



STATE OF MARYLAND

**DHMH**

Board of Physicians

Maryland Department of Health and Mental Hygiene

4201 Patterson Avenue • Baltimore, Maryland 21215-2299

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – Joshua M. Sharfstein, M.D., Secretary

July 6, 2011

Francis B. Fernandes, M.D.  
4404 Emden Street  
Rockville, MD 20848

Richard B. Rosenblatt, Esquire  
30 Court Square, #302  
Rockville, MD 20850

K. F. Michael Kao, Esquire  
Office of the Attorney General  
Health Occupations Prosecution & Litigation Division  
300 W. Preston Street, Suite 201  
Baltimore, MD 21201

Re: Francis B. Fernandez, M.D.  
Case Nos. 2011-0296 and 2011-0537  
License No. D16862

Dear Dr. Fernandez and Counsel:

On February 2, 2011, the Board issued an **ORDER FOR SUMMARY SUSPENSION OF LICENSE TO PRACTICE MEDICINE** in this case. Dr. Fernandez was given an opportunity to attend a hearing on that issue on June 22, 2011. Dr. Fernandez did not attend the hearing, nor did his counsel. The State was represented by Michael Kao, Assistant Attorney General, Administrative Prosecutor.

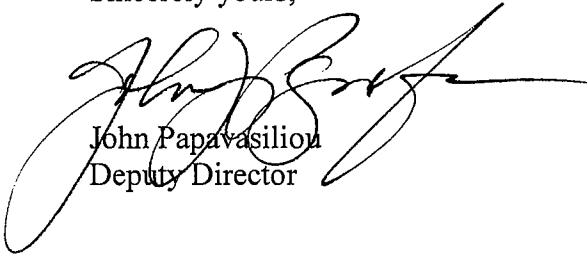
After considering the investigative file and the oral argument presented at the hearing, the Board determined that it would not lift the summary suspension imposed on February 2, 2011. No arguments or documents were submitted on Dr. Fernandez's behalf. Considering the information in the Board staff's file, and the investigative findings therein, the Board continues to believe that there exists a substantial risk of serious harm to the public health, safety or welfare in Dr. Fernandez's continued practice.

## NOTICE OF RIGHT TO APPEAL

Under the Board regulations, Dr. Fernandez has the right to request a full evidentiary hearing before an Administrative Law Judge. This request will be granted if the Board receives a written request for the hearing within ten days of the date of this letter. The request should be sent to Christine A. Farrelly, Chief, Compliance Administration, at the Board's address. If Dr. Fernandez requests such a hearing, the regulations require that an Administrative Law Judge set an evidentiary hearing to begin within 30 days of that request, *see* COMAR 10.32.02.05 I, though the parties may waive that 30-day requirement.

This letter constitutes an order of the Board resulting from formal disciplinary action and is therefore a public document.

Sincerely yours,



John Papavasiliou  
Deputy Director