

IN THE MATTER OF

ANDREW K. MOULTRIE, M.D.

Respondent

License Number: D68511

BEFORE THE

MARYLAND STATE

BOARD OF PHYSICIANS

Case Number: 2226-0064 B

ORDER OF DEFAULT

On March 7, 2025, the Maryland State Board of Physicians (“Board”) received a complaint against Andrew Moultrie, M.D. (“Dr. Moultrie” or “the Respondent”) alleging concerns regarding Dr. Moultrie’s provision of medical care in a Maryland correctional health care setting, including alleged delays in evaluation, follow-up, and a subsequent hypertensive emergency requiring transport to an outside hospital. After numerous requests for Dr. Moultrie to respond to Board inquiries about this complaint that went unanswered, on January 27, 2026, Disciplinary Panel B of the Board issued charges against Dr. Moultrie under Md. Code Ann., Health Occ. § 14-404(a)(33) (failing to cooperate with a lawful investigation). On April 6, 2026, the case was referred to the Office of Administrative Hearings (“OAH”) for an evidentiary hearing.

On April 13, 2026, OAH sent a Notice of Remote Scheduling Conference to the parties that informed Dr. Moultrie that a Scheduling Conference would be held on May 4, 2026, at 9:30 a.m., by video conference. The scheduling conference notice was sent by U.S. first-class mail to Dr. Moultrie at the address he listed on his application for licensure. It was not returned as undeliverable. Dr. Moultrie did not request a postponement. On May 4, 2026, at 9:55 a.m., approximately twenty-five minutes after the scheduled start

time, the Administrative Law Judge (“ALJ”) commenced the Scheduling Conference by video conference. The administrative prosecutor appeared on behalf of the State. Dr. Moultrie did not appear, nor did anyone appear on his behalf. During the Scheduling Conference, a Prehearing Conference was scheduled for June 25, 2026, at 9:30 a.m.

On May 4, 2026, OAH sent a Notice of Remote Prehearing Conference to the parties that notified the parties that a Prehearing Conference would be held on June 25, 2026, at 9:30 a.m. The Notice of Prehearing Conference informed Dr. Moultrie that the failure to appear or to give timely notice of his inability to appear at the Prehearing Conference could result in a decision against him. The Notice was mailed to Dr. Moultrie’s address of record. The mailed copy was not returned as undeliverable. On May 5, 2026, the ALJ issued a Scheduling Order, which again, notified the parties that the Prehearing Conference would be held on June 25, 2026, at 9:30 a.m. by video conference. The Scheduling Order was emailed to Dr. Moultrie and mailed to Dr. Moultrie at his address of record and was not returned as undeliverable.

On June 25, 2026, the ALJ held the Prehearing Conference by video conference. The administrative prosecutors appeared on behalf of the State. Dr. Moultrie did not appear. At 9:50 a.m., after waiting twenty minutes after the scheduled start time for Dr. Moultrie to appear, the ALJ commenced the Prehearing Conference. The State made a motion for an order of default against Dr. Moultrie.

Under OAH’s rules of procedure, “[i]f, after receiving proper notice as provided in Regulation .05C of this chapter, a party fails to attend or participate, either personally or

through a representative, in a Prehearing Conference, hearing, or other stage of a proceeding, the ALJ may proceed in that party's absence or may, in accordance with the hearing authority delegated by the agency, issue a final or proposed default order against the defaulting party." COMAR 28.02.01.23A.

On July 6, 2026, the ALJ issued a Proposed Default Order. In the Proposed Default Order, the ALJ found that Dr. Moultrie did not request a postponement of the Prehearing Conference and did not submit a Prehearing Conference Statement as instructed. Dr. Moultrie did not contact OAH to report technical issues. The ALJ concluded that Dr. Moultrie had proper notice of the Prehearing Conference and failed to appear or participate in the remote Prehearing Conference. The ALJ proposed that the Panel find Dr. Moultrie in default, adopt as findings of fact the statements set forth in the allegations of fact section of the charges, and conclude as a matter of law that Dr. Moultrie violated the Medical Practice Act. The ALJ did not make a recommendation regarding a sanction.

The ALJ emailed and also mailed, by regular first-class mail, copies of the Proposed Default Order to Dr. Moultrie, the administrative prosecutor, and the Board at each respective address of record. The Proposed Default Order notified the parties that they may file written exceptions to the proposed order but must do so within 15 days of the date of the Proposed Default Order. The Proposed Default Order stated that any exceptions and requests for a hearing must be sent to the Board with a copy provided to the opposing party. Dr. Moultrie did not file any exceptions. On July 24, 2026, the State filed an exception to the Proposed Default Order, requesting that Panel A of the Board revoke Dr. Moultrie's

license as a sanction. Dr. Moultrie did not file a response to the State's exception. An exceptions hearing was scheduled for September 9, 2026 at 11:00 a.m. Panel A of the Board commenced the hearing at 12:29 p.m. on September 9, 2026. The Administrative Prosecutor appeared on behalf of the State and Dr. Moultrie did not appear, nor did anyone appear on his behalf. The Panel held the exceptions hearing.

FINDINGS OF FACT

Because Panel A concludes that Dr. Moultrie has defaulted and has not filed exceptions to the ALJ's Proposed Default Order, the following findings of fact are adopted from the allegations of fact in the charging document and are deemed proven by the preponderance of the evidence:

Background

1. At all relevant times, the Respondent was licensed to practice medicine in the State of Maryland. The Respondent originally was licensed to practice medicine in Maryland on December 31, 2008, under License Number D68511.

2. At all relevant times, the Respondent practiced medicine in the State of Maryland and provided medical services to patients as a physician through correctional health care facilities located in Maryland.

Complaint and Preliminary Investigation

3. The Board initiated a preliminary investigation of the Respondent after receiving a referral from the Maryland Board of Nursing concerning a complaint from a patient. In substance, the complaint alleged concerns regarding the Respondent's provision

of medical care in a Maryland correctional health care setting, including alleged delays in evaluation, follow-up, and a subsequent hypertensive emergency requiring transport to an outside hospital.

4. Based on the allegations, the Board opened a preliminary investigation and, by letter dated March 12, 2025, mailed the complaint to the Respondent and requested a written response to the allegations. The Board informed the Respondent that the response must be signed and should be received by the Board no later than ten (10) business days from the date of the letter.

5. On April 14, 2025, Board staff emailed the Respondent and advised him that the complaint had been mailed on March 12, 2025, but that the Board had not received the Respondent's written response. The email requested that he email his response.

6. Between July 15, 2025 and September 18, 2025, Board staff made multiple telephone calls to the Respondent and left voicemails requesting a return call; no response was received.

7. On August 5, 2025, Board staff sent an additional email follow-up to the Respondent directing a response by Monday, August 11th; no response was received.

Subpoena and Failure to Comply

8. On August 29, 2025, the Board issued a Subpoena Duces Tecum directing the Respondent to appear at the Maryland Board of Physicians on September 12, 2025, at 10:00 a.m. and provide his written response in a Board matter. The subpoena was issued pursuant to Health Occ. §§ 14-206(a) and 14-401.1(i) and advised that failure to comply

may result in contempt proceedings and/or a charge for failure to cooperate with a lawful investigation under Health Occ. § 14-404(a)(33).

9. On August 29, 2025, Board staff transmitted the subpoena and related correspondence to the Respondent by email and also mailed a hard copy to the Respondent.

10. The Respondent failed to appear at the Board's office on September 12, 2025.

11. The Respondent also failed to provide the Board with the requested written response.

CONCLUSIONS OF LAW

Panel A finds Dr. Moultrie in default based upon his failure to appear or participate at the Prehearing Conference on June 25, 2026, at OAH. *See* State Gov't § 10-210(4). Based upon the foregoing findings of fact, Panel A concludes that Dr. Moultrie failed to cooperate with a lawful investigation, in violation of Health Occ. § 14-404(a)(33).

SANCTION

In his exceptions, the Administrative Prosecutor recommended revoking Dr. Moultrie's license. The Administrative Prosecutor argued that Dr. Moultrie's failure to participate in the proceedings, together with his repeated failure to respond to the Board's requests for information and failure to comply with the Board's subpoena demonstrates an unwillingness to comply with the investigatory and disciplinary obligations associated with Maryland medical licensure. Given the prolonged and repeated nature of Dr. Moultrie's noncooperation, and based on the entirety of the findings of fact, Panel A agrees and

concludes that the revocation of Dr. Moultrie's license to practice medicine in Maryland is warranted.

ORDER

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

ORDERED that Andrew Moultrie, M.D.'s license to practice medicine in Maryland is **REVOKED**; and it is further

ORDERED that this Order of Default goes into effect upon the signature of the Board's Deputy Director. The Board's Deputy Director signs this Order of Default on behalf of Panel A; and it is further

ORDERED that this is a public document.

9/28/2020
Date

Signature on File

Ellen Douglas Smith, Deputy Director
Maryland State Board of Physicians

NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW

Pursuant to Md. Code Ann., Health Occ. § 14-408, Dr. Moultrie has the right to seek judicial review of this Order of Default. Any petition for judicial review shall be filed within thirty (30) days from the date of mailing of this Order of Default. The date of the cover letter accompanying this Order is the date the decision was 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 Dr. Moultrie files a petition for judicial review, the Board is a party and should be served with the court's process at the following address:

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

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

**David Finkler
Assistant Attorney General
Maryland Department of Health
300 West Preston Street, Suite 302
Baltimore, Maryland 21201**