

IN THE MATTER OF

\* BEFORE THE

MICHAEL A. EKIZIAN, M.D.

\* MARYLAND STATE

Applicant

\* BOARD OF PHYSICIANS

\* Case Number: 2222-0066A

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**FINAL ORDER**

On or about May 4, 2022, Disciplinary Panel A (“Disciplinary Panel A”) of the Maryland State Board of Physicians (the “Board”) issued a Notice of Intent to Deny Application for Initial Medical Licensure to MICHAEL A. EKIZIAN, M.D. (the “Applicant”) under the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) §§ 14-101 *et seq.* (2021 Repl. Vol.).

The pertinent provisions of the Act provide:

**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) *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:

(4) Is professionally, physically, or mentally incompetent[.]

In its Notice, Disciplinary Panel A informed the Applicant that he had the opportunity to request a hearing by submitting a request in writing to the Board's Executive Director within thirty days of the date of the mailing of the Notice. More than thirty days have elapsed since the date of the mailing of the Notice to the Applicant, and the Applicant has not requested a hearing.

### **FINDINGS OF FACT**

Disciplinary Panel A makes the following Findings of Fact:

#### ***The Application***

1. On or about August 31, 2021, the Board received the Applicant's application for initial medical licensure (the "Application").<sup>1</sup> The Application required the Applicant to answer "YES" or "NO" to a series of questions about his postgraduate training and provide written explanations for all "YES" responses.

2. The Applicant answered "YES" to the following questions:

Question 13A. During your years of postgraduate training, did you have a break in training?

Question 13B. Did you have any condition or impairment that affected your ability to practice medicine during your training?

Question 13C. 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

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<sup>1</sup> In the Application, the Applicant stated that he has active medical licenses in Pennsylvania and Michigan, and that his license in Texas expired or lapsed.

investigations, limitations of privileges or special conditions, requirements imposed for academic incompetence, disciplinary actions, probationary action, etc.

3. The Applicant provided a written explanation that addressed his affirmative responses. The Applicant stated he had enrolled in three postgraduate training programs (“PG-1, PG-2, and PG-3,” respectively), beginning in or around 2001, and was either non-renewed or dismissed from those programs. Specifically, the Applicant stated:

- (a) He enrolled in PG-1 in early June 2001, after which he immediately left the program to receive treatment for a medical condition.<sup>2</sup> The Applicant stated that after receiving treatment, the program director “refused to let [him] resume internship, and [his] contract was not renewed in June of the following year.”
- (b) He enrolled in PG-2 in July of 2002, after which he discontinued his involvement in the program in order to receive treatment for a medical condition. The Applicant stated that after receiving treatment, the program placed him on a six-month involuntary leave of absence, after which it discharged him from the program.
- (c) He enrolled in PG-3 in April of 2005 as a clinical observer, after which the program offered him an internship. The

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<sup>2</sup> For confidentiality reasons, the specific medical condition referenced herein will not be disclosed in this document. The Applicant is aware of the condition. Panel A was aware of the condition prior to consideration of the Applicant’s Application.

Applicant stated that he remained as a clinical observer for one year, after which the program approved him for an internship in May of 2006. The Applicant stated that PG-3 dismissed him from the program on June 20, 2008.<sup>3</sup>

4. In conjunction with the above written explanation, the Applicant provided his termination letter from PG-3, dated June 17, 2008, which states, in pertinent part,

After careful consideration of your performance history, the Department Education Committee has determined that you lack the minimum competencies that are essential for continuation in the program. The Committee expressed its concerns about your aptitude in working with others and relating to patients. Based on your performance, the Committee determined you do not have the clinical skills necessary to function effectively in the Internal Medicine Residency Training Program, and your skills and abilities are well below the level required for an Internal Medicine Resident.

#### ***Board Investigation***

5. After reviewing the Applicant's disclosures on the Application, the Board initiated an investigation of his postgraduate training activities and current fitness to practice medicine. As part of its investigation, the Board obtained documents from his former residency programs. Records from PG-1, PG-2 and PG-3 confirm that the programs discharged or did not reappoint the Applicant for competency issues. The records cited the Applicant for deficiencies in such areas as his: clinical and interpersonal skills; assessments; decision making; management of stress and completion of work in a timely manner; supervision of interns and students; treatment of patients who had

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<sup>3</sup> The Board subsequently received information from PG-3 that it dismissed him from its residency program on June 30, 2008.

life-threatening conditions; and failure to disclose pertinent information about his medical condition.

6. The Board also obtained the Applicant's medical records and an assessment from a behavioral health service, which made certain findings about his medical condition.<sup>4</sup>

***Grounds for Denial***

7. 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 grounds for a Board disciplinary panel to deny his Application under the following provision of Health Occ. § 14-404(a): (4) Is professional, physically, or mentally incompetent.

**CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, Disciplinary Panel A concludes as a matter of law that the Applicant's actions constitute grounds to deny his Application under the following provision of Health Occ. § 14-404(a): (4) Is professionally, physically, or mentally incompetent.

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<sup>4</sup> For confidentiality purposes, the nature of the medical condition or the findings regarding them will not be disclosed in this document. Panel A was aware of the information contained in these records prior to consideration of the Applicant's Application. The Applicant may obtain this information upon request.

**ORDER**

It is, on the affirmative vote of a majority of the quorum of Disciplinary Panel A, hereby:

**ORDERED** that the Application of **MICHAEL A. EKIZIAN, M.D.** for a license to practice medicine in Maryland, received August 31, 2021, is **DENIED**; and it is further

**ORDERED** that this Final 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).

06/13/2022  
Date

***Signature On File***

Christine A. Farrelly  
Executive Director  
Maryland State Board of Physicians

**NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW**

Pursuant to Md. Code Ann., Health Occ. § 14-408, the Applicant has the right to seek judicial review of this Final Order. Any petition for judicial review shall be filed within thirty (30) days from the date of mailing of this Final Order. The cover letter accompanying this Final Order indicates the date the decision is mailed. Any petition for judicial review shall be made as provided for in the Administrative Procedure Act, Md. Code Ann., State Gov't § 10-222 and Title 7, Chapter 200 of the Maryland Rules of Procedure.

If the Applicant files a petition for judicial review, the Board is a party and should be served with the court's process at the following address:

Christine A. Farrelly, Executive Director  
Maryland State Board of Physicians  
4th Floor  
4201 Patterson Avenue  
Baltimore, Maryland 21215

Notice of any petition should also be sent to the Board's counsel at the following address:

Noreen Rubin  
Assistant Attorney General  
Maryland Department of Health  
300 West Preston Street, Suite 302  
Baltimore, Maryland 21201