

IN THE MATTER OF * BEFORE THE MARYLAND
 ALBERTO CABANTOG, M.D. * STATE BOARD OF
 Applicant * PHYSICIANS
 * Case Number: 2225-0098B

* * * * *

CONSENT ORDER

PROCEDURAL BACKGROUND

Based on information received regarding the Application for Initial Medical Licensure of Alberto Cabantog, M.D. (the “Applicant”), Disciplinary Panel B of the Maryland State Board of Physicians (the “Board”) has grounds to deny the application under the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. §§14-101 *et seq.*

The Board received information that the Applicant was disciplined by the New York State Board for Professional Medical Conduct (the “New York Board”)¹. In a Consent Agreement and Order dated June 12, 2019, the New York Board imposed a reprimand, monetary penalty, and placed the Applicant on probation for 36 months.

Based on the above-referenced New York Board sanction, the Maryland Board has grounds to deny the application under H.O. §14-205(b)(3)(i):

- (a) 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[.]

The ground for disciplinary action under H.O. §14-404 is:

¹ New York Education Law § 6530(32) (failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient)

- (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 Veteran's 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 Applicant was disciplined in New York 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 follows:

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

- (a) Subject to the Administrative Procedure Act and the hearing provisions of §14-405 of this title, 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:

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

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

FINDINGS OF FACT

Panel B makes the following findings of fact:

1. On or about September 23, 2024, the Board received the Applicant's Application for Initial Medical Licensure, wherein he answered "yes" to the following character and fitness questions:

2. 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.

3. 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?
 4. Have you ever withdrawn your application for a medical license or other health professional license?
 6. Has a hospital, related health care facility, HMO, or alternative health care system ever denied your application; failed to renew your privileges, including your privileges as a resident; or limited, restricted, suspended, or revoked your privileges in any way?
 11. Have any malpractice claims or other claims for money damages ever been filed against you? Include past claims as well as any claim that is now pending, has been dismissed, has been settled, or which has resulted in a damages award against you or your medical practice.
 14. Has your employment or contractual relationship with any hospital, HMO, other health care facility, health care provider, institution, armed services, or the Veterans Administration ever been terminated for disciplinary reasons?
2. Based on the Applicant's affirmative response in this Application, the Board initiated an investigation of the Applicant.
3. On June 12, 2019, the New York State Board for Professional Medical Conduct (the "New York Board") imposed a monetary penalty, reprimand, and placed the Applicant on probation for 36 months based on allegations contained in a December 18, 2018, Florida Board of Medicine (the "Florida Board") Final Order and Settlement Agreement. The Final Order imposed disciplinary action against the Applicant for failing to meet the minimum standard of care of office surgeries based on, in part, poor and incomplete chart documentation and failure to comply with pre-operative evaluation.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Panel B concludes as a matter of law that the Applicant is subject to discipline under Health Occ. § 14-205(b)(3)(i) and Health Occ. § 14-404(a)(21) for the disciplinary action taken by the New York Board against the Applicant for an act or acts that would be grounds for disciplinary action under Health Occ. §14-404(a)(22) and (40).

ORDER

It is, thus, by Disciplinary Panel B, hereby:

ORDERED that the Application for Initial Medical Licensure of Alberto Cabantog, M.D. is hereby **GRANTED**; and it is further

ORDERED that Alberto Cabantog, M.D. is **REPRIMANDED**; 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).

12/12/2024
Date

Signature on file

Christine A. Farrelly
Executive Director
Maryland Board of Physicians

CONSENT

I, Alberto Cabantog, M.D., acknowledge 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 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 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 charges. 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.

Signature on file

12/10/2024
Date

Alberto Cabantog, M.D.
Applicant

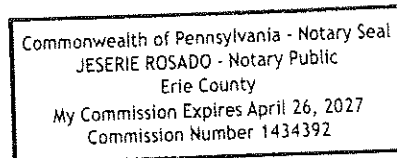
NOTARY

STATE OF Pennsylvania
CITY/COUNTY OF Erie

I HEREBY CERTIFY that on this 10 day of December, 2024, before me, a Notary Public of the State and City/County aforesaid, personally Alberto Cabantog, M.D., and made oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

Jeserie Rosado
Notary Public



My Commission expires: April 26, 2027