

**IN THE MATTER OF**

**MARCUS HIGI, M.D.**

**Respondent**

**License Number: D0098119**

**BEFORE THE**

**MARYLAND STATE**

**BOARD OF PHYSICIANS**

**Case Number: 2227-0015**

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**CONSENT ORDER**

**PROCEDURAL BACKGROUND**

The Maryland Board of Physicians (the “Maryland Board”) received information that Marcus Higi, M.D. (the “Respondent”), License Number D0098119, was disciplined by the New Mexico Medical Board (the “New Mexico Board”). In a Stipulation of Licensure and Order dated July 28, 2026, the New Mexico Board disciplined the Respondent by issuing a public reprimand with terms and conditions.

Based on the above-referenced New Mexico Board sanction, the Maryland Board has grounds to charge the Respondent with violating the following provisions of the Maryland Medical Practice Act (the “Act”), under Health Occ. § 14-404(a):

- (a) 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:
  - (21) Is disciplined by a licensing or disciplinary authority or convicted or disciplined by a court of any state or country or disciplined by any branch of the United States uniformed services or the Veterans Administration for an act that would be grounds for disciplinary action under this section.

Disciplinary Panel B (“Panel B”) has determined that the acts for which the Respondent was disciplined in New Mexico would be grounds for disciplinary action under H.O. § 14-404(a). The grounds for disciplinary action under H.O. § 14-404(a) are as followed:

(3) Is guilty of:

(ii) Unprofessional conduct in the practice of medicine[.]

(43) Except for the licensure process described under Subtitle 3A of this title, violates any provision of this title, any rule or regulation adopted by the Board, or any State or federal law pertaining to the practice of medicine[.]

With respect to Health Occ. § 14-404(a)(43), the pertinent New Mexico Codes are the following:

#### **New Mexico Statutes**

....

§ 61-6-15. License may be refused, revoked, or suspended; licensee may be fined, censured, or reprimanded; procedure; practice after suspension or revocation; penalty; unprofessional and dishonorable conduct defined; fees and expenses.

D. “Unprofessional or dishonorable conduct”, as used in this section, means, but is not limited to, because of enumeration, conduct of a licensee that includes the following:

(26) injudicious prescribing, administering, or dispensing of a drug or medicine[.]

....

(33) improper management of medical records, including failure to maintain timely, accurate, legible, and complete medical records[.]

#### **N.M. Admin. Code**

....

§ 16.10.8.8 - Unprofessional or Dishonorable Conduct

H. dishonesty[.]

§ 16.10.8.9 – Determination of Medical Ethics

A. The board adopts the ethical standards set forth in the latest published version of the "code of medical ethics current opinions with annotations of the council on ethical and judicial affairs of the American medical association" or its successor publication ("code of medical ethics").

B. The board reserves the right to impose discipline for breaches of medical ethics which may not be addressed in the "code of medical ethics", but which are

nevertheless sufficiently serious to bring the offending conduct within the meaning of Section 61-6-15,D,(29) NMSA 1978.

Based on the actions taken by the New Mexico Board, the Respondent agrees to enter into this Consent Order with Panel B, consisting of Procedural Background, Findings of Fact, Conclusions of Law, Order and Consent.

### **FINDINGS OF FACT**

Panel B makes the following findings of fact:

1. At all times relevant hereto, the Respondent was a physician licensed to practice medicine in the State of Maryland. The Respondent was initially licensed in Maryland on or about July 7, 2023.
2. The Respondent was investigated by the New Mexico Board for alleged violations of injudicious prescribing, administering or dispensing a drug or medicine, improper management of medical records, including failure to maintain timely, accurate, legible and complete medical records, and violation of AMA Code of Medical Ethics, Opinion 1.2.1, as adopted by the New Mexico Board (prescribing medications, or treatment oneself and family members).
3. By Stipulation of Licensure and Order dated July 28, 2026, the New Mexico Board disciplined the Respondent by reprimand with terms and conditions, including, but not limited to, ordering the Respondent to complete coursework in Medical Recordkeeping, Ethics, Controlled Substances Prescribing and Competency at the Center for Personalized Education for Physicians (“CPEP”), or a comparable provider approved by the New Mexico Board, within six (6) months, pay a fine of \$1,000.00 within six (6) months, and is restricted from prescribing, dispensing, or administering controlled substances until released by the New Mexico Board.

A copy of the New Mexico Stipulation of Licensure and Order is attached hereto.

### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, Panel B concludes, as a matter of law, that the Respondent is subject to discipline under Health Occ. § 14-404(a)(21) for the disciplinary action taken by the New Mexico Board against the Respondent for an act or acts that would be grounds for disciplinary action under Health Occ. §14-404(a)(3)(ii) and (43).

### **ORDER**

It is, thus, by Panel B, hereby,

**ORDERED** that the Respondent's license to practice medicine in the State of Maryland be and is hereby **REPRIMANDED**; and it is further

**ORDERED** that the Respondent shall comply with all terms and conditions of the July 28, 2026, New Mexico Board Stipulation of Licensure and Order; and it is further

**ORDERED** that the Respondent is prohibited from prescribing, dispensing, or administering controlled dangerous substances (CDS) in the State of Maryland until such time the restriction is lifted by the New Mexico Board; and it is further

**ORDERED** that this Consent Order shall not be amended or modified, and future requests for modification will not be considered; and it is further

**ORDERED** that the Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and it is further

**ORDERED** that, if the Respondent allegedly fails to comply with any term or condition imposed by this Consent Order, the Respondent shall be given notice and an opportunity for a hearing. If the disciplinary panel determines there is a genuine dispute as to a material fact, the hearing shall go before an Administrative Law Judge of the Office of Administrative Hearings,

followed by an exceptions process before a disciplinary panel: and if the disciplinary panel determines there is no genuine disputes as to a material fact, the Respondent shall be given a show cause hearing before panel B; and it is further

**ORDERED** that, after the appropriate hearing, if Panel B determines that the Respondent has failed to comply with any term or condition imposed by this Consent Order, Panel B may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, suspend the Respondent's license with appropriate terms and conditions, or revoke the Respondent's license to practice medicine in the State of Maryland. Panel B may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine on the Respondent; and it is further

**ORDERED** that the effective date of this Consent Order is the date the Consent Order is signed by the Executive Director of the Board or her designee. The Executive Director signs the Consent Order on behalf of Panel B; and it is further

**ORDERED** that this Consent Order is a public document. See Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

09/09/2026  
Date

***Signature on File***

Christine A. Farrelly  
Executive Director  
Maryland State Board of Physicians

### CONSENT

I, MARWS Higi, M.D., acknowledge that I have consulted with counsel before signing this document.

[OR]

I, \_\_\_\_\_, M.D., assert that I am aware of my right to consult with and be represented by counsel in considering this Consent Order. I have chosen to proceed without counsel, and I acknowledge that the decision to proceed without counsel is freely and voluntarily made.

By this Consent, I agree to be bound by this Consent Order and all of its terms and conditions and understand that the disciplinary panel will not entertain any request for amendments or modifications to any condition.

I assert that I am aware of my right to a formal evidentiary hearing, pursuant to Md. Code Ann., Health Occ. § 14-405 and Md. Code Ann., State Gov't §§ 10-201 et seq. concerning the pending charges. I waive this right and have elected to sign this Consent Order instead.

I acknowledge the validity and enforceability of this Consent Order as if entered after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural protections as provided by law. I acknowledge the legal authority and the jurisdiction of the disciplinary panel to initiate these proceedings and to issue and enforce this Consent Order.

I voluntarily enter into and agree to comply with the terms and conditions set forth in the Consent Order as a resolution to the charges. I waive any right to contest the Findings of Facts and

Conclusions of Law and Order set out in the Consent Order. I waive all rights to appeal this Consent Order.

I sign this Consent Order, without reservation, and fully understand the language and meaning of its terms.

***Signature on File***

Marcus Higi, M.D.

8/31/2026  
Date

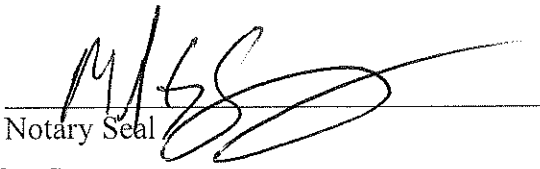
NOTARY

STATE OF New Mexico

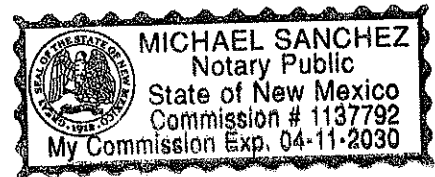
CITY/COUNTY OF Albuquerque/Bernalillo

I HEREBY CERTIFY that on the 31<sup>st</sup> day of August, 2026 before me, a  
Notary Public of the State and City/County aforesaid, personally Marcus Higi, M.D. and made oath  
in due form of law that the forgoing Consent Order was his voluntary act and deed.

AS WITNESS, my hand and notarial seal.

  
Notary Seal

My Commission Expires on 4-11-2030



**New Mexico Order,  
dated July 28, 2026**

**BEFORE THE NEW MEXICO MEDICAL BOARD**

**IN THE MATTER OF  
MARCUS T. HIGI, M.D.**

**License No. MD2001-215**

**Respondent.**

**Case No. 2025-020  
Inv: NMMB-20240368**

**STIPULATION OF LICENSURE AND ORDER**

By mutual agreement between the New Mexico Medical Board ("Board") and Marcus T. Higi, M.D. ("Respondent") to dispose of this matter according to the terms set forth in this Stipulation of Licensure and Order ("Stipulation and Order"), the Board hereby finds and orders as follows:

**FINDINGS OF FACT**

1. The Board is the state agency charged with enforcing the Medical Practice Act, NMSA 1978, Chapter 61, Article 6 ("MPA"), the Uniform Licensing Act, NMSA 1978, Chapter 61, Article 1 ("ULA"), the Impaired Health Care Provider Act, NMSA 1978, Chapter 61, Article 7 ("IHCPA"), and certain Board-promulgated regulations, Title 16, Chapter 10, NMAC ("Rules").

2. On or about November 16, 2001, a license to practice medicine as a medical doctor in the State of New Mexico was issued to Respondent.

3. The Board is currently investigating Respondent for alleged violations of law, ethics and regulations, including but not necessarily limited to, the following:

- a. Conduct contrary to Section 61-6-15(D)(26) NMSA 1978 (injudicious prescribing, administering or dispensing a drug or medicine); Section 61-6-15(D)(33) NMSA 1978 (improper management of medical records, including failure to maintain

timely, accurate, legible and complete medical records);

- b. Conduct contrary to Section 16.10.8.8(H) NMAC (dishonesty); and
- c. the AMA Code of Medical Ethics, Opinion 1.2.1, as adopted by 16.10.8.9 NMAC.

4. At the Board's Quarterly Board Meeting held on November 6, 2025, the Board endorsed a complaint committee's recommendation that Respondent be offered an opportunity to resolve these allegations by:

- a. Agreeing to a prohibition from prescribing controlled substances until released by the Board;
- b. Successfully completing the Medical Record Keeping, Ethics, Controlled Substances Prescribing and Competency courses within six (6) months of the effective date of this Stipulation and Order at CPEP or a comparable program approved by the Board;
- c. Agreeing to pay a fine of \$1,000.00; and
- d. Agreeing to the issuance of a reprimand.

5. Without admitting any wrongdoing, Respondent concedes that sufficient evidence exists that the Board could find and conclude that Respondent's conduct was contrary to the MPA and/or applicable Board regulations.

6. In order to settle this matter without further litigation, Respondent agrees to accept the terms and conditions offered by the Board as contained in the Stipulation and Order.

7. By signing this document Respondent expressly authorizes CPEP to release to the Board any and all records created or held by CPEP, including but not limited to assessments, reports, plans, evaluations, notes, and correspondence.

8. In order for the Board to have adequate time to consider this proposed settlement,

Respondent waives the right to have this matter heard and decided within the time frames set by the ULA, and also waives the time limitations for the Board to bring an action against Respondent as set forth in the ULA at NMSA 1978, Section 61-1-3.1 and/or in the MPA at NMSA 1978, Section 61-6-24.

9. This Stipulation and Order reflects a negotiated settlement, and in the event that the Board does not approve the Stipulation and Order in its entirety and without modification, this Stipulation and Order shall be deemed withdrawn as of the date of any communication from Respondent rejecting the document as proposed.

10. By signing this Stipulation and Order:

- a. Respondent confirms having received all notice required by law and admits that all jurisdictional requirements have been satisfied.
- b. Respondent acknowledges reading and understanding the contents of this document.
- c. Respondent confirms understanding the applicable statutory and regulatory provisions setting forth the authority and power of the Board relevant to this Stipulation and Order, and that if this proposed Stipulation and Order is accepted by the Board, such acceptance results in a waiver of Respondent's rights under the Rules, the ULA, MPA, and/or the IHCPA relating to this Stipulation and Order, including the right to a hearing on this Stipulation and Order and the right to appeal this Stipulation and Order.
- d. Respondent understands the right to consult with an attorney and Respondent's signature below signifies that Respondent has either consulted with an attorney or

that Respondent knowingly and voluntarily waives the right to counsel.

- e. Respondent understands that this Stipulation and Order will not become effective until approved by the Board.
- f. Respondent understands that the terms set forth in this Stipulation and Order are unique to the evidence in this matter, and that this Stipulation and Order shall have no precedential or binding effect on other Board proceedings.
- g. Respondent understands that this Stipulation and Order contains the entire agreement of the parties hereto, and that there is no other agreement of any kind, verbal, written or otherwise.
- h. Respondent stipulates and agrees that if the Board accepts and approves the terms of this Stipulation and Order, that any failure by Respondent to comply with the Stipulation and Order shall constitute unprofessional or dishonorable conduct as defined in the MPA and/or applicable Board regulations.
- i. Respondent asks the Board to accept and approve this Stipulation and Order knowingly, voluntarily, and of Respondent's own free will.
- j. Respondent stipulates and agrees that avoidance of further litigation and prompt resolution of this matter is valuable consideration for Respondent to waive the right to an evidentiary hearing in this matter.
- k. Respondent understands that this Stipulation and Order is a public document and that the same will be reported to the National Practitioner Data Bank, American Medical Association, Federation of State Medical Boards, and/or as otherwise required by law.

### CONCLUSIONS OF LAW

11. The Board has jurisdiction over the Respondent and the subject matter hereof pursuant to the MPA, ULA, and Board Regulations.

12. The Board has authority to enter into this Stipulation and Order pursuant to Section 61-6-15, NMSA 1978 and 16.10.5.14 NMAC.

13. The Board concludes that Respondent violated Sections 61-6-15(D)(26) and (33) NMSA 1978, Section 16.10.8.8(H) NMAC, and the AMA Code of Medical Ethics, Opinion 1.2.1 as adopted by 16.10.8.9 NMAC.

14. In light of the foregoing stipulated findings of fact and conclusions of law, good cause exists for imposition of discipline against Respondent as contained in this Stipulation and Order.

### ORDER

A. Respondent is hereby **REPRIMANDED** for conduct which was contrary to Section 61-6-15(D)(26) NMSA 1978 (injudicious prescribing, administering or dispensing a drug or medicine); Section 61-6-15(D)(33) NMSA 1978 (improper management of medical records, including failure to maintain timely, accurate, legible and complete medical records); Section 16.10.8.8(H) NMAC (dishonesty); and AMA Code of Medical Ethics, Opinion 1.2.1 as adopted by Board Regulation at 16.10.8.9 NMAC (prescribing medications, or treating oneself and family members).

B. Respondent shall successfully complete Medical Record Keeping, Ethics, Controlled Substances Prescribing and Competency courses at Center for Personalized Education for Physicians ("CPEP"), or other provider approved by the Board, within six (6) months of the effective date of

this Stipulation and Order.<sup>1</sup>

C. Respondent shall comply with all recommendations made by CPEP, and any failure by Respondent to comply with such recommendations, determinations and instructions shall constitute a violation of this Stipulation and Order.

D. Respondent shall pay a fine of \$1,000.00 to the Board within six (6) months of the effective date of this Stipulation and Order.

E. Respondent's license to practice medicine is hereby restricted such that he may not prescribe, dispense or administer controlled substances until released by the Board.

F. Respondent shall comply, at all times, with all federal, state and local laws and all rules governing the practice of medicine.

G. Respondent shall submit quarterly written statements to the Board, in a form prescribed by the Board, attesting under oath to having fully complied with the terms of this Stipulation and Order.

H. Respondent shall sign all documents required by CPEP necessary to authorize the release to the Board of any and all records created or held by CPEP, including, but not limited to, assessments, reports, plans, evaluations, notes, correspondence and monitoring programs. Such authorization shall continue in full force and effect during all times that Respondent may be licensed to practice medicine in the State of New Mexico and Respondent shall not revoke such authorization. Any failure by Respondent to execute documents required by CPEP to cause the

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<sup>1</sup> It is noted that as of the effective date of this Stipulation and Order, and with expectation of entering this Stipulation and Order, Respondent has successfully completed the following CPEP courses: Medical Records Keeping Seminar (completed January 30, 2026) and Proper Prescribing of Controlled Substances (completed April 8-10, 2026). Respondent's successful completion of these two courses is credited towards Respondent's obligations under this Stipulation and Order.

release of information to the Board shall constitute a violation of this Stipulation and Order.

I. Respondent shall appear before the Board at the Board's request.

J. Respondent shall keep the Board informed of Respondent's business and residence addresses, email address (if available), and telephone number. Changes of such addresses shall be immediately communicated in writing to the Board. Respondent may not utilize a post office box as an address of record.

K. If the Board has reasonable cause to believe that Respondent has violated any of the terms of this Stipulation and Order, the Board may immediately and summarily suspend Respondent's license to practice medicine in New Mexico pursuant to 16.10.5.15 NMAC. A breach of any term of this Stipulation and Order shall constitute conduct unbecoming in a person licensed to practice medicine as set forth in NMSA 1978, Section 61-6-15(D)(29). The Board shall, along with the Notice of Summary Suspension, issue a Notice of Contemplated Action, and Respondent will be entitled to a formal hearing in accordance with the ULA.

L. Respondent shall personally ensure that the Board is supplied with any and all documents that the Board, in its sole discretion, deems satisfactory evidence of Respondent's compliance with this Stipulation and Order.

M. Respondent shall maintain a current New Mexico medical license in good standing, including meeting all fee and continuing education requirements, while holding a medical license subject to this Stipulation and Order (or any amendment thereto). Failure to keep the New Mexico medical license issued to Respondent in good standing as required by this Stipulation and Order shall be evidence of noncompliance with this Stipulation and Order and shall constitute a violation of the Stipulation and Order and applicable law.

N. This Stipulation and Order is a public document available for inspection; therefore, this Stipulation and Order shall be reported to the National Practitioner Data Bank, the Federation of State Medical Boards, and the American Medical Association.

O. The conditions and terms set forth in this Stipulation and Order, if approved by the Board, remain in full force and effect unless and until removed or amended in writing by the Board.

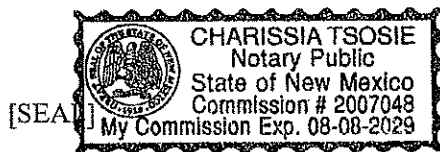
STIPULATED TO BY RESPONDENT:

*Signature on File*

MARCUS T. HIGI, M.D. ☐  
RESPONDENT

**ACKNOWLEDGEMENT FOR SIGNATURE OF RESPONDENT**

The foregoing was acknowledged before me this 23 day of July 2026, by  
MARCUS T. HIGI, M.D. in the County of Bernalillo, State of New Mexico.



*[Signature]*  
NOTARY PUBLIC

Approved as to form:

*Signature on File*

David Lawrenz  
Attorney for Respondent *[Signature]*

[concluded on subsequent page]

**STIPULATED AND SO ORDERED BY THE BOARD:**

The foregoing Stipulation of Licensure and Order is approved and made immediately effective on this 28 day of July 2026.

**NEW MEXICO MEDICAL BOARD**

By: ***Signature on File***  
Karen Carson, M.D.  
Chair

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing Stipulation of Licensure and Order was sent to Respondent on July 28, 2026, as follows:

- a. Via USPS certified mail, return receipt requested:

Marcus Higi, MD  
3301R Coors Blvd NW #292  
Albuquerque, NM 87120

And:

- b. Via email to Respondent at drhigi@yahoo.com and Respondents Attorney  
**David Lawrenz** at dlawrenz@hinklelawfirm.com

By: \_\_\_\_\_  
Kristiana Sandoval  
Paralegal  
New Mexico Medical Board

***Signature on File***