

IN THE MATTER OF * BEFORE THE
GREGORY L. TAYLOR, M.D. * MARYLAND STATE
Respondent * BOARD OF PHYSICIANS
License Number: D27556 * Case Numbers: 1996-1127
* * * * *

CONSENT ORDER

PROCEDURAL BACKGROUND

On November 20, 2012, the Maryland State Board of Physicians (the "Board") charged **GREGORY L. TAYLOR, M.D.** (the "Respondent") (D.O.B. 06/12/1954), License Number D27556, with violating the terms and conditions imposed under the Final Order on Application for Reinstatement of Medical Licensure (the "Final Order"), dated October 28, 2008, and with violating the Maryland Medical Practice Act (the "Act"), Md. Health Occ. Code Ann. ("H.O.") §§ 14-101 *et seq.* (2009 Repl. Vol.).

VIOLATION OF FINAL ORDER ON APPLICATION FOR REINSTATEMENT OF MEDICAL LICENSURE, DATED OCTOBER 28, 2008

The Board charged the Respondent with violating the following terms and conditions of the Final Order, dated October 28, 2008:

Condition A

Dr. Taylor shall maintain and continue enrollment in the Board's Professional Rehabilitation Program ("PRP") for the entire duration of the probationary period. Dr. Taylor shall fully, timely and satisfactorily cooperate and comply with all PRP recommendations and requirements, including but not limited to the terms and conditions of any and all Rehabilitation Agreements and Rehabilitation Plans entered into with the PRP, which shall include at the minimum random, monitored urine and hair toxicology screens, and also including in-patient substance abuse treatment if recommended by

the PRP. A violation of any term or condition of a PRP Rehabilitation Agreement or Rehabilitation Plan will constitute a violation of probation and of this Order. Should the PRP transfer its functions to another agency or entity engaged in drug or alcohol rehabilitation (the "successor program"), Dr. Taylor' obligations to the successor program shall be the same as those owed to the PRP, and those obligations will likewise be terms of this probation.

Condition B

Dr. Taylor shall submit to random urine toxicology screens on a testing schedule established by the PRP.

Condition C

Dr. Taylor shall submit to random hair analysis toxicology screens equivalent to a twelve (12) panel hair test, four (4) times annually from the date of this Order on a schedule established by the PRP.

Condition F

Dr. Taylor shall abstain from alcohol, mood altering and controlled dangerous substances unless prescribed in writing by a licensed health care practitioner for legitimate medical reasons. This exception for legitimate prescriptions applies only if Dr. Taylor provides to the Board (1) notice in writing within ten calendar days of receiving the prescription, (2) the name and address of the prescribing health care practitioner, (3) the name and address of the pharmacy or other source of the prescribed substance, and (4) signed consent forms authorizing the prescribing health care practitioner and the pharmacy or other source of the prescribed substance to release any and all of its records pertaining to Dr. Taylor to the Board. Dr. Taylor shall also abstain from ingesting any food items containing poppy seeds. Dr. Taylor may not self-prescribe any Controlled Dangerous Substances under any conditions whatsoever.

Condition G

If Dr. Taylor violates any of the terms or conditions of his PRP Rehabilitation Agreement or Plan, including but not limited to a positive urine toxicology screen or a positive hair analysis, the Board may, **if it determines that the violation poses a threat to public health, welfare or safety that imperatively requires immediate action**, SUSPEND the Respondent's medical license without either prior notice or any opportunity to be heard, provided that Dr. Taylor is given an opportunity for a show cause hearing before the Board at the next regularly scheduled meeting of the Board.

Condition H

Dr. Taylor shall comply with all laws governing the practice of medicine under the Maryland Medical Practice Act and all rules and regulations promulgated thereunder.

Final Order, dated October 28, 2008, pp. 5-7.

CHARGES UNDER THE MARYLAND MEDICAL PRACTICE ACT

The Board charged the Respondent with violating the following provisions of the Act under H.O. § 14-404:

- (a) Subject to the hearing provisions of § 14-405 of this subtitle, the Board, on the affirmative vote of a majority of the quorum, may reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the licensee:
 - (2) Fraudulently or deceptively uses a license;
 - (3) Is guilty of: (i) immoral conduct in the practice of medicine; or (ii) unprofessional conduct in the practice of medicine;
 - (8) Is addicted to, or habitually abuses, any narcotic or controlled dangerous substance as defined in § 5-101 of the Criminal Law Article;
 - (9) Provides professional services: (ii) While using any narcotic or controlled dangerous substance, as defined in § 5-101 of the Criminal Law Article, or other drug that is in excess of therapeutic amounts or without valid medical indication; [and]
 - (27) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate medical purposes[.]

On February 6, 2013, a Case Resolution Conference was convened in this matter. Based on negotiations occurring as a result of this Case Resolution Conference, the Respondent agreed to enter into this Consent Order, which consists of Procedural Background, Findings of Fact, Conclusions of Law, Order, Consent and Notary.

FINDINGS OF FACT

The Board makes the following Findings of Fact:

BACKGROUND FINDINGS

1. At all times relevant hereto, the Respondent was licensed to practice medicine in the State of Maryland. The Respondent was initially licensed to practice medicine in Maryland on February 19, 1982, under License Number D27556. The Respondent's license is current through September 30, 2013.

2. The Board investigated the Respondent after receiving a report, dated October 9, 2012, that the Respondent tested positive for the drug meperidine (also known as Demerol), an opioid and Schedule II controlled dangerous substance, in violation of the Final Order on Application for Reinstatement of Medical Licensure, issued on October 28, 2008, and his Participant Rehabilitation Agreement (the "Agreement") with the Maryland Professional Rehabilitation Program ("MPRP").

3. As a result of its investigation, the Board, on November 15, 2012, issued an Order for Summary Suspension pursuant to S.G. § 10-226(c)(2). The Board concluded that the Respondent's actions constituted a substantial likelihood of risk of serious harm to the public health, safety and welfare, which imperatively requires the immediate suspension of his license to practice medicine.

4. The Board's investigative findings are set forth *infra*.

BOARD INVESTIGATIVE FINDINGS

5. The Respondent has a long history of substance abuse and non-public and public Board monitoring and oversight.

6. The Board monitored the Respondent non-publically from 1996 to 2002 under two non-public Disposition Agreements. The Respondent violated the first 1996 Disposition Agreement by consuming alcohol and using a narcotic medication.

7. As a result of this relapse and violation, the Respondent entered into a second, Modified Disposition Agreement (the "Second Disposition Agreement") with the Board in 1999, which extended the Board's non-public monitoring of him until 2004.

8. The Respondent violated the Second Disposition Agreement by testing positive for controlled dangerous substances, specifically, hydrocodone, morphine and codeine on multiple occasions—in February 2001, May 2001 and June 2001.

9. In or around February 2002, the Board issued public charges against the Respondent for violating the Second Disposition Agreement.

10. The Respondent resolved the Board's charges by entering into a public Consent Order, dated July 10, 2002, in which he admitted that he violated the Second Disposition Agreement. Pursuant to the Consent Order, the Board suspended the Respondent's medical license, which it immediately stayed, and placed him on probation for five years, subject to several terms and conditions, including extending his Advocacy Agreement with the State Medical Society's Physician Rehabilitation Program for an additional five years and requiring that he abstain totally from the ingestion of all mood-altering substances. The Consent Order also provided that if the Respondent violated any of the terms set forth therein, the Board would lift the stay of the suspension.

11. In or around September 2003, the Board received information that the Respondent had again ingested controlled dangerous substances. The Respondent

admitted ingesting morphine sulfate capsules that he had prescribed for another person and taken that person's medication supply without that person's knowledge.

12. By an Order, dated November 19, 2003, the Board lifted the stay of suspension, subject to the Respondent's appearance at a show cause hearing before the Board, which was held on December 17, 2003. After the show cause hearing, the Board found that the Respondent had violated the terms of his Consent Order.

13. On January 23, 2004, the Board issued a Final Order Supplemental to Consent Order of July 10, 2002, revoking the Respondent's medical license and ordering that he could not apply for reinstatement of his license for three years. That Order was subsequently affirmed on appeal by the Circuit Court of Baltimore County.

14. On October 11, 2007, the Respondent submitted an application for reinstatement of his medical license to the Board.

15. On October 29, 2008, the Board issued a Final Order on Application for Reinstatement of Medical License (the "2008 Final Order"), which provided that if he passed the SPEX examination, the Board would place him on probation for five years, beginning on the date the Board reinstated his medical license, subject to several terms and conditions, including the following:

Condition A

Dr. Taylor shall maintain and continue enrollment in the Board's Professional Rehabilitation Program ("PRP") for the entire duration of the probationary period. Dr. Taylor shall fully, timely and satisfactorily cooperate and comply with all PRP recommendations and requirements, including but not limited to the terms and conditions of any and all Rehabilitation Agreements and Rehabilitation Plans entered into with the PRP, which shall include at the minimum random, monitored urine and hair toxicology screens, and also including in-patient substance abuse treatment if recommended by the PRP. A violation of any term or condition of a PRP

Rehabilitation Agreement or Rehabilitation Plan will constitute a violation of probation and of this Order. Should the PRP transfer its functions to another agency or entity engaged in drug or alcohol rehabilitation (the "successor program"), Dr. Taylor' obligations to the successor program shall be the same as those owed to the PRP, and those obligations will likewise be terms of this probation.

Condition B

Dr. Taylor shall submit to random urine toxicology screens on a testing schedule established by the PRP.

Condition C

Dr. Taylor shall submit to random hair analysis toxicology screens equivalent to a twelve (12) panel hair test, four (4) times annually from the date of this Order on a schedule established by the PRP.

Condition F

Dr. Taylor shall abstain from alcohol, mood altering and controlled dangerous substances unless prescribed in writing by a licensed health care practitioner for legitimate medical reasons. This exception for legitimate prescriptions applies only if Dr. Taylor provides to the Board (1) notice in writing within ten calendar days of receiving the prescription, (2) the name and address of the prescribing health care practitioner, (3) the name and address of the pharmacy or other source of the prescribed substance, and (4) signed consent forms authorizing the prescribing health care practitioner and the pharmacy or other source of the prescribed substance to release any and all of its records pertaining to Dr. Taylor to the Board. Dr. Taylor shall also abstain from ingesting any food items containing poppy seeds. Dr. Taylor may not self-prescribe any Controlled Dangerous Substances under any conditions whatsoever.

Condition G

If Dr. Taylor violates any of the terms or conditions of his PRP Rehabilitation Agreement or Plan, including but not limited to a positive urine toxicology screen or a positive hair analysis, the Board may, **if it determines that the violation poses a threat to public health, welfare or safety that imperatively requires immediate action**, SUSPEND the Respondent's medical license without either prior notice or any opportunity to be heard, provided that Dr. Taylor is given an opportunity for a show cause hearing before the Board at the next regularly scheduled meeting of the Board.

Condition H

Dr. Taylor shall comply with all laws governing the practice of medicine under the Maryland Medical Practice Act and all rules and regulations promulgated thereunder.

16. On or about November 19, 2008, the Board reinstated the Respondent's medical license.

17. On or about January 6, 2010, the Respondent entered into the Agreement with the MPRP, which became effective on or about January 26, 2010, and extended until October 29, 2013. Pursuant to the Agreement, the Respondent agreed to abide by certain conditions, which included abstaining from the use of illicit substances or consumption of any controlled substances or mood-altering substances, unless prescribed in an appropriate manner for a legitimate medical purpose (Condition 11); and not self-prescribing or providing his own medical care or treatment (Condition 12).

18. On April 19, 2011, the Respondent signed a "Client Contract Disclosure and Information When Monitoring with EtG/EtS" with the MPRP. On this form, mouthwash is listed as often containing alcohol, stating that use of alcohol containing products while in monitoring is not permitted.

19. On or about April 16, 2012, the MPRP informed the Board that the Respondent tested positive for alcohol in a urine test taken on April 10, 2012. As a result of this positive finding, the MPRP required the Respondent to undergo more frequent drug and alcohol counseling and toxicology screening.

20. The Respondent denied drinking alcohol, and attributed the positive finding to using mouthwash that contained alcohol.

21. On October 9, 2012, the MPRP notified the Board that the Respondent tested positive for meperidine metabolite from a sample collected on October 1, 2012.

22. On or about October 12, 2012, the Medical Review Officer ("MRO") from the MPRP confronted the Respondent with this positive test finding. The Respondent initially explained that his positive meperidine finding was due to his taking an old Lomotil prescription. The MRO stated that upon further questioning, the Respondent admitted that he used meperidine from ½ a vial he had left from giving it to one of his patients.

23. On October 18, 2012, the MPRP notified the Board that it had discharged the Respondent for cause from its program, effective October 17, 2012.

24. The Respondent's positive test findings for alcohol and meperidine constitute a violation of Conditions A, B, F, G and H of the Final Order, dated October 28, 2008.

25. The Respondent's positive test findings for alcohol and meperidine constitute the following violations of the Act: H.O. § 14-404(a)(3), Is guilty of: (ii) unprofessional conduct in the practice of medicine; H.O. § 14-404(a)(8), Is addicted to, or habitually abuses, any narcotic or controlled dangerous substance as defined in § 5-101 of the Criminal Law Article; and H.O. § 14-404(a)(27), Sells, prescribes, gives away, or administers drugs for illegal or illegitimate medical purposes.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board finds as a matter of law that the Respondent violated the following provisions of the Act: H.O. § 14-404(a)(3), Is guilty of: (ii) unprofessional conduct in the practice of medicine; H.O. § 14-404(a)(8), Is

addicted to, or habitually abuses, any narcotic or controlled dangerous substance as defined in § 5-101 of the Criminal Law Article; and H.O. § 14-404(a)(27), Sells, prescribes, gives away, or administers drugs for illegal or illegitimate medical purposes.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is this 27th day of February, 2013, by an affirmative vote of a majority of a quorum of the Board considering this case:

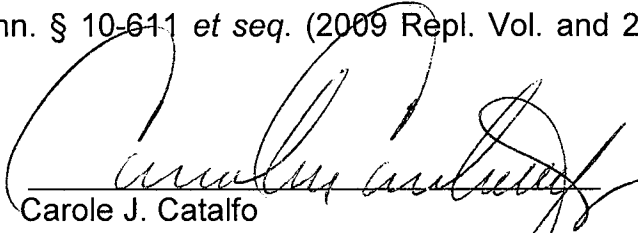
ORDERED that the Order for Summary Suspension, dated November 15, 2012, is hereby **TERMINATED**; and it is further

ORDERED that the Respondent's medical license in the State of Maryland is hereby **PERMANENTLY REVOKED**, to commence on the date the Board executes this Consent Order; and it is further

ORDERED that the charges under H.O. § 14-404(a)(2), Fraudulently or deceptively uses a license; H.O. § 14-404(a)(3), Is guilty of: (i) immoral conduct in the practice of medicine; and H.O. § 14-404(a)(9), Provides professional services: (ii) While using any narcotic or controlled dangerous substance, as defined in § 5-101 of the Criminal Law Article, or other drug that is in excess of therapeutic amounts or without valid medical indication, are hereby **DISMISSED**; and it is further

ORDERED that this Consent Order is considered a **PUBLIC DOCUMENT** pursuant to Md. State Gov't. Code Ann. § 10-611 *et seq.* (2009 Repl. Vol. and 2012 Supp.).

3-1-13
Date


Carole J. Catalfo
Executive Director
Maryland State Board of Physicians

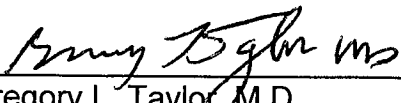
CONSENT

I, Gregory L. Taylor, M.D., acknowledge that I have had the opportunity to consult with counsel before signing this document. By this Consent, I agree to the foregoing Consent Order, which consists of Procedural Background, Findings of Facts, Conclusions of Law, Order, and Consent, and I agree and accept to be bound by this Consent Order and its conditions and restrictions. I waive any rights I may have had to contest the Findings of Fact and Conclusions of Law.

I acknowledge the validity of this Consent Order as if entered into 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 own behalf, and to all other substantive and procedural protections as provided by law. I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I also affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed any such hearing.

I sign this Consent Order after having had an opportunity to consult with counsel, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order. I voluntarily sign this Order, and understand its meaning and effect.

2/14/13
Date



Gregory L. Taylor, M.D.
Respondent

NOTARY

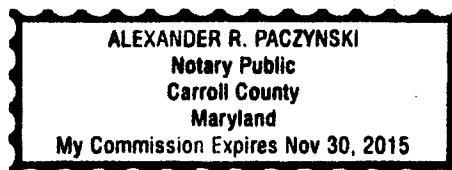
STATE OF Maryland

CITY/COUNTY OF: Eldersburg / Carroll

I HEREBY CERTIFY that on this 14 day of February, 2013, before me, a Notary Public of the State and County aforesaid, personally appeared Gregory L. Taylor, M.D., and gave oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS, my hand and Notary Seal.

Alexander R. Paczynski
Notary Public



My commission expires: 11/30/2015