

**IN THE MATTER OF** \* **BEFORE THE MARYLAND**  
**BRANDON A. NELSON, A.T.** \* **STATE BOARD OF**  
**Respondent** \* **PHYSICIANS**  
**License Number: A01530** \* **Case Number: 2224-0042 B**

\* \* \* \* \*

**CONSENT ORDER**

Based on an investigation conducted by the Maryland State Board of Physicians (the “Board”), Disciplinary Panel B of the Board has grounds to charge **BRANDON A. NELSON, A.T.**, (the “Respondent”), License Number A01530, with violating the Maryland Athletic Trainers Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) §§ 14-5D-01 *et seq.* (2021 Repl. Vol. & 2023 Supp.).

Specifically, Disciplinary Panel B has grounds to charge the Respondent with violating the following provisions of the Act:

**Health Occ. § 14-5D-17. License required to practice athletic training**

Unless authorized to practice athletic training under this subtitle, a person may not:

- (1) Practice athletic training in this State;
- (2) Attempt to practice or offer to practice athletic training in this State;
- (3) Represent to the public by title, by description of services, methods, or procedures, or otherwise, that the person is authorized to practice athletic training in this State; or
- (4) Use the abbreviation “A.T.”, “A.T.L.”, “L.A.T.”, or any other words, letters, or symbols with the intent to represent that the person practices athletic training.

**Health § 14-5D-11. Supervision of licensed physician required to practice athletic training**

....

(b) Before an athletic trainer may practice athletic training, the athletic trainer shall:

- (1) Obtain a license under this subtitle;
- (2) Enter into a written evaluation and treatment protocol with a licensed physician; and
- (3) Except as provided in §14-5D-11.3(a) of this subtitle, submit an original, signed copy of the evaluation and treatment protocol for Board approval.

Prior to the issuance of disciplinary charges, the Respondent agreed to enter into this public Consent Order, which consists of Findings of Fact, Conclusions of Law and Order.

**FINDINGS OF FACT**

Disciplinary Panel B makes the following Findings of Fact:

**I. Practicing without a License or Evaluation and Treatment Protocol**

1. Before being licensed to practice athletic training, the Respondent began working as an assistant athletic trainer at an institution of higher learning (the “Institution”)<sup>1</sup> in Maryland on or about August 18, 2022.

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<sup>1</sup> The names of institutions and individuals in this document are confidential.

2. The Respondent practiced as an assistant athletic trainer at the Institution for approximately eight (8) months without a license to practice athletic training in Maryland and without an approved Evaluation and Treatment Protocol.

3. The Respondent used the abbreviations “MS,” “LAT”, and “ATC” on patient medical reports during that time period.

## **II. The Application**

4. On February 8, 2023, the Board received an Athletic Trainer Application for Licensure (the “Application”) from the Respondent.

5. Question #9 of the Application asks the following:

“Beginning with the date you completed your Athletic Trainer Program, list employment activities as an athletic trainer. Also list any other health related employment. Explain any lapse over 1 year in which you were not employed[.]”

6. The Respondent listed his athletic trainer program graduation date as May 2019 and listed only one employment activity after graduation between July 2019 and June 2022. The Respondent did not provide additional information.

7. The Respondent was asked to provide a written statement on his employment activities after June 2022.

8. On March 31, 2023, the Respondent provided a written statement to the Board stating that he was “recently hired at [the Institution] as an Athletic Trainer.”

9. On April 5, 2023, the Board approved the Respondent’s Application, and he was licensed to practice athletic training. The notice enclosed advised the Respondent that he “was not authorized to practice as an athletic trainer until [he] and [his] supervising

physician have received written acknowledgement of the Board's receipt of [his] Evaluation and Treatment Protocol." His license is scheduled to expire on June 30, 2025, subject to renewal.

10. On April 24, 2023, the Board approved the Respondent's Evaluation and Treatment Protocol.

### **III. Board Investigation**

11. The Board subpoenaed and received patient records that demonstrated that the Respondent practiced as an assistant athletic trainer and used of the abbreviations "MS," "LAT", and "ATC" on patient medical reports in the eight months preceding his licensure and the approval of his Evaluation and Treatment Protocol.

12. On or about August 3, 2023, the Board received the Respondent's written response to the Board's investigation. The Respondent stated, among other things, that "this was a terrible lapse in my ability to complete paperwork adequately and I greatly apologize."

### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, Disciplinary Panel B concludes as a matter of law that the Respondent practiced athletic training without a license and without an approved evaluation and treatment protocol, in violation of Health Occ. § 14-5D-17 and Health Occ. § 14-5D-11.

### **ORDER**

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

**ORDERED** that, **within ONE YEAR** from the effective date of this Consent Order, the Respondent shall pay a civil fine of **ONE THOUSAND DOLLARS (\$1,000)**. The payment shall be by money order or bank certified check made payable to the Maryland Board of Physicians and mailed to P.O. Box 37217, Baltimore, Maryland 21297. The Board will not renew or reinstate the Respondent's license if the Respondent fails to pay the fine; and it is further

**ORDERED** that the effective date of the 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 the disciplinary panel which has imposed the terms and conditions of this Consent Order; and it is further

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

12/20/2023

*Signature On File*

Christine A. Farrelly, Executive Director  
Maryland State Board of Physicians

CONSENT

I, Brandon A. Nelson, Respondent, acknowledge that that I am aware of my right to consult with and be represented by counsel in considering this Consent Order and in any proceedings that would otherwise result from charges. 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 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 any disciplinary charges that may be issued against me. 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 waive those procedural and substantive protections. 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 of the matter. I waive any right to contest the Findings of Fact 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.

12/11/23  
Date \_\_\_\_\_

*Signature On File*

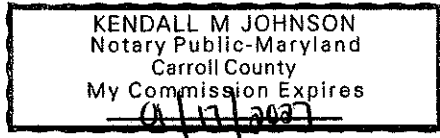
\_\_\_\_\_  
Brandon A. Nelson, A.T.

NOTARY

STATE OF MARYLAND  
CITY/COUNTY OF Carroll

I HEREBY CERTIFY that on this 11th day of December, 2023,  
before me, a Notary Public of the foregoing State and City/County personally appear  
Brandon A. Nelson, A.T., and made an oath in due form of law that signing the foregoing  
Consent Order was his voluntary act and deed.

AS WITNESSETH my hand and notary seal.



Kendall M Johnson  
Notary Public

My commission expires: 01/17/2027