

IN THE MATTER OF * BEFORE THE MARYLAND
JEREMY MARGARETTE VIDAL, M.D. * STATE BOARD
Applicant * OF PHYSICIANS
* CASE NO.: 2224-0081B

* * * * *

**NOTICE OF INTENT TO DENY APPLICATION FOR INITIAL MEDICAL
LICENSURE UNDER THE MARYLAND MEDICAL PRACTICE ACT**

Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) hereby notifies **JEREMY MARGARETTE VIDAL, M.D.** (the “Applicant”) of its intent to deny her Initial Application for Medical Licensure (the “Application”) under the Maryland Medical Practice Act (the “Act”), codified at Md. Code Ann., Health Occ. §§ 14-101 et seq. (2023 Repl. Vol.).

The pertinent provisions of the Act provide the following:

Health Occ. § 14-205. Miscellaneous powers and duties.

(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 . . . for:

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

Health Occ. § 14-404. Denials, reprimands, suspensions, and revocations – Grounds.

(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:

....

(4) Is professionally, physically, or mentally incompetent[.]

ALLEGATIONS OF FACT¹

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

1. On or about October 16, 2023, the Applicant submitted the Application for Initial Medical License to the Board.
2. The Application contained a series of questions to which the Applicant was required to respond “YES” or “NO”. The Application requested a written explanation for any “YES” responses.
3. The Applicant responded “YES” to three questions on the Postgraduate Training and the Character and Fitness sections of the Application:

Part 4 - Postgraduate Training

C. During the years of postgraduate training, was any action taken against you by any training program, hospital, medical board, licensing authority or court? Such

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.

actions include but are not limited to investigations, limitations of privileges or special conditions, requirements imposed for academic incompetence, disciplinary actions, probationary action, etc.

Part 6 - Character and Fitness

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

Question 15. Have you ever voluntarily resigned or terminated a contract with any hospital, HMO, other health care facility, health care provider, institution, armed services, or the Veterans Administration while under investigation by that institution for disciplinary reasons?

4. The Applicant provided written explanations for her affirmative responses.

Specifically, the Applicant stated:

YES - I was placed on probation during my transition from PGY2 to PGY3 in 2021 due to concerns with my academic competence and meeting the requirements for promotion into a PGY3 OBGYN resident. A family emergency at the beginning of my PGY2 year had negatively affected my overall performance, thus delaying my progression compared to my peers. This probation was resolved after 3 months, and ultimately resulted into [sic] my promotion into a PGY3 resident. I was again placed on probation towards the end of my PGY3 year in 2022 for similar reasons, i.e. concerns for academic competence and meeting the requirement for promotion into a PGY4 resident. I was subsequently placed on suspension in April of 2023 from my clinical duties after the faculty deemed that I was not meeting all of the requirements for promotion. I resigned my position and, with the support of my program and the GMEC, I am currently in the process of transferring into another OBGYN residency program that will be able to support me in completing my training.

Board Investigation

5. On or about December 1, 2023, the Board informed the Applicant that further investigation was warranted based on her affirmative answers on the Application.

6. As a part of its investigation, the Board reviewed the Maryland Board of Physicians Verification of Postgraduate Medical Education which was completed by the Program Director of the institution where the Applicant initiated her postgraduate training in Obstetrics and Gynecology.

7. The Program Director responded “YES” to two questions on the verification and provided a Verification of Postgraduate Medical Education Addendum which provided the following explanation to the affirmative responses:

Question 7. During the period of training, was any action taken against the applicant by any training program, hospital, medical board, licensing authority, or court? Such actions include, but are not limited to investigations, limitations of privileges or special conditions, requirements imposed for academic incompetence, disciplinary actions, probationary actions, etc.

Addendum Response: [The Applicant] was placed on probation 5/10/2021 until 10/18/2021 due to academic performance as well as concerns for clinical assessment skills. She underwent a performance improvement plan in both areas and was deemed to have successfully completed it, allowing her to come off probation and be advanced to a PGY3.

[The Applicant] was placed again on academic probation on 3/27/2022. She went through multiple performance improvement plans and studying plans. During this time frame, she continued to function as a PGY3. She was still in performance improvement plans and remediation upon leaving the program 6/23/2023 and remained a PGY3.

Question 8. In each year of training, did the applicant demonstrate sufficient academic and clinical ability to qualify for advancement without conditional or probationary status to the next year and next progressive level or responsibility in a designated speciality program?

Addendum Response: [The Applicant] was promoted on time from PGY1 to PGY2. [The Applicant] was placed on probation, delaying her advancement from PGY2 to PGY3. This probation was from 5/10/2021 to 10/18/2021. She then remained as a PGY3 for the rest of her time in the residency program, not having fully met the academic and clinical criteria for advancement to a PGY4.

Grounds for denial

8. Under Health Occ. § 14-205(b)(3)(i), a Board disciplinary panel may deny a license for any of the reasons that are grounds for action under Health Occ. § 14-404. The Applicant's actions, as described above, constitute, in whole or in part, grounds for a Board disciplinary panel to deny her Application under the following provisions of Health Occ. § 14-404(a): Health Occ. § 14-404(a)(4). Acts that would be grounds for disciplinary action under Health Occ. § 14-404(a) include the following: (4) Is professionally, physically, or mentally incompetent.

NOTICE OF AN OPPORTUNITY FOR A HEARING

In accordance with the Administrative Procedure Act, Md. Code Ann., State Gov't §§ 10-201 et. seq. (2023 Repl. Vol.), Disciplinary Panel B of the Board hereby notifies the Applicant of her opportunity for a hearing before a disciplinary panel of the Board makes a final decision in this case. The Applicant must request a hearing WITHIN

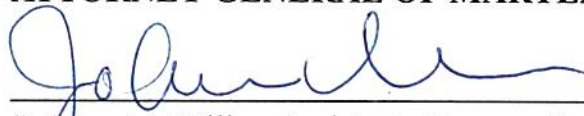
THIRTY (30) DAYS from the date of this notice. The request for a hearing must be made in writing to:

Christine A. Farrelly, Executive Director
Maryland State Board of Physicians
4201 Patterson Avenue, 4th Floor
Baltimore, MD 21215
Phone: (410) 764-4777
Fax: (410) 358-1298

If a written request is made within thirty (30) days from the date of this notice, a Disciplinary Committee for Case Resolution (“DCCR”) will be scheduled before Disciplinary Panel B. If the case cannot be resolved by consent, a prehearing conference and a hearing before an Administrative Law Judge will be scheduled.

If Disciplinary Panel B does not receive a written request for a hearing within thirty (30) days from the date of this notice, Disciplinary Panel B will sign the attached Final Order, denying the Applicant’s Application for initial license to practice medicine in the State of Maryland.

ANTHONY G. BROWN
ATTORNEY GENERAL OF MARYLAND



JoAnna M. Miller, Assistant Attorney General
Administrative Prosecutors
Maryland Office of the Attorney General
Health Occupations Prosecution & Litigation Div.
300 West Preston Street, Suite 201
Baltimore, Maryland 21201
Direct: (410) 767-3448

4/8/2024
Date