

IN THE MATTER OF	*	BEFORE THE
ROLAND F. CHALIFOUX, Jr., D.O.	*	MARYLAND STATE BOARD
Applicant for Initial Medical Licensure	*	OF PHYSICIANS
	*	Case Number: 2224-0038A
* * * * * *	*	* * * * *

FINAL DECISION AND ORDER

On March 5, 2024, Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the “Board”) issued a Notice of Intent to Deny Application for Initial Medical Licensure under the Maryland Medical Practice Act (the “Notice of Intent to Deny”) against Roland F. Chalifoux, Jr., D.O (“Dr. Chalifoux” or the “Applicant”). The Notice of Intent to Deny was based upon the following statutory provisions:

Md. Code Ann., Health Occ. § 14-205

(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 or, if an applicant has failed to renew the applicant’s license, refuse to renew or reinstate an applicant’s license for:

(i) Any of the reasons that are grounds for action under § 14-404 ... [.]

Health Occ. § 14-404.

(a) Subject to the hearing provisions of § 14-405 of this subtitle, a disciplinary panel, on the affirmative vote of the 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:

...

(3) Is guilty of:

...

(ii) Unprofessional conduct in the practice of medicine;

...

(11) Willfully makes or files a false report or record in the practice of medicine;

...

(21) Is disciplined by a licensing, certifying, or disciplinary authority or is convicted or disciplined by a court of any state or country or is 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;

(22) Fails to meet appropriate standards as determined by appropriate peer review for the delivery of quality medical and surgical care performed in an outpatient surgical facility, office, hospital, or any other location in this State;

...

(36) Willfully makes a false representation when seeking or making application for licensure or any other application related to the practice of medicine; [and]

...

(40) Fails to keep adequate medical as determined by appropriate peer review[.]

With respect to Health Occ. § 14-404(a)(21), the Applicant was notified that the acts that were grounds for the disciplinary action under Health Occ. § 14-404(a) included the following:

(3) Is guilty of:

(ii) Unprofessional conduct in the practice of medicine;

(11) Willfully makes or files a false report or record in the practice of medicine;

(22) Fails to meet appropriate standards as determined by appropriate peer review for the delivery of quality medical and surgical care performed in an outpatient surgical facility, office, hospital, or any other location in this State; [and]

(40) Fails to keep adequate medical records as determined by appropriate peer review.

Health Occ. § 14-307.

(b) The applicant shall be of good moral character[.]

PROCEDURAL HISTORY

On June 25, 2023, Dr. Chalifoux filed an Application for Initial Medical Licensure (“Application”) with the Board.¹ On March 5, 2024, Panel A issued a Notice of Intent to Deny to Dr. Chalifoux and notified him that he must request a hearing within 30 days or Panel A would sign a Final Order denying his Application for a license. On April 1, 2024, Dr. Chalifoux requested a hearing, and the case was delegated to the Office of Administrative Hearings (“OAH”) for an evidentiary hearing. On September 12, 2024, an Administrative Law Judge (“ALJ”) at OAH held a scheduling conference. On December 12, 2024, Dr. Chalifoux filed with OAH a “Notice of Dismissal,” which stated that he sought to withdraw his request for an evidentiary hearing before OAH. On January 6, 2025, the ALJ heard oral argument on the matter. On January 10, 2025, the ALJ issued a proposed decision, recommending that the Board adopt as fact the allegations of fact in the Notice of Intent to Deny, find that he was in violation of the grounds charged, and deny his Application for a Maryland medical license. Both the State and Dr. Chalifoux filed exceptions.

On March 26, 2025, Board Disciplinary Panel B (“Panel B” or the “Panel”) held an exceptions hearing. At the exceptions hearing, Dr. Chalifoux explained that he was seeking to withdraw his Application, not to withdraw his request for a hearing. On April 9, 2025, Panel B

¹ The Board’s Licensure Department received the Application on June 28, 2023.

issued an Order of Remand, which ordered that, to the extent Dr. Chalifoux sought to dismiss the Notice of Intent to Deny, the request to dismiss the Notice of Intent to Deny was denied; Dr. Chalifoux's request to withdraw his application was denied; and the case was remanded to OAH for an evidentiary hearing on the merits of the Notice of Intent to Deny.

On July 17 and 18, 2025, an evidentiary hearing was held before an ALJ of OAH. The State was represented by an Administrative Prosecutor from the Office of the Attorney General, and Dr. Chalifoux represented himself. On October 1, 2025, the ALJ issued a proposed decision which concluded that Dr. Chalifoux lacks the good moral character required for licensure, in violation of Health Occ. § 14-307(b), and that Dr. Chalifoux violated Health Occ. § 14-404(a)(3)(ii), (11), (21), (22), (36), and (40). The ALJ proposed that the Board deny Dr. Chalifoux's Application for a license to practice medicine in Maryland, under Health Occ. §§ 14-205, 14-307, and 14-404.

Dr. Chalifoux filed exceptions to the ALJ's proposed decision. On December 17, 2025, Panel B held a hearing on Dr. Chalifoux's exceptions. The State was represented by an administrative prosecutor from the Office of the Attorney General, and Dr. Chalifoux was present and represented himself.

FINDINGS OF FACT

Panel B finds that the following facts were proven by the preponderance of evidence:

1. Dr. Chalifoux is a physician who has never been licensed to practice medicine in Maryland. He has been licensed to practice medicine or osteopathy in several other states. In 2023, Dr. Chalifoux applied to the Board for a license to practice medicine in Maryland.

2. From 1997 through 2000, Dr. Chalifoux had his clinical privileges (privileges) revoked (terminated), suspended, or not renewed (denied reappointment) at four hospitals or related health care facilities (“hospitals”), in Texas. One of these Texas hospitals terminated his privileges, one suspended his privileges, and two denied reappointment of his privileges.

3. On July 19, 2002, the Texas State Board of Medical Examiners (“Texas Board”) temporarily suspended Dr. Chalifoux’s medical license.

4. On June 4, 2004, the Texas Board revoked Dr. Chalifoux’s license, based upon its conclusion that Dr. Chalifoux violated an accepted medical standard of care in his treatment of three patients.

5. On July 21, 2004, the State of Michigan Department of Community Health, Bureau of Health Professions, Board of Osteopathic Medicine and Surgery (“Michigan Board”) summarily suspended Dr. Chalifoux’s medical license, because of the Texas Board order revoking his license and because he failed to report that revocation to the Michigan Board.

6. On September 1, 2004, the West Virginia Board of Osteopathy (“West Virginia Board”) and Dr. Chalifoux entered into a Consent Agreement and Order, which granted Dr. Chalifoux a restricted license with probation for one year. The license restricted Dr. Chalifoux’s practice to West Virginia University and related programs for the training and education of physicians and surgeons and ordered that his program of study and his practice of medicine be supervised.

7. On February 3, 2005, the Michigan Board and Dr. Chalifoux entered into a Consent Order, which dissolved the summary suspension and imposed a suspension of his medical license for a period of six months and one day.

8. On October 28, 2005, the Michigan Board reinstated Dr. Chalifoux's medical license with a probationary period of one year.

9. On July 25, 2014, the West Virginia Board summarily suspended Dr. Chalifoux's license.

10. On August 28, 2014, the Circuit Court for Kanawha County, Circuit Court, in West Virginia, granted Dr. Chalifoux's motion for an injunction, which prohibited the enforcement of the West Virginia Board's summary suspension of Dr. Chalifoux's license.

11. On January 13, 2016, the State Medical Board of Ohio ("Ohio Board") denied Dr. Chalifoux's application for an Ohio medical license.

12. On July 25, 2017, Dr. Chalifoux was indicted in the United States District Court for the Northern District of West Virginia on eleven charges related to health care fraud, seven charges related to mail fraud, four counts related to wire fraud, and three counts related to health care fraud while practicing at [] Hospital [A].² Dr. Chalifoux was not convicted of these charges. Instead, he entered into an October 30, 2018, pretrial diversion agreement dismissing the charges without prejudice to refiling in exchange for Dr. Chalifoux paying \$28,606.75 in restitution, among other general conditions.

13. In March 2021, Dr. Chalifoux submitted another application to the Ohio Board for a license to practice osteopathic medicine and surgery.

14. On August 9, 2023, the Ohio Board granted a medical license to Dr. Chalifoux but imposed an immediate indefinite suspension and set out various conditions precedent to reinstatement.

² In its decisions, the Board generally uses generic terms for hospitals and other health care facilities.

Application Filed with the Maryland Board

15. On June 25, 2023, Dr. Chalifoux completed an online application through the Board's website seeking an initial license to practice medicine in Maryland.³

16. The Application has nine parts labeled "Part 1 – General information; Part 2 – Medical Education; Part 3 – Activities; Part 4 – Postgraduate Training⁴; Part 5 – Medical Licensing Exams and History; Part 6 – Character and Fitness; Part 7 – SPEX/COMVEX examinations; Part 8 – Checklist; Part 9 – Certification.

Part 5 - Licensing History Section of Part 5 Medical Licensing Exams & History

Part 5, b.

17. The Application provides, "b. I have an application for license [] pending in the following state (excluding Maryland):". Dr. Chalifoux responded "Ohio." Dr. Chalifoux did have an application pending with the Ohio Board.

Part 5, c.

18. The Application asked, "c. Has any disciplinary action ever been taken against your license?"

19. Dr. Chalifoux responded,

YES – My license in Texas was suspended on July 19, 2002. I was completely cleared of 10 while 1 issue was discussed in two separate cases of the remaining 2 cases with the ALJ's only having several issues with the patient who passed away having surgery on the giant aneurysm. On July 19 2004, exactly two years to the date of my original suspension, the TSBME members ignoring the SOAH findings[,] voted to revoke my Texas license.

³ According to an email, dated June 28, 2023, the Board's Licensure Department received the application on June 28, 2023.

⁴ Although the March 5, 2024 Notice of Intent to Deny referred to the Applicant's alleged failure to "disclose his post-medical school activities for the period 1990-1995," the State did not otherwise discuss this allegation. The State did not produce evidence related to any questions from Part 4 of the application nor argue for consideration of any alleged omission in this section.

20. Dr. Chalifoux's answer to Part 5.c. was incomplete and misleading, because Dr. Chalifoux did not report disciplinary actions against his license by the Michigan Board and the West Virginia Board.

Part 5, d.

21. The Application asked the Applicant to "list [] all licenses ever issued to you by a U.S. state, its territories, or Canada." Dr. Chalifoux listed West Virginia, Texas, Pennsylvania, Michigan, and Ohio "APP."⁵

Part 6 – Character and Fitness

Part 6, 1.

22. Question 1, in Part 6, asked, "Has a state licensing or disciplinary board (including Maryland), a comparable body in the armed services, or the Veterans Administration, ever denied your application for licensure, reinstatement, or renewal?"

23. Dr. Chalifoux answered, "NO."

24. Dr. Chalifoux's answer to Part 6, question 1. was false, because the Ohio Board denied his application for licensure, in 2016.

Part 6, 2.

25. Question 2, in Part 6, asked, "Has a state licensing or disciplinary board (including Maryland), a comparable body in the armed services, or the Veterans Administration, ever taken action against your license? Such actions include, but are not limited to, limitations of practice, required education admonishment or reprimand, suspension, probation or revocation."

26. Dr. Chalifoux answered Part 6, question 2, "NO."

⁵ The Panel believes Dr. Chalifoux wrote "APP" to indicate had an application pending with the Ohio Board.

27. Dr. Chalifoux's answer to Part 6, question 2 was false, based upon the actions taken against Dr. Chalifoux's licenses by the Texas Board, the Michigan Board, and the West Virginia Board.

Part 6, 3.

28. Question 3, Part 6, asked, "Has any licensing or disciplinary board in any jurisdiction (including Maryland), a comparable body in the armed services, or the Veterans Administration, ever filed any complaints or charges against you or investigated you for any reason?"

29. Dr. Chalifoux answered Part 6, Question 3, "YES – The West Virginia Board of Osteopathic Medicine temporarily suspended me then dismissed the complaint." Dr. Chalifoux uploaded three documents related to his answer, which concerned his license from the West Virginia Board (Determination of Probable Cause and Order for Summary Suspension, July 25, 2014; Order Granting Roland F. Chalifoux, Jr., D.O.'s Motion for Temporary Restraining Order and Injunctive Relief, August 28, 2014; and Order of Dismissal, October 26, 2015).

30. This answer to Part 6, question 3 was incomplete and misleading, because the Texas Board and the Michigan Board issued charges against him.

Part 6, 5.

31. Question 5, in Part 6, asked, "Has a hospital, related health care institution, HMO, or alternative health care system ever investigated you or ever brought charges against you?"

32. Dr. Chalifoux answered part 6, question 5, "YES – I was summarily suspended by [Hospital A] 10 days following a suspected 'patient abuse' incident where I was completing a lumbar puncture or Pain pump trial. The procedure was difficult but the patient during my hearing

never felt 'abused' and in fact did very well following the injection []and wants to have a permanent Pain pump implanted.”

33. The answer to Part 6, question 5 was incomplete and misleading because Dr. Chalifoux did not disclose any investigation by the hospitals and other health care facilities, in Texas, that ultimately took action against his privileges, from 1997 through 2000.

Part 6, 6.

34. Question 6, in Part 6, asked, “Has a hospital, related health care facility, HMO, or alternative health care system ever denied you application; failed to renew your privileges, including your privileges as a resident; or limited, restricted, suspended, or revoked your privileges in any way?”

35. Dr. Chalifoux answered Part 6, question 6, “NO.”

36. The answer to Part 6, question 6 was false, because there were actions taken against Dr. Chalifoux’s privileges at four Texas hospitals or related health care facilities, from 1997 through 2000.

37. Dr. Chalifoux’s answers in his Application that were false or misleading and incomplete were willfully made.

Part 9 – Certification

38. Upon completing the application, Dr. Chalifoux certified the following relevant statements:

c. During the period in which my application is being processed, I shall inform the Board within 30 days of any change to any answer I originally gave in this application, any arrest or conviction, any change of address or any action that occurs based on accusations that would be grounds for disciplinary action under Md. Code Ann., Health Occ. § 14-404.

d. Under penalties of perjury, I attest that I have personally reviewed all responses to the items in the application and that the information I have given is true and

correct to the best of my knowledge, information, and belief. I understand that providing any false, misleading, or incomplete information may result in disciplinary action or denial of licensure by the Maryland Board of Physicians (the Board). I also understand and agree that I may not practice, attempt to practice or offer to practice medicine in Maryland unless licensed by the Board.

39. While his Application was being processed, Dr. Chalifoux did not inform the Board within 30 days⁶ that, on August 9, 2023, the Ohio Board indefinitely suspended his Ohio license and set out various conditions he would have to meet before he could apply for reinstatement.

Board's Review of the Application

40. Because Dr. Chalifoux answered "YES" to several questions, emails were automatically sent to the Board's intake manager to review the documents he uploaded that were relevant to these questions.

41. On June 28, 2023, a licensing analyst of the Board emailed Dr. Chalifoux to advise him that the Board had not yet received his Federation Credentials Verification Service ("FCVS") profile, a necessary component of the Application. The email further advised that if the FCVS profile were not received by August 28, 2023, the Board would officially close the Application.

42. In July, The Board received a copy of Dr. Chalifoux's FCVS information and practitioner profile.

43. In July, the Board also received the National Practitioner Database ("NPDB") Report from FCVS. The NPDB Report contains summaries of all reported disciplinary actions by state boards and hospitals.

44. Based on information contained in the NPDB Report, the Board sought documentation from various hospitals, state Boards and other entities.

⁶ Dr. Chalifoux provided the Board with a copy of the Order on November 16, 2023.

45. Dr. Chalifoux did not seek to withdraw his Application for a Maryland license at any time before the Board issued the Notice of Intent to Deny, on March 5, 2024.

EXCEPTIONS AND ANALYSIS

I. Health Occupations Article § 14-404(a)(3)(ii), (11), and (36)

Through Health Occ. § 14-205(b)(3)(i), a disciplinary panel may deny an application, if an applicant is guilty of unprofessional conduct in the practice of medicine, *see* Health Occ. § 14-404(a)(3)(ii); willfully makes or files a false report or record in the practice of medicine; *see* Health Occ. § 14-404(a)(11); or willfully makes a false representation when seeking or making application for licensure or any other application related to the practice of medicine, *see* Health Occ. § 14-404(a)(36). Dr. Chalifoux was charged with violating these grounds.

The ALJ determined that the State met its burden in proving that Dr. Chalifoux violated Health Occ. § 14-404(a)(3)(ii), (11), and (36). The ALJ first found that the conduct at issue in this matter falls within the practice of medicine. *See Kim v. Maryland State Bd. of Physicians*, 423 Md. 523, 542-43 (2011) (ruling that providing false information on an application for medical licensure falls within the practice of medicine).

The ALJ also noted that the Board is responsible for regulating practitioners of medicine in Maryland “to protect the health, safety, and welfare of the public.” Health Occ. § 1-102(a). And, according to the ALJ, in carrying out its responsibilities, the Board must be able to rely upon the accuracy and completeness of all information that physicians provide to the Board.

The ALJ further found that Dr. Chalifoux made “multiple willful and false representations in his application. [] [H]e failed to disclose multiple prior disciplinary actions, charges, and investigations in response to direct, straight-forward questions.” The ALJ did not accept Dr. Chalifoux’s testimony that the false responses on the Application were inadvertent mistakes nor

that he assumed the Board would discover the mistakes through the NPDB. Additionally, the ALJ found that Dr. Chalifoux certified on his Application that the information he gave was true and correct to the best of his knowledge and affirmed that he was aware that any false, misleading, or incomplete information he provided might be cause to deny his application. The ALJ noted that Dr. Chalifoux has had a long and difficult history with various other hospitals and licensing boards, and he “passionately described the negative and frustrating impact of decades-old prior discipline on the trajectory of his medical career.” The ALJ stated that Dr. Chalifoux has been fighting the ramifications of the negative actions taken by the “initial Texas discipline for most of his career and earnestly believes that he was treated unfairly. It is simply not believable that he inadvertently omitted this history from the Maryland application or that he was somehow not cognizant of its importance.”

The ALJ recommended that the Board find that Dr. Chalifoux’s “misleading, false, and incomplete answers on the application were entered intentionally, not involuntarily or accidentally, and were therefore ‘willful.’” The ALJ found that Dr. Chalifoux violated Health Occ. § 14-404(a)(3)(ii), (11), and (36).

Bearing on the ALJ’s findings that Dr. Chalifoux violated Health Occ. § 14-404(a)(3)(ii), (11), and (36) and on the ALJ’s proposed findings of fact, Dr. Chalifoux took several exceptions.

In his exceptions, Dr. Chalifoux often contends that he did not disclose certain disciplinary actions on his Application because these actions could be found by the Board through the Federation Credentials Verification Service (“FCVS”), the National Practitioner Data Bank (“NPDB”), by “check[ing] in with any of the other state boards,” etc.⁷ And Dr. Chalifoux’s

⁷ National Practitioner Data Bank (NPDB) reports are provided to state medical boards through the Federation Credentials Verification Service (FCVS).

exceptions assert that his disclosing the licenses he obtained from each state gave the Board “the ability to check in with any of the other state boards regarding the history of and current status of any and all medical licenses ever issued to me.” Panel B does not accept this argument.

The defense that the Board could obtain the pertinent information through sources other than an applicant’s responses on an application was rejected by the Supreme Court of Maryland.⁸ In *Kim*, Dr. Kim argued that his falsehood on his application concerning malpractice litigation against him was immaterial, “because the Board has independent means of investigating whether a physician has been involved in any malpractice litigation through the Maryland Judiciary Case Search, and the Board receives malpractice filing information pursuant to statute from the Health Claims Arbitration Office.” *Kim*, 423 Md. at 542-43. The court found Dr. Kim’s argument “meritless.” *Id.* at 543. “It is of no consequence that the Board would otherwise discover the lie . . .” *Id.* at 543. Whether the Board grants a license to practice medicine in Maryland is an extremely consequential decision. The Board is responsible for protecting the health and safety of patients in Maryland. *See* Health Occ. § 1-102(a). The Board should not have to devote significant resources wading through and deciphering false and misleading application responses and tracking down information from other sources to obtain accurate information about an applicant. It is an applicant’s responsibility to answer the application questions candidly to the best of their knowledge, information, and belief. Moreover, Dr. Chalifoux’s argument that he was relying upon the Board obtaining a full accounting of his disciplinary history from the NPDB is also undermined by his contention that “false information is sometimes published in the NPDB.”

Part 5, Licensing History, b. Pending Applications

⁸ Formerly the Maryland Court of Appeals.

Question b. of Part 5, Licensing History, asked whether the Applicant had a pending application for licensure in another state. Dr. Chalifoux answered “Ohio.” The ALJ found that his answer was false. Dr. Chalifoux took exception, stating:

The answer is true on June 25, 2023, the date of my initial licensure in Maryland.

This answer was correct at the time of my application and was prior to Ohio issuing a Report and Recommendation on July 14, 2023. At which time the matter was “pending before the State Medical Board of Ohio.”

This answer was given prior to the Ohio final order date of August 9, 2023.

The Panel, therefore, finds that his answer to Part 5, Licensing History, b. was accurate. While, on June 8, 2022, the Ohio Board had taken an action to deny his license, at the time Dr. Chalifoux submitted his Application to the Board, on June 25, 2023, there had not been a final decision issued by the Ohio Board on his Ohio application. On August 9, 2023, the Ohio Board issued an Entry of Order granting Dr. Chalifoux a license to practice osteopathic medicine and surgery in Ohio, and suspended the license for an indefinite period. The Panel grants this exception.

Part 5, Licensing History, c. Disciplinary Licensure Actions

Question c. of Part 5, Licensing History, asked, “Has any disciplinary action ever been taken against your license?” Dr. Chalifoux responded:

YES – My license in Texas was suspended on July 19, 2002. I was completely cleared of 10 while 1 issue was discussed in two separate cases of the remaining 2 cases with the ALJ’s only having several issues with the patient who passed away after having surgery on the giant aneurysm. On July 19 2004, exactly two years to the date of my original suspension, the TSBME members, ignoring the SOAH findings voted to revoke my Texas license.

The ALJ determined the answer was false, finding “the Applicant’s disciplinary history included additional actions in Texas, and actions in Ohio, West Virginia, and Michigan.” Dr. Chalifoux took exception, stating:

My answer was true- The subsequent actions in the states of Ohio, West Virginia and Michigan were not disclosed in my answer were a direct result of the ruling in Texas and are found in the Federation Credentials Verification Service (FCVS) that was paid for by me to be submitted to the Maryland Medical Board as part of the application process.

The Panel finds that Dr. Chalifoux’s Application answer omits that, on July 21, 2004, the Michigan Board summarily suspended his license; on September 1, 2004, the West Virginia Board granted Dr. Chalifoux a restricted license with one year probation; on February 3, 2005, the Michigan Board dissolved the summary suspension but imposed a six month and one day suspension of his license; on October 28, 2005, the Michigan Board reinstated his license with one year probation; and, on July 25, 2014, the West Virginia Board summarily suspended his license. The Panel finds that his answer was intentionally misleading and incomplete.

The 2014 summary suspension imposed by the West Virginia Board is not given weight in the Panel’s decision against Dr. Chalifoux, because he disclosed this action in his response to Part 6, question 3, which asked about complaints, charges, and investigations. However, Dr. Chalifoux’s omission of the 2004 Michigan summary suspension of his license and the subsequent Michigan Board October 28, 2005 suspension and one year of probation; and the 2004 restricted license with probation by the West Virginia Board carry significant weight against Dr. Chalifoux. The 2004 West Virginia Board action and part of the 2004 Michigan Board summary suspension were directly based on the Texas Board revocation, but the 2004 Michigan Board summary suspension was also premised on Dr. Chalifoux’s failure to notify the Michigan Board of the Texas action. Regardless, Dr. Chalifoux’s omission of these actions on his licenses indicates willful

conduct and was intentionally misleading and incomplete. The question does not have an exception for disciplinary actions premised on actions by other states. Dr. Chalifoux could have explained on the Application that certain actions were based on the Texas Board revocation, but Dr. Chalifoux did not choose this route. And, as stated above, the Panel does not accept that information available through other sources, such as FCVS or the NPDB, eliminates the requirement that applicants answer the questions candidly. Dr. Chalifoux's exception is denied.

Part 6, question 1. Licensure Application Denials

Question 1 of Part 6 asked whether any state licensing or disciplinary board ever denied the Applicant's application for licensure. Dr. Chalifoux answered, "NO."

The ALJ found that Dr. Chalifoux's answer was false, because his application for licensure was denied, on January 13, 2016, by the Ohio Board.

Dr. Chalifoux took exception, stating:

It is true that I did not disclose the denial of my application for a license to Ohio in 2016. On June 25, 2023 when I submitted my application to Maryland I was focused on the fact that I had a license application "pending" at the time. The 2016 denied was not of top of mind, the error was not intentional.

The Panel does not accept Dr. Chalifoux's exception. The Panel does not accept that his "pending" application with the Ohio Board caused him to lose focus to such an extent that he believed he was answering the question accurately. If this were the only question that Dr. Chalifoux answered falsely, the Panel, perhaps, may have accepted that his false answer was unintentional. But this was not the only answer he provided that was false. His Application shows a pattern of false answers as well as answers that were misleading. Moreover, the reason Dr. Chalifoux had, in 2023, an application pending with the Ohio Board was because his previous application with the Ohio Board was denied in 2016. His assertion that he was not focused on the

2016 Ohio denial does not credibly explain the false response. In fact, the 2016 denial by the Ohio Board was part of the Ohio Board action in 2022-23, as the hearing examiner in that case mentioned the denial on the first page of his Report and Recommendation for the hearing held on September 12, 2022, in which he stated that it was an allegation by the Ohio Board that was set forth in its Notice of Opportunity for Hearing, dated June 8, 2022. The Panel finds Dr. Chalifoux intentionally answered the question falsely. The exception is denied.

Part 6, question 2. Licensure Actions by State Licensure Boards

Question 2 of Part 6 asked whether a state licensing or disciplinary board has ever taken action against the Applicant's license. The question explains that the actions include a reprimand, suspension, probation, or revocation. Dr. Chalifoux answered, "NO."

The ALJ found Dr. Chalifoux's answer was false. The ALJ recounted the actions taken against his licenses by the Texas, Michigan, and West Virginia boards.

Dr. Chalifoux's took exception, stating:

I disclosed that I had an action from the Texas Medical Board in another section of the application and did not give attention to detail to what was being asked for a second time in a different manner.

The suspension of my Michigan license in 2004 was administrative and was a direct result of actions in Texas. On June 25, 2023 I did not think to report the Michigan action that was eventually reversed as I have an active license in Michigan with all history being public knowledge on the Michigan Boards website.

The Panel finds that Dr. Chalifoux's answer was false. The Texas Board actions and the 2014 West Virginia summary suspension do not carry weight against Dr. Chalifoux, because he did mention those elsewhere in the Application. The Panel, however, finds it significant that his answer was false with respect to actions by the West Virginia Board in 2004 and by the Michigan Board concerning Dr. Chalifoux. His assertion that he did not give attention to detail as a result

of the similarity between this question and Part 5, Licensing History, question c., is unconvincing. Again, his Application contains a pattern of false answers that belies assertions of unintentional conduct. With respect to Dr. Chalifoux's other assertions, that the other actions were based on the Texas action and "administrative," the Panel does not accept this. The question explained what information it was seeking, which includes information of a "reprimand, suspension, probation or revocation." The Panel finds Dr. Chalifoux intentionally answered this question falsely. Dr. Chalifoux's exception is denied.

Part 6, 3. Complaints, Charges, or Investigations by Licensing Boards

Question 3 of Part 6 asked whether any licensing or disciplinary board had ever filed any complaints or charges or investigated the Applicant. Dr. Chalifoux answered:

YES – The West Virginia Board of Osteopathic Medicine temporarily suspended me then dismissed the complaint.

Dr. Chalifoux also attached three documents pertaining to the West Virginia Board: Determination of Probable Cause and Order for Summary Suspension, issued by the West Virginia Board, on July 25, 2014; Order Granting Roland F. Chalifoux, Jr., D.O.'s Motion for Temporary Restraining Order and Injunctive Relief, issued by the Circuit Court of Kanawha County, West Virginia, on August 28, 2014; and Order of Dismissal, issued by the West Virginia Board, on October 26, 2015.

The ALJ found Dr. Chalifoux's answer to Part 6, question 3, false and incomplete.

Dr. Chalifoux's exceptions state:

The answer is true. I was suspended by the WV board of Osteopathic Medicine temporarily.

I disclosed that I had an action from the Texas Medical Board in another section of the application.

The Michigan administration action in 2004 was a direct result of the Texas action.

Whether or not the Michigan disciplinary complaint was the result of the Texas Board action does not mean that the complaint by the Michigan Board should not have been disclosed. Dr. Chalifoux intentionally omitted the 2004 complaint filed by the Michigan Board when it should have been included in the answer from Dr. Chalifoux. Whether or not a complaint is “administrative”⁹ is not a valid distinction. The questions do not have an exception for “administrative” complaints. State medical boards are administrative agencies. The answer was intentionally misleading and incomplete. Dr. Chalifoux’s exception is denied.

Part 6, question 5. – Investigations or Charges by a Hospital

Question 5 of Part 6 asked whether a hospital, related health care institution, HMO, or alternative health care system ever investigated or brought charges against the Applicant. Dr. Chalifoux provided the following answer on the Application:

YES – I was summarily suspended by [Hospital A] for 10 days following a suspected “patient abuse” incident where I was completing a lumbar puncture for Pain pump trial. The procedure was difficult but the patient during my hearing never felt “abused” and in fact did very well following the injection wand wants to have a permanent Pain pump implanted.

Dr. Chalifoux attached the document issued by the West Virginia Board, titled Complaint, issued September 27, 2022; and the Order of Dismissal, issued by the West Virginia Board, on February 6, 2023.

The ALJ found that Dr. Chalifoux’s answer to Part 6, question 5, was false and incomplete. Dr. Chalifoux’s answer to Part 6, question 5, of the application. Dr. Chalifoux took exception, stating:

⁹ As an overall matter, Dr. Chalifoux attempts to draw a distinction between an “administrative” suspension of a license and a “disciplinary” suspension of a license claiming, essentially, that reciprocal actions are not disciplinary. The Panel does not find the distinction. The Application questions do not have an exception for reciprocal actions.

I accurately disclosed that I was summarily suspended from [] Hospital [A] in 2022 (as a result of a bad faith sham peer review) and following investigation, the West Virginia Board of Osteopathic Medicine found no probable cause for the complaint that was made against me at the time. The Board found no merit in the adverse action taken against me by [] Hospital [A]. The complaint related to this incident was dismissed.

My answer was incomplete as I did not disclose other complaints that were dismissed by the Texas Medical Board between 1999 and 2002. These were documented in the FCVS that was an integral part of my application and occurred over 20 years ago.

Dr. Chalifoux's answer purposefully omitted that investigations were conducted by hospitals or related health institutions, in Texas, from 1997 through 2000, that led to their actions against Dr. Chalifoux's privileges. As discussed above, whether the information was available from sources outside his Application does not remove the Applicant's responsibility to provide candid information. Also, the question does not limit responses to only recent actions. Dr. Chalifoux's answer was intentionally misleading and incomplete. The exception is denied.

Part 6, question 6

Question 6 of Part 6 asked whether a hospital, related health care facility, HMO, or alternative health care system ever denied the Applicant's application; failed to renew his privileges; or limited, restricted, suspended, or revoked his privileges. Dr. Chalifoux answered, "NO." The ALJ found that his answer was false, based upon the actions of the Texas hospitals and facilities.

Dr. Chalifoux took exception. Dr. Chalifoux's exception for Part 6, question 6 was also the exception for Part 6, question 5.

The Panel denies the exception. Based upon the actions of the four Texas hospitals and related health care facilities, from 1997 through 2000, against Dr. Chalifoux's privileges, his answer to question 6 was intentionally false. Again, whether the information was available to the

Board from sources other than his application answers is immaterial. Likewise, the fact that the actions were taken more than 20 years ago is irrelevant. The Panel finds his answer intentionally false. The exception is denied.

ALJ's Proposed Finding of Fact 39; Part 6, 7.

The ALJ's proposed finding of fact 39 states, "The Applicant 'made full disclosure of his legal problems to the (Ohio) Board when he submitted his March 2021 application.' The Applicant did not make a similar full disclosure to the Maryland Board." (Internal citation omitted.)

Dr. Chalifoux took exception, arguing that he responded accurately to Part 6, question 7, which asked whether he has pleaded guilty or nolo contendere to any criminal charge, been convicted of a crime, or received probation before judgment. Dr. Chalifoux answered, "NO." The ALJ found, in proposed finding of fact 26, that his answer was accurate. Dr. Chalifoux's exception states that the 2017 indictment in the U.S. District Court for the Northern District of West Virginia, which resulted in a pretrial diversion agreement, is a disposition not mentioned in question 7.

Dr. Chalifoux is correct that his response to Application question 7 of Part 6 was accurate, therefore, to the extent that the ALJ's proposed finding of fact 39 concerns his criminal proceeding from the 2017 indictment, Dr. Chalifoux is correct and his exception is granted. To be clear, Dr. Chalifoux did not make full disclosure with the (Maryland) Board of his *disciplinary history*.

Summary and Conclusions concerning Health Occ. § 14-404(a)(3)(ii), (11), and (36)

Dr. Chalifoux's exceptions claim that he was confident that he had submitted correct information to the Board. That simply is not plausible. He has been heavily involved in several disciplinary and licensure actions and been disciplined and has litigated these disciplinary actions several times over more than 20 years. Yet, when, for example, he was asked such a question as has any state licensing board or disciplinary board ever taken action against his license, he

answered, "NO." Or, when asked whether a hospital has ever taken an action against his privileges, he answered, "NO." His application was replete with false, misleading and incomplete information. The Panel has no reservation in finding that his false, misleading and incomplete responses on his Application were intentional, and thus willful. *Kim*, 423 Md. at 546. They were not involuntary, inadvertent, or accidental. *Id.* Based upon Dr. Chalifoux's Application answers that were intentionally false, Panel B finds that Dr. Chalifoux violated Health Occ. § 14-404(a)(3)(ii), (11), and (36). Based upon Dr. Chalifoux's Application answers that were intentionally misleading and incomplete, Panel B finds that he violated Health Occ. § 14-404(a)(3)(ii).

II. Health Occ. § 14-404(a)(21)

Section 14-404(a)(21) of the Health Occupations Article, through § 14-205(b)(3)(i) of the Health Occupations Article, provides that a disciplinary panel may deny a license to an applicant, if the applicant, "is disciplined by a licensing or disciplinary authority . . . for an act that would be grounds for disciplinary action under this section [§ 14-404]." Section 14-404(a)(22) of the Health Occupations Article allows a disciplinary to take action for the "fail[ure] to meet appropriate standards as determined by appropriate peer review for the delivery of quality medical and surgical care performed in an outpatient surgical facility, office, hospital, or any other location in this State."^{10,11}

The ALJ found that Dr. Chalifoux violated Health Occ. § 14-404(a)(21), because he had been disciplined by the Texas Board for the failure to meet the standard of care, which would be

¹⁰ In Board decisions, a violation of Health Occ. § 14-404(a)(22) is customarily referred to as a failure to meet the standard of care, which term is used in this decision.

¹¹ The ALJ also found that the violation of Health Occ. § 14-404(a)(21) was based upon violations of Health Occ. § 14-404(a)(11) and (40). The ALJ's proposed findings of the § 14-404(a)(21) violation being based upon violations of § 14-404(a)(11) and (40) are not adopted by the Panel.

an act that would grounds for discipline under Health Occ. § 14-404(a)(22). The ALJ determined that, on June 4, 2004, the Texas Board found that Dr. Chalifoux failed to meet the standard of care in his treatment of three patients.¹²

Dr. Chalifoux's exceptions do not appear to address the ALJ's finding that the Board could deny him a license, pursuant to §§ 14-404(a)(21) and 14-205(b)(3)(i) of the Health Occupations Article. The Panel accepts the ALJ's findings that it could deny Dr. Chalifoux a license pursuant to Health Occ. §§ 14-205(b)(3)(i) and 14-404(a)(21) of the Health Occupations Article, with the ground underlying § 14-404(a)(21) being § 14-404(a)(22) of the Health Occupations Article, based upon the 2004 Texas Board action, which concluded that Dr. Chalifoux violated an accepted medical standard of care in his treatment of three patients.

III. Health Occ. § 14-307(b) – ALJ's Finding of Lack of Good Moral Character

The ALJ proposed that the Board find that Dr. Chalifoux does not meet the licensure requirement of good moral character. *See* Health Occ. § 14-307(b). The ALJ's proposal was based upon the lack of candor Dr. Chalifoux displayed in the answers he provided in his Application and from his criminal proceeding in 2017-18 in the U.S. District Court in the Northern District of West Virginia.

¹² The ALJ rejected Dr. Chalifoux's arguments that were based on his contentions (1) that the Texas Board action was based upon a sham peer review and (2) that because he has never practiced in Maryland he could not be denied a license through § 14-404(a)(21). Relying upon *Oltman v. Maryland State Board of Physicians*, 162 Md. App. 457, 487-88 (2005), the ALJ found Dr. Chalifoux could not collaterally attack the findings underlying the Texas Board decision. And relying upon *BPQA v. Felsenberg*, 351 Md. 288, 306 n.4 (1998) and *In the Matter of Joseph G. Jemsek, M.D.*, Case No. 2008-0374 (March 16, 2010) (<https://www.mbp.state.md.us/BPQAPP/orders/jemsek03.160.pdf>), the ALJ found that the Board could deny a license based upon the action of another state board under Health Occ. §§ 14-205(b)(3)(i) and 14-404(a)(21) and (22). The Panel adopts the ALJ's reasoning. *See Culver v. Maryland Insurance Commissioner*, 175 Md. App. 645 (2007).

Dr. Chalifoux took exception to the ALJ's finding of a lack of good moral character. Concerning his responses on his Application, Dr. Chalifoux states, "Upon review and in hindsight I see that the question portion of my application was botched by me." According to Dr. Chalifoux's exception, he "believed that the required FCVS would provide a complete profile of my medical history for Maryland to review . . . [and] nothing could or would be hidden from the Maryland Medical Board in the age of information." Concerning the criminal proceeding from the 2017 indictment, he says that the charges were dismissed with his pretrial diversion agreement and allegations of fraud should not support a finding that he lacks good moral character.

The Panel agrees with Dr. Chalifoux that the pretrial diversion agreement should not be used to support a finding that he lacks of good moral character. However, the Panel finds that Dr. Chalifoux's intentionally false and intentionally misleading and incomplete responses on his Application do demonstrate a lack of good moral character. Thus, the Panel finds that Dr. Chalifoux does not meet the good moral character requirement for a license of § 14-307(b) of the Health Occupations Article, but this finding is not based upon any part of the criminal proceeding from the 2017 indictment in the U.S. District Court for the Northern District of West Virginia.

IV. Lawrence Huntoon, M.D.

The ALJ accepted Dr. Chalifoux's witness, Lawrence Huntoon, M.D., as an expert witness in Sham Peer Review and the National Practitioner Data Bank (NPDB), but limited the scope of Dr. Huntoon's testimony.

Dr. Chalifoux took exception to the ALJ's limiting Dr. Huntoon's testimony. According to Dr. Chalifoux, Dr. Huntoon should have been allowed to testify that "false information is sometimes published in the NPDB." Dr. Chalifoux's exception further provides,

Also, Dr. Huntoon noted that none of this predicament would have occurred had Dr. Chalifoux not been victimized by a sham peer

review at [] Hospital [A]. Dr. Huntoon's expert testimony and his expert report would have demonstrated beyond a reasonable doubt that a sham peer review (bad faith peer review with provably false charges) was conducted at [Hospital A] and the hearing panel was totally incompetent to evaluate the procedure performed by me.

As mentioned above, the ALJ's proposed decision, relying upon *Oltman*, 162 Md. App. at 487-88, explained that Dr. Chalifoux was not permitted to collaterally attack, at this proceeding, the underlying bases of disciplinary decisions from comparable authorities. Moreover, the ALJ provided the federal statutory law and regulations allowing a health care professional the opportunity to dispute the findings included in the NPDB and for incorrect information in the NPDB to be corrected. *See* 42 U.S.C. § 11136; 45 C.F.R. § 60.21. The ALJ also explained that the NPDB requires that adequate due process be afforded health care practitioners. *See* 42 U.S.C. § 11112. As explained by the ALJ,

The NPDB requires each state's medical licensing board to require due process before posting a negative finding and it has a robust process for a physician to challenge an adverse finding. The purpose of the NPDB and the Health Care Quality Act of 1986 would be undermined if each state's medical licensing board could not accept the finding of its sister agencies.

Dr. Chalifoux does not address the ALJ's reasoning. The Board adopts the ALJ's findings and reasoning on this issue. *See also Culver v. Maryland Insurance Commissioner*, 175 Md. App. 645 (2007) (collateral estoppel precludes relitigation of an issue already decided in another action). The issues in this case do not concern how sound Hospital A's peer review was, and Dr. Chalifoux does not explain how the Hospital A peer review affects the salient issues in this matter. Dr. Chalifoux's exception is denied.

V. Four-Month Period, COMAR 10.32.01.04H

Dr. Chalifoux argues that the Board did not comply with COMAR 10.32.01.04H, which contains a four-month period for addressing applications that are not complete. Dr. Chalifoux

completed the Application on June 25, 2023, and the Board Licensure Department received it on June 28, 2023. On June 23, 2023, the Board sent Dr. Chalifoux an email stating that the FCVS profile had not been received by the Board, and that if it were not received by the Board by August 28, 2023, his Application would be officially closed. The Board received the FCVS in July 26, 2023.

In any case, COMAR 10.32.01.04H does not pertain to applications that form the basis for a formal Board action, such as the issuance of a notice of intent to deny an application for a violation of the Board's disciplinary grounds. *See* Health Occ. § 14-205(b)(3)(i). In cases in which the applicant may have intentionally answered application questions falsely or misleadingly, the Board is not required to meet the time deadlines of COMAR 10.32.01.04H. COMAR 10.32.01.04H is for cases in which the applications do not contain answers that appear to the Board to be intentionally false or misleading and do not appear to implicate a disciplinary ground, under §§ 14-205(b)(3)(i) or 14-404 of the Health Occupations Article. Dr. Chalifoux's exception is denied.

VI. Denial of Withdrawal of Application, COMAR 10.32.01.04I

COMAR 10.32.01.04I(1)(c) provides that an applicant may not withdraw an application for initial licensure without permission of the Board if the Board is investigating the applicant or a notice of intent to deny licensure was issued. COMAR 10.32.01.04I(2) provides that, in determining whether to permit the withdrawal of an application, the Board may consider such factors as: (a) whether issues of competence or conduct led to an investigation, (b) the duty to protect the public in other jurisdictions from duplicative expenditures on investigations of applications, and (c) the truthfulness of the applicant during the application process. Dr. Chalifoux sought to withdraw his application after the Notice of Intent to Deny was issued.

Dr. Chalifoux argues that he was denied due process because the Board did not inform him of the regulation governing the withdrawal of applications. Dr. Chalifoux has not provided the Panel with any law supporting his argument that due process requires that the Board inform applicants of the regulation governing withdrawals of applications, nor is the Panel familiar with any law in support of his contention. The exception is denied.

VII. Discretion on Issuing Licenses

Dr. Chalifoux argues that the Board automatically denies licenses to applicants with a prior disciplinary history. The ALJ found that the Board investigator's "testimony was uncontroverted that the Board can and does grant initial licenses to physicians with prior disciplinary history. There is no evidence that the Board applied a bright line rule automatically denying this application based on the prior disciplinary actions against the Applicant. Rather, as the Board's charges reflect, the Board placed considerable emphasis on the Applicant's failure to disclose the prior disciplinary actions."

Dr. Chalifoux took exception. Dr. Chalifoux contends that the Board investigator's "testimony that the Board does grant initial licenses to physicians with prior disciplinary history would be considered vague at best." Dr. Chalifoux does not point to any evidence that calls the Board investigator's testimony into question. The exception is denied.¹³

¹³ Dr. Chalifoux relies upon testimony from the Board investigator that the Board was interested in the resolution of his pending application in Ohio. Dr. Chalifoux asserts that the Board investigator explained that this was the reason why there was a delay in the time it took for the Board to issue the Notice of Intent to Deny. Dr. Chalifoux does not quote the investigator or cite to where the Board investigator explained this. In any case, The Board received the Application on June 28, 2023; the Ohio decision was issued on August 9, 2023; and the Notice of Intent to Deny was issued on March 5, 2024. The Panel does not find that the issuance of the Ohio decision had any significant impact on the date the Notice of Intent to Deny was issued, especially considering the extensive disciplinary history involved in this matter.

CONCLUSIONS OF LAW

Based upon the foregoing, Panel B concludes that Dr. Chalifoux: is guilty of unprofessional conduct in the practice of medicine, in violation of Health Occ. § 14-404(a)(3)(ii); willfully made or filed a false report or record in the practice of medicine, in violation of Health Occ. § 14-404(a)(11); was disciplined by a licensing or disciplinary authority for an act that would be grounds for disciplinary action under this section, in violation of Health Occ. § 14-404(a)(21); and willfully made a false representation when seeking or making application for a licensure or any other application related to the practice of medicine, in violation of Health Occ. § 14-404(a)(36). The Health Occ. § 14-404(a)(21) violation is based upon a violation of Health Occ. § 14-404(a)(22) (failure to meet appropriate standards as determined by appropriate peer review for the delivery of quality medical and surgical care performed in an outpatient surgical facility, office, hospital, or any other location in the State). Based on Dr. Chalifoux's violation of Health Occ. § 14-404(a)(3)(ii), (11), (21), and (36), there are reasons that are grounds for action under Health Occ. § 14-404, thus, pursuant to Health Occ. § 14-205(b)(3)(i), Panel B concludes it has authority to deny his application for a license to practice medicine in Maryland, under Health Occ. § 14-205(b)(3)(i). And Panel B further concludes that Dr. Chalifoux lacks the good moral character required for licensure, in violation of Health Occ. 14-307(b).

DISPOSITION

The ALJ proposed that Dr. Chalifoux's application for a license be denied. The Panel decision differs from the ALJ's proposed decision in a few areas; the Panel did grant Dr. Chalifoux's exceptions with respect to certain proposed findings of the ALJ. For instance, the Panel granted Dr. Chalifoux's exceptions concerning his response on whether he had an application for a license pending in another state and, concerning the issue of good moral character, the Panel

did not consider the pretrial disposition agreement he entered into on his criminal charges. However, considering the totality of Dr. Chalifoux's conduct, especially with respect to the intentionally false and intentionally misleading and incomplete answers on the Application, the differences with the ALJ's proposed decision are minor. With that said, Panel B finds that the denial of Dr. Chalifoux's license is warranted in this matter. There is more than a sufficient basis for denial based upon Dr. Chalifoux's intentionally false and intentionally misleading and incomplete answers on the Application. A physician's trustworthiness is paramount, and the Panel will not accept the lack of candor Dr. Chalifoux demonstrated in his Application answers.

ORDER

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

ORDERED that Applicant Roland F. Chalifoux, Jr., D.O.'s Application for a license to practice medicine in Maryland is **DENIED**.

2/17/2026
Date

Signature on File

Ellen Douglas Smith, Deputy Director
Maryland State Board of Physicians

NOTICE OF RIGHT TO JUDICIAL REVIEW

Pursuant to Health Occ. § 14-408, the Applicant has the right to seek judicial review of this Final Decision and Order. Any petition for judicial review shall be filed within thirty (30) days from the date of the mailing of this Final Decision and Order. The cover letter accompanying this Final Decision and Order indicates the date Final Decision and Order 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:

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

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

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