

Martin W. Gallagher, Jr., M.D.

Date: December 29, 2014

Devinder Singh, M.D., Chair
Disciplinary Panel A
Maryland State Board of Physicians
4201 Patterson Avenue, 4th Floor
Baltimore, MD 21215-2299

Re: Surrender of License to Practice Medicine
Martin W. Gallagher, Jr., M.D.
License Number: D31880
MBP Case Numbers: 7714-0025 / 2010-0659 & 2010-0745

Dear Dr. Singh and Members of Disciplinary Panel A:

Please be advised that I have decided to **PERMANENTLY SURRENDER** my license to practice medicine in the State of Maryland, License Number D31880. I understand that upon surrender of my license, I may not give medical advice or treatment to any individual, with or without compensation, and cannot prescribe medications or otherwise engage in the practice of medicine in the State of Maryland as it is defined in the Maryland Medical Practice Act (the "Act"), Md. Code Ann., Health Occ. §§ 14-101 *et seq.* (2014 Repl. Vol.) and other applicable laws. In other words, as of the effective date of this Letter of Surrender, I understand that the surrender of my license means that I am in the same position as an unlicensed individual in the State of Maryland.

I understand that this Letter of Surrender is a **PUBLIC DOCUMENT**, and upon Disciplinary Panel A's acceptance, becomes a **FINAL ORDER** of Disciplinary Panel A of the Maryland State Board of Physicians (the "Board").

My decision to permanently surrender my license to practice medicine in the State of Maryland has been prompted by my decision to retire from the practice of medicine.

On July 15, 2014, I was charged with violating the Maryland Practice Act. These charges were resolved in a October 29, 2014, Consent Order ("Consent Order"), in which Disciplinary Panel A concluded that my actions constituted unprofessional conduct in the practice of medicine and a violation of the terms and conditions of probation pursuant to ¶ 4 of the October 8, 2013, Final Decision and Order. Contingent upon obtaining a supervisor, I was placed on probation for a minimum of two years subject to terms and conditions. (A copy of the Consent Order is attached hereto as **Attachment A.**) I acknowledge that the Consent Order remains and will continue to be a valid Final Order of Disciplinary Panel A; however, upon acceptance of the Letter of Surrender, I will no

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longer be required to comply with the probationary conditions as long as I have terminated my medical practice and do not possess a medical license.

I wish to make it clear that I have voluntarily, knowingly and freely chosen to submit this Letter of Surrender because of my retirement from the practice of medicine. I affirm that I will retire from the practice of medicine on or before December 31, 2014, and effective that date, I affirm I will not practice medicine in the State of Maryland. I affirm I will not maintain a medical office nor will maintain any privileges at any hospital, outpatient surgical facility, nursing home or other health care facility in the State of Maryland.

I understand that the Board will advise the Federation of State Medical Boards and the National Practitioner Data Bank and the Healthcare Integrity and Protection Databank of this Letter of Surrender, and in response to any inquiry, that I have signed a Consent Order and subsequently surrendered my license. I also understand that this Letter of Surrender may be released or published by the Board to the same extent as a final order that would result from disciplinary action, pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014).

I affirm that as of the date of this Letter of Surrender, I will present to the Board my original Maryland medical license number D31880, and my most recent wallet-sized renewal card. I acknowledge that on or before the date Disciplinary Panel A accepts this Letter of Surrender, I shall deliver to the Board: (1) any and all Medical Assistance prescription forms in my possession; (2) any prescription forms and pads in my possession; and (3) any prescription forms or pads on which my name and Drug Enforcement Administration Registration Number are imprinted.

I acknowledge that on or before the effective date of this Letter of Surrender, I shall deliver to Audrey P. Clark, Chief, or any successor, Division of Drug Control, 4201 Patterson Avenue, 1st Floor, Baltimore, Maryland 21215, my Maryland Controlled Dangerous Substances Certificate # M55492 (expiration date February 29, 2016); and my Drug Enforcement Administration Registration Card # AG3016032 (expiration date September 30, 2017) to Walter Staples, or any successor, Group Supervisor, Drug Enforcement Administration, Techworld Plaza, 800 K Street, NW, Suite 500, Washington D.C. 20001.

I further recognize and agree that by submitting this Letter of Surrender, my license will remain permanently surrendered. In other words, I agree that I have no right to reapply for a license to practice medicine in the State of Maryland. I further agree that a Disciplinary Panel of the Board is not obligated to consider any application for licensure that I might file at a future date and that I waive any hearing rights that I might possess regarding any such application.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. Finally, I wish to make clear that I have consulted

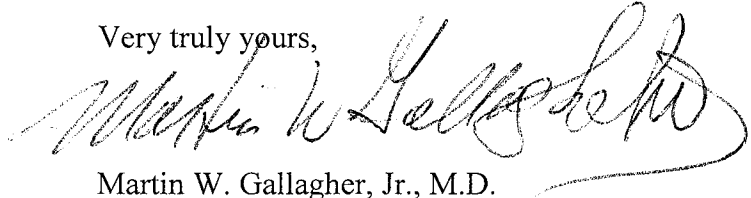
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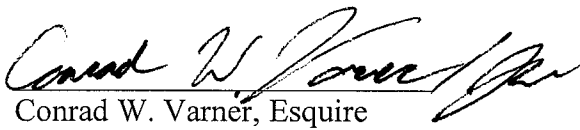
with counsel before signing this Letter of Surrender. I understand both the nature of Disciplinary Panel A's actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning and terms and effect of this Letter of Surrender. I make this decision knowingly and voluntarily.

Very truly yours,



Martin W. Gallagher, Jr., M.D.

Read and approved:



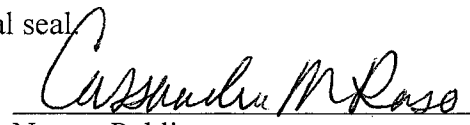
Conrad W. Varner, Esquire
Counsel for Dr. Gallagher

NOTARY

STATE OF Maryland
CITY/COUNTY OF Frederick

I HEREBY CERTIFY that on this 29th day of December, 2014 before me, a Notary Public of the City/County aforesaid, personally appeared Martin W. Gallagher, Jr., M.D., and declared and affirmed under the penalties of perjury that the signing of this Letter of Surrender was his voluntary act and deed.

AS WITNESS my hand and Notarial seal



Notary Public

My commission expires: 8/26/17

Cassandra M. Raso
Commissioned as:
Cassandra M. Larkin

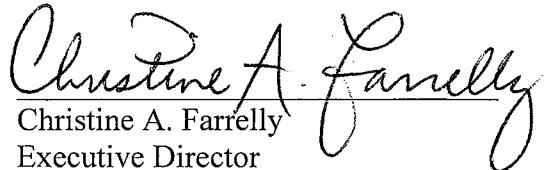
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ACCEPTANCE

On behalf of the Maryland Board of Physicians, on this 12th day of January, 2015,
I, Christine A. Farrelly, accept Martin W. Gallagher's **PUBLIC SURRENDER** of his
license to practice medicine in the State of Maryland.


Christine A. Farrelly
Executive Director
Maryland Board of Physicians

C: Dawn Rubin, Assistant Attorney General