

IN THE MATTER OF * BEFORE THE MARYLAND
 ELIZABETH FONDONG * STATE BOARD OF
 Respondent * PHYSICIANS
 Unlicensed * Case Number: 2223-0075 B

* * * * *

CHARGES UNDER THE MARYLAND NATUROPATHIC MEDICINE ACT

Disciplinary Panel B ("Panel B") of the Maryland State Board of Physicians (the "Board") hereby charges **ELIZABETH FONDONG** (the "Respondent"), unlicensed, under the Maryland Naturopathic Medicine Act (the "Act"), Md. Code Ann., Health Occ. ("Health Occ.") §§ 14-5F-01 *et seq.* (2021 Repl. Vol. & 2022 Supp.).

Panel B charges the Respondent with violating the following provisions of the Act:

§ 14-5F-01. Definitions.

- (j) "Naturopathic doctor" means an individual who practices naturopathic medicine.
- (k) (1) "Naturopathic medicine" means the prevention, diagnosis, and treatment of human health conditions, injury, and disease using only patient education and naturopathic therapies and therapeutic substances recognized by the Council of Naturopathic Medical Education.
- (2) "Naturopathic medicine" includes:
 - (i) Counseling;
 - (ii) The practice of the mechanical sciences of healing, including mechanotherapy, articular manipulation, corrective and orthopedic gymnastics, hydrotherapy, electrotherapy, and phototherapy;
 - (iii) The practice of the material sciences of healing, including nutrition, phytotherapy, treatment by natural substances, and external applications; and

- (iv) Prescribing, dispensing, and administering nonprescription and prescription drugs and devices listed in the formulary.

§ 14-5F-29. Unlicensed practice prohibited.

- (a) Except as otherwise provided in this subtitle, an individual may not practice, attempt to practice, or offer to practice naturopathic medicine in this State without a license.

§ 14-5F-30. Unauthorized practice – Representations to public.

- (a) Unless an individual is licensed to practice naturopathic medicine, the individual may not:
 - (1) Represent to the public by title, by description of services, methods or procedures, or otherwise, that the individual is licensed by the Board to practice naturopathic medicine;
 - (2) Use the title “doctor of naturopathic medicine”, “doctor of naturopathy”, “naturopathic doctor”, or “naturopath”[.]

ALLEGATIONS OF FACT¹

Panel B bases its charges on the following facts that it has cause to believe are true:

I. Background

1. The Respondent has never been licensed to practice naturopathic medicine in the State of Maryland. She has never been licensed or certified by any health occupations licensing board in Maryland.

2. The Respondent operates a business (the “Respondent’s Business”) located in Westminster, Maryland where, among other things, the Respondent sells supplements. The Respondent’s Business also has a website (the “Respondent’s Business Website”).

¹ The allegations set forth in this document are intended to provide the Respondent with reasonable notice of the alleged facts. They are not intended as, and do not necessarily represent, a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with these charges.

II. The Complaint

3. On or about February 21, 2023, the Board received a complaint (the “Complaint”) from an individual (the “Complainant”)² alleging that the Respondent was a natural health practitioner “identifying as a medical doctor.” The Complainant filed the Complaint with the Board to inquire as to whether the Respondent was a licensed physician in Maryland.

4. The Board conducted an investigation into the Complaint.

III. The Board Investigation

5. The Board investigation included, but was not limited to, reviewing the Respondent’s publicly accessible social media; an unannounced site visit (the “Site Visit”)³ to the Respondent’s Business; subpoenaing various records, including, but not limited to, the Respondent’s records for her clients; conducting an under-oath interview with the Respondent (the “Respondent’s Interview”) and speaking with clients of the Respondent.

6. An expert (the “Expert”), Board certified in naturopathic medicine, reviewed the pertinent documents in the Board’s investigative file and opined that the Respondent represented to the public that she is a naturopathic doctor and practiced naturopathic medicine.

7. The Expert’s opinion is based on, at least in part, the Respondent’s: use of the titles “naturopathic doctor” and “doctor”; statements regarding her credentials; and practices at the Respondent’s Business, as described below.

² For confidentiality reasons, the names of individuals referenced herein, will not be disclosed in this document. The Respondent may obtain this information from the administrative prosecutor on request.

³ The Board conducted the Site Visit pursuant to Health Occ. § 14-206(d)(1)(ii).

The Respondent's Use of the Title "Naturopathic Doctor" and "Doctor"

8. On or about May 15, 2020, a publicly available video (the "Video") was posted online where the Respondent was interviewed and stated, among other things, "I'm a naturopathic doctor."

9. On or about April 27, 2023, the Board conducted the Site Visit where, upon arrival, the Respondent greeted Board staff wearing a white physician-style lab coat and introduced herself as "Doctor Liz."⁴

10. The Respondent refers to herself as "Dr. Liz" on the Respondent's Business Website.

The Respondent's Statements Regarding Her Credentials

11. In the Video, the Respondent stated:

I hold a [Doctor of Philosophy] in natural medicine,⁵ I'm a functional medicine practitioner, I am also board certified in the American Association of Drugless Practitioners.⁶

The Respondent's Practices at the Respondent's Business

12. The Respondent provides clients with medical intake forms which request extensive detail regarding medical history.

13. The Respondent also conducts laboratory testing on clients and makes treatment recommendations to clients based on the testing, including, but not limited to,

⁴ Board staff identified themselves to the Respondent and hand-delivered the Respondent a letter which notified her of the Complaint, requested her written response, and contained multiple subpoenas for documents.

⁵ A Doctor of Philosophy in natural medicine is not a clinical degree nor is the possessor of such a degree eligible for licensure as a naturopathic doctor in the State of Maryland.

⁶ American Association of Drugless Practitioners certification is not accepted as grounds for licensure in any jurisdiction that licenses naturopathic doctors in the United States or Canada.

recommendations for supplements to address health conditions.

IV. Grounds for Discipline

The Respondent's actions, while unlicensed and as set forth above, constitute, in whole or in part, a violation of the following provisions of the Act: Health Occ. § 14-5F-29, practicing, attempting to practice, and/or offering to practice naturopathic medicine in this State without a license; Health Occ. § 14-5F-30(a)(1), representing to the public by title, by description of services, methods or procedures, or otherwise, that she is licensed by the Board to practice naturopathic medicine; and Health Occ. § 14-5F-30(a)(2), using the term "naturopathic doctor."

NOTICE OF POSSIBLE SANCTIONS

If, after a hearing, a disciplinary panel of the Board finds that there are grounds for action under Health Occ. § 14-5F-29, § 14-5F-30(a)(1) and/or § 14-5F-30(a)(2), it may impose a civil fine against the Respondent in accordance with Health Occ. § 14-5F-29(c) and COMAR 10.32.21.16.

NOTICE OF DISCIPLINARY COMMITTEE FOR CASE RESOLUTION CONFERENCE, PREHEARING CONFERENCE AND HEARING


A conference before Panel B, sitting as the Disciplinary Committee for Case Resolution ("DCCR") in this matter, is scheduled for **Wednesday, March 27, 2024, at 9:00 a.m.** at the Board's office, 4201 Patterson Avenue, Baltimore, Maryland 21215. The Respondent must confirm in writing her intention to attend the DCCR. The Respondent should send written confirmation of her intention to participate in the DCCR to: Christine A. Farrelly, Executive Director, Maryland State Board of Physicians, 4201 Patterson

Avenue, 4th Floor, Baltimore, Maryland 21215. The nature and purpose of the DCCR is described in the attached letter to the Respondent.

If the case cannot be resolved at the DCCR, a pre-hearing conference and a hearing in this matter will be scheduled at the Office of Administrative Hearings, 11101 Gilroy Road, Hunt Valley, Maryland 21031. The hearing will be conducted in accordance with Md. Code Ann., Health Occ. § 14-405 and Md. Code Ann., State Gov't §§ 10-201 *et seq.* (2021 Repl. Vol. & 2022 Supp.).

ANTHONY G. BROWN
Attorney General of Maryland

11/30/23
Date


Katherine Vehar-Kenyon, Assistant Attorney General
Administrative Prosecutor
Maryland Office of the Attorney General
Health Occupations Prosecution & Litigation Division
300 West Preston Street, Suite 201
Baltimore, Maryland 21201
(410) 767-1874
katherine.veharkenyon@maryland.gov