

IN THE MATTER OF * **BEFORE THE MARYLAND**
KATHERINE A. ASADI, D.O. * **STATE BOARD OF**
Respondent * **PHYSICIANS**
License Number: H54970 * **Case Number: 2223-0133 A**

* * * * *

CONSENT ORDER

On October 4, 2023, Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the “Board”) charged **KATHERINE A. ASADI, D.O.** (the “Respondent”), License Number H54970, with violating the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. §§ 14-101 *et seq.* (2021 Repl. Vol. & 2022 Supp.).

Panel A charged the Respondent with violating the following provisions of Health Occ. § 14-404:

(a) *In general.* -- 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:

....

- (3) Is guilty of:
 - (ii) Unprofessional conduct in the practice of medicine;
- (4) Is professionally, physically, or mentally incompetent; [and]
-
- (33) Fails to cooperate with a lawful investigation conducted by the Board or a disciplinary panel[.]

On January 10, 2024, Panel A 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 Respondent agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law, Order, and Consent.

FINDINGS OF FACT

Panel A finds the following:

I. Background

1. The Respondent was originally issued a license to practice medicine in Maryland on July 1, 1999, under License Number H54970.¹ The Respondent’s license expires on September 30, 2024, subject to renewal.

2. The Respondent is not board-certified.

3. At all relevant times, the Respondent was employed at a health care practice (the “Practice”)² in Rosedale, Maryland until on or about December 21, 2022. The Respondent left the Practice after the Practice owner notified the Respondent that her employment was terminated as of January 1, 2023.

II. The Complaint

4. On or about June 22, 2023, the Board received information (the “Complaint”) from members of the Baltimore County Police Department. The Complaint alleged that the Respondent may be engaging in prescription fraud.

¹ On September 27, 2023, the Board summarily suspended the Respondent’s license.

² For confidentiality reasons, the names of health care facilities and individuals will not be disclosed in this Consent Order.

5. The Board conducted an investigation into the Complaint which included but was not limited to subpoenaing various prescribing, medical, and health records and conducting under-oath interviews with the Practice owner and the Respondent (the “Respondent’s Interview”). Based on the investigation, the Board made determinations as detailed below.

III. The Board Investigation

6. The Board investigation determined that the Respondent: (1) inappropriately prescribed controlled dangerous substances (“CDS”) to herself and two family members (“Family Member A” and “Family Member B”); (2) failed to comply with two subpoenas issued by the Board during the Board investigation; and (3) is unsafe to practice medicine due to her health conditions.

The Respondent’s Treating Self and Family Members

7. The Respondent’s prescribing records subpoenaed and received by the Board stated that the Respondent:

- a. Prescribed Schedule II or Schedule IV CDS on 14 occasions to Family Member A from May 30, 2022, until December 8, 2022.
- b. Prescribed Schedule II or Schedule IV CDS on 10 occasions³ to Family Member B from June 3, 2022, until October 4, 2022.
- c. Self-prescribed herself a Schedule II CDS on May 23, 2022.

8. During the Respondent’s Interview on August 7, 2023, the Respondent admitted to self-prescribing and prescribing to three (3) family members, including Family

³ One of the prescriptions authorized a refill.

Member A and Family Member B.

The Respondent's Failure to Cooperate with Board Subpoenas

9. By letter dated June 28, 2023 (the "June Letter"), sent to the Respondent's address of record (the "Address of Record"),⁴ the Board, among other things, notified the Respondent of the Board's investigation based on the Complaint and issued the Respondent a subpoena (the "June Subpoena") for medical records for specific family members and herself to be delivered within ten business days from the date of the June Subpoena.

10. The Respondent did not comply with the June Subpoena or otherwise respond to the June Letter and the June Letter was not returned as undeliverable.

11. By email (the "July Email") dated July 19, 2023, sent to two different email addresses of record⁵ for the Respondent (the "Email Addresses of Record"), the Board among other things, notified the Respondent of the Board's investigation based on the Complaint and included the June Subpoena.

12. The Respondent did not respond to the July Email and the July Email was not returned as undeliverable.

13. During the Respondent's Interview⁶ on August 7, 2023, the Respondent discussed prescribing to her family members with the Board and stated, among other

⁴ The Board mailed the June Letter to the address the Respondent provided on her application to renew her license to practice medicine in Maryland that was submitted to the Board on September 30, 2022 (the "Application"). The Application stated that the Board would use the address provided by the Respondent for official correspondence. The Board never received a change of address from the Respondent after she submitted the Application.

⁵ The Board emailed the Respondent at the two email addresses, an official email address and a personal email address, the Respondent provided on the Application.

⁶ The only notification the Board sent to the Respondent regarding the Respondent's Interview was a *subpoena ad testificandum* mailed to the Respondent's address of record on or around July 27, 2023.

things, “I think you guys asked for paperwork and things like that, so I have to provide those for you.”

14. During the Respondent’s Interview, the Respondent provided the Board an alternate address (the “Alternate Address”) than the Address of Record.

15. By letter dated August 11, 2023 (the “August Letter”), sent to the Alternate Address, the Board, among other things, issued the Respondent a subpoena (the “August Subpoena”) for medical records for specific family members and herself to be delivered within five (5) business days from the date of the August Subpoena.

16. On August 11, 2023, the Board also emailed the Respondent (the “August Email”) the August Subpoena to the Email Addresses of Record.

17. The Respondent did not comply with the August Subpoena or otherwise respond to the August Letter or the August Email. The August Letter and the August Email were not returned as undeliverable.

The Respondent’s Medical and Health Conditions

18. During the Respondent’s Interview, the Respondent made statements about her health⁷ including but not limited to:

- a. In December 2022, she “began to realize that [she] shouldn’t practice [medicine]” and she stopped practicing medicine due to her health conditions.
- b. Her health conditions caused her to “not [be] aware of a lot of things...I don’t remember things that happened to me.”

⁷ For confidentiality reasons, specific information regarding the Respondent’s health, including but not limited to the Respondent’s reported health conditions and information in the Respondent’s Medical and Health Records, will not be disclosed in this Consent Order.

- c. She was recently hospitalized, twice, due to her health conditions. In April 2023, she required surgery and in late July 2023, she was hospitalized for 11 days.

19. The Respondent also provided the Board written authorization to release her medical and health records (the “Respondent’s Medical and Health Records”) to the Board.

20. A medical professional reviewed documents contained in the Board’s investigative file, including but not limited to the Respondent’s Medical and Health Records received by the Board, and opined that the Respondent “is not safe to practice medicine at this time.”

CONCLUSIONS OF LAW

Based on the Findings of Fact, Disciplinary Panel A of the Board concludes as a matter of law that the Respondent: Is guilty of: Unprofessional conduct in the practice of medicine, in violation of Health Occ. § 14-404(a)(3)(ii); Is professionally, physically, or mentally incompetent, in violation of Health Occ. § 14-404(a)(4); and Fails to cooperate with a lawful investigation conducted by the Board or a disciplinary panel, in violation of Health Occ. § 14-404(a)(33).

ORDER

It is thus by Disciplinary Panel A of the Board, hereby:

ORDERED that the Order for Summary Suspension, issued on September 27, 2023, and affirmed on October 12, 2023, is terminated as moot based upon the suspension ordered under this Consent Order; and it is further

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

ORDERED that the Respondent's license to practice medicine is **SUSPENDED** for a minimum period of **SIX MONTHS**⁸ from the effective date of this Consent Order. During the suspension, the Respondent shall comply with the following terms and conditions of the suspension:

(1) During the suspension period, the Respondent shall not:

- (a) practice medicine;
- (b) take any actions after the effective date of this Order to hold herself out to the public as a current provider of medical services;
- (c) authorize, allow or condone the use of the Respondent's name or provider number by any health care practice or any other licensee or health care provider;
- (d) function as a peer reviewer for the Board or for any hospital or other medical care facility in the state;
- (e) prescribe or dispense medications; or
- (f) perform any other act that requires an active medical license.

(2) The Respondent shall undergo a comprehensive evaluation by the **Maryland Professional Rehabilitation Program ("MPRP")** and/or its agents to determine the Respondent's fitness to practice medicine safely. The following conditions apply:

- (a) Within **5 business days**, the Respondent shall contact MPRP to schedule an initial consultation for enrollment;
- (b) Within **15 business days**, the Respondent shall enter into a Participant Rehabilitation Agreement and Participant Rehabilitation Plan with MPRP;

⁸ If the Respondent's license expires during the period of the suspension, the suspension and any conditions will be tolled.

(c) the Respondent 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) the Respondent 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. The Respondent shall not withdraw the release/consent;

(e) the Respondent 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 the Respondent's current therapists and treatment providers) verbal and written information concerning the Respondent and to ensure that MPRP is authorized to receive the medical records of the Respondent, including, but not limited to, mental health and drug or alcohol evaluation and treatment records. The Respondent shall not withdraw the release/consent;

(f) the Respondent'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;

(3) After the minimum period of suspension has passed, and the evaluation by MPRP and/or its agents is complete, the evaluation shall be reviewed by Panel A. The parties may be required to appear before Panel A to discuss whether the Respondent is fit to return to the practice of medicine, and, if so, whether and what probationary conditions are necessary. If Panel A determines that it is safe for the Respondent to return to the practice of medicine, the suspension will be terminated through an order of Panel A and Panel A may impose any terms and conditions it deems appropriate on the Respondent's return to practice, including, but not limited to, probation and the Respondent's continued enrollment in MPRP. If Panel A

determines that it is not safe for the Respondent to return to the practice of medicine, Panel A may issue any order appropriate to the circumstances in the matter;

(4) Within **ONE (1) YEAR** from the effective date of this Consent Order, the Respondent is required to take and successfully complete a course in **medical ethics**. The following terms apply:

(a) it is the Respondent's responsibility to locate, enroll in and obtain the disciplinary panel's approval of the course before the course is begun;

(b) the Respondent must provide documentation to the disciplinary panel that the Respondent has successfully completed the course;

(c) the course may not be used to fulfill the continuing medical education credits required for license renewal;

(d) the Respondent is responsible for the cost of the course; and it is further

ORDERED that a violation of suspension constitutes a violation of the 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 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 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 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 or revoke the Respondent'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 the Respondent; and it is further

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

02/05/2024
Date

Signature On File

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians

CONSENT

I, Katherine A. Asadi, D.O., assert that I am aware of my right to consult with and be represented by counsel in considering this Consent Order and in any proceedings that would otherwise result from the charges currently pending. 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.

1/30/2024
Date

Signature On File

Katherine A. Asadi, D.O.
Respondent

NOTARY

STATE OF Maryland

CITY/COUNTY OF Baltimore

I HEREBY CERTIFY that on this 30th day of January 2024, before me, a Notary Public of the foregoing State and City/County, Katherine A. Asadi, D.O. personally appeared and made oath in due form of law that signing the foregoing Consent Order was her voluntary act and deed.

AS WITNESSTH my hand and notarial seal.



[Signature]
Notary Public

My commission expires: 12-1-2027