

7. By letter dated August 28, 2023, the Board notified the Applicant that it had initiated an investigation due to the Applicant’s failure to answer “YES” to Question C on Part 4 of the Application.

8. By email dated September 17, 2023, the Applicant stated to the Board that he made a “mistake” in failing to answer “YES” to Question C because he did not know that he had been placed on probation.

9. The Board's investigation determined that the Applicant made a material misrepresentation on his Application.

### CONCLUSIONS OF LAW

Under Health Occ. § 14-205(b)(3)(i), a Board disciplinary panel may deny a license for any of the reasons that are grounds for action under Health Occ. § 14-404. The Applicant's actions, as described above, constitute, in whole or in part, grounds for a Board disciplinary panel to deny his Application under the following provisions of Health Occ. § 14-404(a): (3) Is guilty of: (ii) Unprofessional conduct in the practice of medicine; (11) Willfully makes or files a false report or record in the practice of medicine; and/or (36) Willfully makes a false representation when seeking or making application for licensure or any other application related to the practice of medicine.

The Panel does not find that the Applicant fraudulently or deceptively obtained or attempted to obtain a license, in violation of Health Occ. § 14-404(a)(1).

### ORDER

It is thus by Disciplinary Panel B hereby

**ORDERED** that the Initial Application for Medical Licensure of James Juhng, M.D. to practice medicine in the State of Maryland is **GRANTED**; and it is further

**ORDERED** that James Juhng, M.D. is **REPRIMANDED**; and it is further

**ORDERED** that Dr. Juhng is placed on **PROBATION**.<sup>1</sup> During probation, Dr. Juhng shall comply with the following terms and conditions of probation:

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<sup>1</sup> If Dr. Juhng's license expires during the period of probation, the probation and any conditions will be tolled.

1) Dr. Juhng shall enroll in the Maryland Professional Rehabilitation Program

(MPRP) as follows:

(a) Within 5 business days, Dr. Juhng shall contact MPRP to schedule an initial consultation for enrollment;

(b) Within 15 business days, Dr. Juhng shall enter into a Participant Rehabilitation Agreement and Participant Rehabilitation Plan with MPRP;

(c) Dr. Juhng shall fully and timely cooperate and comply with all MPRP's referrals, rules, and requirements, including, but not limited to, the terms and conditions of the Participant Rehabilitation Agreement(s) and Participant Rehabilitation Plan(s) entered with MPRP, and shall fully participate and comply with all therapy, treatment, evaluations, and screenings as directed by MPRP;

(d) Dr. Juhng shall sign and update the written release/consent forms requested by the Board and MPRP, including release/consent forms to authorize MPRP to make verbal and written disclosures to the Board and to authorize the Board to disclose relevant information from MPRP records and files in a public order. Dr. Juhng shall not withdraw his release/consent;

(e) Dr. Juhng shall also sign any written release/consent forms to authorize MPRP to exchange with (i.e., disclose to and receive from) outside entities (including all of Dr. Juhng's current therapists and treatment providers) verbal and written information concerning Dr. Juhng and to ensure that MPRP is authorized to receive the medical records of Dr. Juhng, including, but not limited to, mental health and drug or alcohol evaluation and treatment records. Dr. Juhng shall not withdraw his release/consent;

(f) Dr. Juhng's failure to comply with any of the above terms or conditions including terms or conditions of the Participant Rehabilitation Agreement(s) or Participant Rehabilitation Plan(s) constitutes a violation of this Consent Order; and it is further

**ORDERED** that if, upon the authorization of MPRP, Dr. Juhng transfers to a rehabilitation program in another state, Dr. Juhng's failure to comply with any term or condition of that state's [the out-of-state's] rehabilitation program, constitutes a violation of this Consent Order. Dr. Juhng shall also sign any out-of-state written release/consent forms to authorize the Board to exchange with (i.e., disclose to and receive from) the out-

of-state program verbal and written information concerning Dr. Juhng, and to ensure that the Board is authorized to receive the medical records of Dr. Juhng, including, but not limited to, mental health and drug or alcohol evaluation and treatment records. Dr. Juhng shall not withdraw his release/consent; and it is further

**ORDERED** that if MPRP finds, and notifies the Board, that Dr. Juhng is safe to practice medicine without the need for continued monitoring, Dr. Juhng may submit a written petition to the disciplinary panel to terminate the probation. Dr. Juhng may be required to appear before the disciplinary panel to discuss his petition for termination. After consideration of the petition, Dr. Juhng's probation may be terminated through an order of the disciplinary panel if Dr. Juhng has complied with all probationary terms and conditions and there are no pending complaints relating to the charges; and it is further

**ORDERED** that a violation of probation constitutes a violation of the Consent Order; and it is further

**ORDERED** that, if Dr. Juhng allegedly fails to comply with any term or condition imposed by this Consent Order, Dr. Juhng 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, Dr. Juhng 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 Dr. Juhng has failed to comply with any term or condition imposed by this Consent

Order, the disciplinary panel may reprimand Dr. Juhng, place Dr. Juhng on probation with appropriate terms and conditions, or suspend with appropriate terms and conditions, or revoke Dr. Juhng's license to practice medicine in Maryland. The disciplinary panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine on Dr. Juhng; and it is further

**ORDERED** that Dr. Juhng is responsible for all costs incurred in fulfilling the terms and conditions of this 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 this Consent Order is a public document. *See* Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

04/11/2024  
Date

***Signature On File***

Christine A. Farrelly  
Executive Director  
Maryland State Board of Physicians

**CONSENT**

I, James Juhng, M.D., 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. § 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.

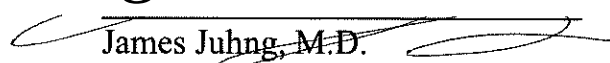
I voluntarily enter into and agree to comply with the terms and conditions set forth in the Consent Order as a resolution of the charges. I waive any right to contest the Findings of Fact and Conclusions of Law and Order set out in the Consent Order. I waive all rights to appeal this Consent Order.

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

4/8/2024

Date

***Signature On File***

  
James Juhng, M.D.

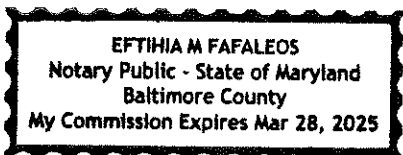
**NOTARY**

STATE OF Maryland

CITY/COUNTY OF Baltimore

I HEREBY CERTIFY that on this 8 day of April 2024, before me, a Notary Public of the foregoing State and City/County, **James Juhng, M.D.** personally appeared and made oath in due form of law that signing the foregoing Consent Order was his voluntary act and deed.

AS WITNESSTH my hand and notarial seal.



[Signature]  
Notary Public

My commission expires: March 28, 2025