

**IN THE MATTER OF  
ADVENTIST HEALTHCARE WHITE  
OAK MEDICAL CENTER**

**Respondent**

**\* BEFORE THE MARYLAND  
\* STATE BOARD  
\* OF PHYSICIANS  
\* Case Number: 2222-0061 A**

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**CONSENT ORDER**

On January 21, 2022, Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the “Board”) notified Adventist HealthCare White Oak Medical Center (the “Respondent”) of its failure to comply with the following provisions of the Maryland Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Act (the “Act”), Md. Code Ann., Health Occ. § 14-5B-18.1(b) (2021 Repl. Vol.):

**§ 14-5B-18.1. Employment of individuals without license prohibited.**

(b) *Hospitals, institutions, alternative health systems, or other employers.* - Except as otherwise provided in this subtitle, a hospital, related institution, alternative health system, or employer may not employ an individual practicing radiation therapy, radiography, nuclear medicine technology, or radiology assistance without a license.

(c) *Penalty.* - A disciplinary panel may impose a civil penalty of up to \$1,000 for employing an individual without a license under this section.

On April 13, 2022, Panel A was convened as a Disciplinary Committee for Case Resolution (“DCCR”) in this matter. Based on negotiations occurring as a result of this DCCR, the Respondent agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law and Order.

## **FINDINGS OF FACT**

Panel A finds:

### **BACKGROUND**

1. Adventist HealthCare White Oak Medical Center is a hospital with 180 private patient rooms, and serves patients in Montgomery, Prince George's and surrounding counties. The Respondent is located at 11890 Healing Way, Silver Spring, Maryland 21904. From on or about November 9, 2020 until on or about April 20, 2021, the Respondent employed a Radiographer (the "Radiographer") who was not licensed to practice radiography in the State of Maryland. The Radiographer originally was licensed to practice radiography in the State of Maryland on October 28, 2004. The Radiographer's license expired on April 30, 2005. On May 11, 2021, the Radiographer's license to practice radiography was reinstated.

### **The Complaint**

2. On or about May 11, 2021, the Board received a referral from the Board's Allied Health Unit that the Radiographer submitted a reinstatement application on April 20, 2021. The referral stated that the Radiographer's "license expired on April 30, 2005. She has been practicing in Maryland from September 2004 to present." After reviewing this referral, the Board opened an investigation of the Radiographer.

### **The Board Investigation**

3. In furtherance of its investigation, Board staff subpoenaed personnel files and timekeeping records from the Respondent, and reviewed documents and records pertaining to the Radiographer's application for reinstatement. On September 8, 2021, the Board notified the Respondent by letter that it also was opening an investigation against

Adventist HealthCare White Oak Medical Center. On September 22, 2021, the Respondent also submitted a written response to the Board.

4. In its September 22, 2021 written response to the Board, the Respondent stated that at “the time of this incident, there was significant turnover in our Talent and Acquisition Department and the recruiter was relatively new in his role.” As a result, “this error went unnoticed during her onboarding process but was caught by the supervisor, during an internal audit.” The Respondent stated to “ensure that a mistake like this does not happen again, Adventist Healthcare now has two approval layers. The new process requires the recruiter for the position and the recruitment onboarding team now verify that a new hire’s license is valid and has not expired.” In addition, the Respondent stated it has new software “that is setup to run a monthly report that verifies employees’ licenses have not expired and the date the license must be renewed.”

#### **CONCLUSIONS OF LAW**

Based on the foregoing findings of fact, Disciplinary Panel A concludes as a matter of law that the Respondent employed an individual to practice radiography without a license, in violation of Md. Code Ann., Health Occ. § 14-5B-18.1(b).

#### **ORDER**

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

**ORDERED** that within **60 DAYS** from the effective date of this Consent Order, the Respondent shall pay a civil fine of **ONE (1) 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; 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 or her designee 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 Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6) (2021 Repl. Vol.).

05/05/2022  
Date

*Signature On File*

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

**CONSENT**

I, \_\_\_\_\_, Agent for the Respondent, acknowledge that I have consulted with counsel before signing this document.

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.

5/3/22  
Date

Anthony Stahl  
Agent for the Respondent (Printed Name)

***Signature On File***

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Agent for the Respondent (Signature)

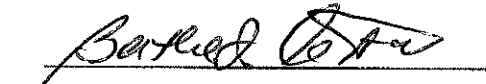
**NOTARY**

STATE OF MARYLAND

CITY / COUNTY OF ANNE ARUNDEL

I HEREBY CERTIFY that on this 03 day of MAY 2022,  
before me, a Notary Public of the foregoing State and City/County, personally appeared  
ANTHONY STAHL, Agent for the Respondent, and made oath in due form of  
law that signing the foregoing Consent Order was his voluntary act and deed.

AS WITNESSETH my hand and notarial seal.

  
Notary Public

My Commission expires: 12/15/2022

