

IN THE MATTER OF	*	BEFORE THE
JERRY B. HUNT, M.D.	*	MARYLAND STATE BOARD
Respondent	*	PHYSICIANS
License No.: D25373	*	Case Nos.: 2009-0831 & 2010-0277
* * * * *	*	* * * * *

ORDER EXTENDING SUSPENSION

Findings of Fact

The Maryland State Board of Physicians (the "Board") finds that the following facts were proven by a preponderance of the evidence:

1. On September 22, 2010, the Board charged Jerry B. Hunt, M.D. with unprofessional conduct, Md. Code Ann., Health Occ. § 14-404(a)(3)(ii); willfully failing to file or record any medical report as required by law, Health Occ. § 14-404(a)(12); failing to meet appropriate standards for the delivery of quality medical care, Health Occ. § 14-404(a)(22); and failing to keep adequate medical records, Health Occ. § 14-404(a)(40).

2. On February 23, 2011, the Board and Dr. Hunt entered into a Consent Order resolving the charges. In the Consent Order, the Board found that Dr. Hunt had violated sections 14-404(a)(3)(ii), (12), (22), and (40) of the Health Occupations Article. Under the Consent Order, Dr. Hunt agreed that his license to practice medicine would be suspended for a minimum of one year. Dr. Hunt also agreed to enroll in the Maryland Professional Rehabilitation Program to treat his substance abuse. According to the Consent Order, upon the termination of the suspension, Dr. Hunt would be placed on probation for a minimum period of five years with certain terms and conditions. Also, as a condition of the Consent Order, Dr. Hunt agreed that he would abstain from alcohol. *See* Condition 1, page 32, Consent Order, February 23, 2011. On

page 37, the Consent Order further provided that if Dr. Hunt violated any term or condition of the Consent Order, and if there were no genuine dispute as to the underlying material facts, a show cause hearing would be held before the Board, and the Board could impose a reprimand, probation, suspension, revocation, and/or monetary fine.

3. In June 2011, Dr. Hunt drank alcohol, violating Condition 1 of the Consent Order. Dr. Hunt underwent toxicology screening as a condition of the Consent Order to determine whether he abstained from alcohol, Controlled Dangerous Substances, and illegal drugs. Samples taken from Dr. Hunt for the toxicology screenings on June 9, 2011, and June 13, 2011, tested positive for alcohol. The medical review officer determined that the alcohol levels were "high." Dr. Hunt has admitted that he drank alcohol in violation of the Consent Order.

On August 16, 2011, the Board notified Dr. Hunt that it would hold a show cause hearing to determine whether he violated Condition 1 of the Consent Order. The show cause hearing was held on November 16, 2011. Dr. Hunt conceded at the show cause hearing that he drank alcohol in violation of the Consent Order and that he was not contesting that he violated the Consent Order.

Conclusions of Law

By failing to abstain from alcohol, Dr. Hunt violated condition 1, page 32, of the Consent Order executed by the Board on February 23, 2011.

Imposition of Sanction

Based upon Dr. Hunt's conduct in failing to abstain from alcohol and violating the Consent Order, the Board has determined that the appropriate sanction is that the suspension of his license to practice medicine should be extended. Dr. Hunt's suspension will be in effect for a minimum of one year from the date of this order.

ORDER

Based upon Dr. Hunt's violation of the terms and conditions of the Consent Order executed by the Board on February 23, 2011, it is by an affirmative vote of a majority of a quorum of the Board, hereby

ORDERED that the suspension of Dr. Hunt's license to practice medicine in Maryland is **EXTENDED**; and thus it is

ORDERED that Dr. Hunt's license to practice medicine in Maryland is **SUSPENDED** for a minimum period of **ONE YEAR** from **the** date of this Order Extending Suspension; and it is further

ORDERED that Dr. Hunt must comply with the following terms and conditions:

1. Dr. Hunt shall continue his enrollment in and continue to receive treatment from the Maryland Professional Rehabilitation Program ("MPRP"). Dr. Hunt shall comply with the rehabilitation agreement he has entered into with the MPRP and comply with all of the MPRP's rules and regulations.
2. Dr. Hunt shall abstain from all alcohol, illegal drugs, and Controlled Dangerous Substances ("CDS") not properly prescribed to him (which includes not taking prescribed CDS in excess of the amount prescribed). Dr. Hunt shall undergo monitoring through the MPRP to determine whether he has abstained for the prohibited substances. Dr. Hunt shall sign any and all consent forms and releases necessary for the MPRP to disclose to the Board information and records of his condition and treatment in order for the Board to effectively monitor him and monitor his compliance with this order.
3. Dr. Hunt shall provide the Board with documentation that he has successfully completed, within the mandated time, the courses required under paragraphs 2 and 3, pages 32-

34, of the Consent Order executed by the Board on February 23, 2011, which paragraphs are incorporated by reference into the body of this document as if set forth in full;

And it is further **ORDERED** that after one year from the date of this Order Extending Suspension, Dr. Hunt may apply to the Board for the termination of suspension. Dr. Hunt shall appear before the Board's Reinstatement Inquiry Panel on his application. The Reinstatement Inquiry Panel will terminate the suspension if Dr. Hunt has fully and satisfactorily complied with the terms and conditions of this Order; and if is further

ORDERED that if the Board's Reinstatement Inquiry Panel terminates the suspension, Dr. Hunt will be placed on **PROBATION** for a minimum period of **FIVE YEARS** and until he fully and successfully complies with the following terms and conditions:

1. Dr. Hunt shall continue his enrollment in and continue to receive treatment from the Maryland Professional Rehabilitation program ("MPRP"). Dr. Hunt shall comply with the rehabilitation agreement he has entered into with the MPRP and comply with all of the MPRP's rules and regulations.

2. Dr. Hunt shall abstain from all alcohol, illegal drugs, and Controlled Dangerous Substances ("CDS") not properly prescribed to him (which includes not taking prescribed CDS in excess of the amount prescribed). Dr. Hunt shall undergo monitoring through the MPRP to determine whether he has abstained from the prohibited substances. Dr. Hunt shall sign any and all consent forms and releases necessary for the MPRP to disclose records of his treatment to the Board in order for the Board to effectively monitor him and monitor his compliance with this Order.

3. Dr. Hunt shall keep and maintain adequate medical records that are legible and complete.

4. Dr. Hunt shall not practice pain management medicine and shall not prescribe any opioid or benzodiazepine medication to any patient or individual for more than three days and only in an emergency situation.

5. Dr. Hunt's practice shall be supervised by a Board-approved supervisor (the "Supervisor") who is board-certified in internal medicine, subject to the following terms:

(a) Not less than 45 days of the date the Board terminates the suspension, Dr. Hunt shall submit the name and professional credentials of a board-certified specialist in internal medicine for the purpose of obtaining Board approval to serve as Supervisor for his practice for the entire five year period of probation. The Supervisor shall not be associated with Dr. Hunt through any current or past personal, collegial, professional or academic affiliation. Dr. Hunt shall provide the Supervisor with a copy of the charging document, the Consent Order, and this order and any other documents the Board deems relevant in this case. Dr. Hunt understands and agrees that the Board may terminate any Supervisor and require that another Supervisor be substituted.

(b) Dr. Hunt shall ensure that the Supervisor notifies the Board, in writing, within 10 days of the Board's approval, of his or her acceptance of his or her supervisory role.

(c) The Supervisor shall meet with Dr. Hunt at Dr. Hunt's office and shall hold face-to-face meetings with him on a monthly basis, at which time the Supervisor shall choose a random sample of medical record charts of at least 10 active cases to review. The Supervisor shall review the charts to determine Dr. Hunt's compliance with quality of medical care and recordkeeping standards. In addition, the Supervisor shall discuss the cases with Dr. Hunt to evaluate Dr. Hunt's understanding of the conditions he is treating and his compliance with quality of medical care and recordkeeping standards.

(d) The Supervisor shall submit quarterly written reports to the Board, which shall include but not be limited to the number and types of cases reviewed, medical issues the Supervisor discussed with Dr. Hunt, and an assessment of Dr. Hunt's understanding of the conditions he is treating and his compliance with the quality of medical care and recordkeeping standards.

(e) Dr. Hunt shall have sole responsibility for ensuring that the Supervisor submits the required quarterly reports to the Board in a timely manner.

(f) The Board has sole authority for implementing any changes in the supervision and retains all authority to approve any changes in the supervision.

(g) If the Supervisor discontinues supervising Dr. Hunt for any reason, Dr. Hunt shall immediately notify the Board. Dr. Hunt shall then be solely responsible for submitting a replacement candidate to serve as his Supervisor under the terms specified above.

(h) Dr. Hunt shall be responsible for all costs associated with the supervision of his practice.

6. Dr. Hunt's medical practice is subject to a peer and/or chart review by the Board or an appropriate peer reviewer or entity chosen by the Board, to be determined at the discretion of the Board.

7. Dr. Hunt shall practice according to the Maryland Medical Practice Act and in accordance with all applicable laws, statutes, and regulations governing the practice of medicine in Maryland.

8. After the conclusion of the **FIVE YEAR** period of **PROBATION**, Dr. Hunt may file a written petition to the Board requesting the termination of probation. After consideration of his petition, the probation may be terminated through an order of the Board or designated Board committee. Dr. Hunt may be required to appear before the Board or designated Board committee. The Board, or designated Board committee, will grant the termination if Dr. Hunt has fully and satisfactorily complied with all of the probationary terms and conditions, and if there are no pending complaints related to the charges before the Board; and it is further

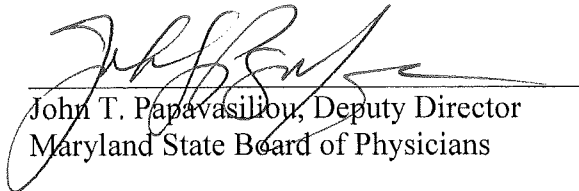
ORDERED that if Dr. Hunt violates any of the terms or conditions of this order, the Board in its discretion, after notice and an opportunity to be heard, may reprimand Dr. Hunt,

further extend the probation and add conditions to the probation, further suspend or revoke Dr. Hunt's license to practice medicine in Maryland, and/or a fine; it is further

ORDERED that Dr. Hunt shall be responsible for all costs incurred in fulfilling the terms and conditions of this order; and it is further

ORDERED that this is a public document.

12/12/2011
Date


John T. Papavasiliou, Deputy Director
Maryland State Board of Physicians

Notice of Appeal Rights

Dr. Hunt has the right to seek judicial review of this order. Any petition for judicial review must be filed within 30 days from the date this order is mailed. The petition for judicial review must be made as directed in the Maryland Administrative Procedure Act, Md. Code Ann., State Gov't § 10-222, and the Maryland Rules 7-201 *et seq.*

If Dr. Hunt petitions for judicial review, the Board is a party and should be served with the court's process. In addition, Dr. Hunt should send a copy of his petition to the Board's counsel, **David Wagner, Assistant Attorney General, Office of the Attorney General, 300 W. Preston Street, Suite 302, Baltimore, Maryland 21201.** The administrative prosecutor is not involved in the circuit court process and does not need to be served or copied on any pleadings filed in circuit court.