

Thomas F. Fahey, Jr., RCP

Harbhajan Ajrawat, M.D., Chair
Disciplinary Panel B
Maryland State Board of Physicians
4201 Patterson Avenue, 4th Floor
Baltimore, MD 21215-2299

Re: Surrender of License to Practice Respiratory Care
Thomas F. Fahey, Jr., RCP
License Number: L06311
Case Number: 7724-0017

Dear Dr. Ajrawat and Members of Disciplinary Panel B:

Please be advised that, pursuant to Md. Code Ann., Health Occ. (“Health Occ.”) §14-5A-16 (2021 Repl. Vol.), I have decided to **SURRENDER** my license to practice as a Respiratory Care Practitioner in the State of Maryland, License Number L06311, effective immediately. I understand that upon surrender of my license, I may not give advice or treatment to any individual, with or without compensation, and cannot engage in the practice of Respiratory Care in the State of Maryland as it is defined in the Respiratory Care Practitioners Act (the “Act”), Health Occ. §§ 14-5A-01 *et seq.* 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 B’s (“Panel B”) acceptance, it becomes a **FINAL ORDER** of Panel B of the Maryland State Board of Physicians (the “Board”).

I acknowledge that the Board initiated an investigation based on my violation of my Participant Rehabilitation Agreement (“PRA”) and Participant Rehabilitation Plan (“PRP”) with the Maryland Professional Rehabilitation Program (“MPRP”) and the Order Terminating Suspension and Imposing Probation issued on July 9, 2021. On September 8, 2023, Panel B issued an Order After Show Cause Hearing that placed me on a new probation period for a minimum of three (3) years and required that I continue to participate in MPRP based on a second instance of failure to comply with my PRA and PRP.

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I acknowledge that I again violated my PRA and PRP and the September 8, 2023 Order After Show Cause Hearing and that MPRP discharged me for cause on January 23, 2024.

I have decided to surrender my license to practice respiratory care in the State of Maryland because I no longer wish to comply with the terms and conditions of the September 8, 2023 Order After Show Cause Hearing and to avoid prosecution for failing to comply with the terms and conditions of the Order. I acknowledge that the September 8, 2023 Order After Show Cause Hearing will remain and will continue to be a valid Final Order of the Board; however, upon acceptance of the Letter of Surrender, I will not be required to comply with the conditions of the September 8, 2023 Order After Show Cause Hearing as long as I do not have or possess an active respiratory care practitioner license in Maryland.

I wish to make it clear that I have voluntarily, knowingly, and freely chosen to submit this Letter of Surrender to avoid the issuance of charges and prosecution for failing to comply with the terms and conditions of the September 8, 2023, Order After Show Cause Hearing. I do not wish to contest these allegations. I understand that by executing this Letter of Surrender, I am waiving my right to contest any charges that would be issued from Panel B's investigative findings in a formal evidentiary hearing at which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my behalf and all other substantive and procedural protections provided by law, including the right to appeal to circuit court.

I understand the Board will advise the National Practitioner Data Bank and Federation of State Medical Boards of this Letter of Surrender. I also understand that in the event I apply for licensure in any form in any other state or jurisdiction, 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., Health Occ. Gen. Prov. § 14-101 *et seq.*, and this Letter of Surrender constitutes a disciplinary action by Panel B.

I further recognize and agree that by submitting this Letter of Surrender, my license in Maryland will remain surrendered unless and until the Board grants reinstatement. In the event that I apply for reinstatement of my Maryland License, I understand that Panel B or its successor is not required to grant reinstatement and, if it does grant reinstatement, may impose any terms and conditions the disciplinary panel considers appropriate for public safety and the protection of the integrity and reputation of the profession. I further understand that if I file a petition for reinstatement, I will approach Panel B or its successor in the same position as an individual whose license has been revoked.

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 been advised of my right to be represented by an attorney of my choice throughout proceedings before Panel

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B, including the right to consult with an attorney prior to signing this Letter of Surrender. I understand both the nature of Panel B'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,

Signature On File

Thomas F. Fahey, Jr., RCP

NOTARY

STATE OF Maryland
CITY/COUNTY OF Baltimore

I HEREBY CERTIFY that on this 2nd day of February, 2024, before me, a Notary Public of the City/County aforesaid, personally appeared Thomas F. Fahey, Jr., RCP, 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:

GLEIBIS TIBURCIO
Notary Public
Baltimore County
Maryland
My Commission Expires Jan. 17, 2027

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ACCEPTANCE

On behalf of Disciplinary Panel B, on this 6th day of February, 2024, I,
Christine A. Farrelly, accept Thomas F. Fahey, Jr., RCP's, **PUBLIC SURRENDER** of his
license to practice respiratory care in the State of Maryland.

Signature On File

Christine A. Farrelly, Executive Director
Maryland Board of Physicians