

IN THE MATTER OF
SAMER BOLIS, D.O.

* BEFORE THE MARYLAND
* STATE BOARD OF PHYSICIANS

Applicant

* Case Number: 2219-0184 B

* * * * *

CONSENT ORDER

On October 25, 2019, Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”), issued a Notice of Intent to Deny Initial Licensure Under the Maryland Medical Practice Act (the “Act”) to **SAMER BOLIS, D.O.**, (the “Applicant”), under Md. Code Ann., Health Occ. (“Health Occ.”) §§ 14-101 *et seq.* (2014 Repl. Vol. & 2019 Supp.).

Panel B based its intent to deny on the following provisions:

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 or, if an applicant has failed to renew the applicant’s license, refuse to renew or reinstate an applicant’s license for:

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

Health Occ. § 14-307. Qualifications of applicants.

...

(b) *Moral character.* – The applicant shall be of good moral character.

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

(a) *In general.* - 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:

...

(3) Is guilty of:

- (i) Immoral conduct in the practice of medicine; or
- (ii) Unprofessional conduct in the practice of medicine[.]

On December 18, 2019, Panel B was convened as a Disciplinary Committee for Case Resolution (“DCCR”) in this matter. Based on negotiations occurring as a result of this DCCR, the Applicant agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

Panel B finds:

I. Background

1. The Applicant was initially licensed to practice medicine in Pennsylvania on October 27, 2016. The license expired and became inactive on October 31, 2018. The license was renewed and reactivated on July 29, 2019 and is currently active. There is no disciplinary action reported in Pennsylvania.

II. The Application

2. On or about March 7, 2019, the Board, received the Applicant’s Application for Initial Medical Licensure (the “Application”).

3. Question 13 A on the Application asks whether the Applicant has had a break

in the years of postgraduate training; and if the answer is “yes,” to provide an explanation.

4. Question 13 C asks whether during the years of postgraduate training, was any action taken against you by any training program, hospital, medical board, licensing authority, or court; and if the answer is “yes,” to provide and explanation.

5. The Applicant answered “yes” to both 13 A and 13 C.

6. Regarding the “Character and Fitness” Questions, the Applicant answered “Yes” to Questions 16 c, 16 e, 16 f, and 16 n.

7. Question 16 c asks:

Has any licensing or disciplinary board in any jurisdiction (including Maryland), a comparable body in armed services, or the Veterans Administration, ever filed any complaints or charges against you or investigated you for any reason?¹

8. Question 16 e asks:

Has a hospital, related healthcare institution, HMO, or alternative healthcare system ever investigated you or ever brought charges against you?

9. Question 16 f asks:

Has a hospital, related healthcare facility, HMO, or alternative healthcare 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?

10. Question 16 n asks:

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?

¹ The investigative file did not contain any evidence of the Applicant having been investigated by a licensing or disciplinary board, a comparable body in the armed services, or the Veterans Administration or having any complaints or charges filed against him.

11. As an explanation for why he answered “yes” to Questions 13 A and C and Questions 16 c, 16 e, 16 f, and 16 n, the Applicant attached to the Application a statement which is summarized as follows:

I began moonlighting at the [health facility in Pennsylvania] inpatient surgical center in December 2016 as a PGY2 resident. Only exceptional residents were allowed this privilege based on their clinical performance and in-service exam scores. After a year of averaging eight or more additional shifts per month, I began to delve into more stress.

I... began to make thoughtless decisions, not adhering to the employment policy by often leaving the site despite knowing that the facility required constant staffing by a physician...I also took the liberty of using miscellaneous tools and medical supplies for personal reasons outside the facility. On one occasion, my daughter was feverish and instead of asking to be excused or finding coverage, I took the liberty of using the center’s otoscope and thermometer and left to check on her...I would borrow items like a screwdriver, drill or set of keys² to use for various reasons at home. I did this for weeks before bringing the items back, not considering that someone would need to use them in the meantime. ...I was asked to leave the [center]/residency.

Since that time, I have adhered to the recommendations of the [health facility in Pennsylvania] counselor along with my personal counselor to address some of the underlying stress, naïve thinking, and poor decision making that led to these conflicts.

I was given a second chance by the [New Jersey] internal medicine residency program and will complete PGY3 in June 2019. I have the full support of my current programs’ faculty and have demonstrated decent behavior and exceptional work ethic throughout this year.

I have owned up to my mistake and accepted the consequences. I welcome any additional questions, concerns, or feedback.

12. In addition to the statement, the Applicant provided the following supporting

² These were Allen keys or hex keys which are used for driving bolts and screws with a hexagonal socket.

documents:

- a. Report of July 20, 2018, from the Physicians' Health Program of the Foundation of the Pennsylvania Medical Society ("PHP") that there has been no relapse in the symptomatic behavior³;
- b. Report of October 11, 2018, from the PHP that he has been managing stress well; and
- c. Report of January 7, 2019, from the Professional Assistance Program of New Jersey to the PHP stating that the Applicant remains in compliance with the treatment/monitoring program developed for him.

III. Investigation

13. On or about May 21, 2019, the Board notified the Applicant that a full investigation had been opened based on information he provided in his Application.

14. On or about June 25, 2019, the Board received the Applicant's quality assurance/risk management/personnel file ("QA/RM/personnel file") from the Pennsylvania health facility where the Applicant was doing his residency and where he "moonlighted" which revealed the following:

- a. The Applicant was hired on June 15, 2015 as a PGY1 and was terminated on March 12, 2018, during his PGY3 year;
- b. The Applicant was terminated based on a violation of the employee policy on "theft." Specifically, on March 1, 2018, the Applicant was observed entering the Engineering storage area in the evening and leaving with a power cord. He was then observed a little later in the same evening bringing back two 14-volt drills with batteries, an Allen keyset and drill bit. These items may have been removed in December 2017. The Applicant was then observed leaving the area with two new 20-volt Dewalt drills, four new drill batteries, one old drill battery, a new Allen key set and a new Dewalt drill bit set. On March 8, 2018, the Applicant admitted to taking the items;

³ The Applicant stated that he voluntarily enrolled in the PHP.

- c. The Applicant successfully completed 32 months of internal medicine training; and
 - d. A letter of recommendation from the Program Director of the Internal Medicine and Transition Programs of the Department of Medicine at the Pennsylvania health facility.
15. On May 29 and May 30, 2019, the Applicant submitted the following additional documents to the Board describing his treatment/monitoring:
- a. A May 20, 2019, report from the Applicant's treating psychologist stating that the Applicant has been attending treatment since 2018 and he "is prioritizing self-care and has established health routines;"
 - b. A May 29, 2019 letter from the Professional Assistance Program of New Jersey to the Applicant, stating that he has completed a full year of monitoring with no evidence of any disorder found. His case was closed on May 21, 2019; and
 - c. A May 22, 2019 letter from the PHP to the Applicant stating that he no longer requires monitoring by the Voluntary Recovery Program.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Panel B concludes that the Applicant is guilty of unprofessional conduct in the practice of medicine in violation of Health Occ. § 14-404(a)(3)(ii).

Panel B concludes that Applicant is not guilty of immoral conduct in the practice of medicine, *see* Health Occ. § 14-404(a)(3)(i), and that he does not lack good moral character, *see* Health Occ. § 14-307.

ORDER

It is thus by Disciplinary Panel B of the Board, hereby:

ORDERED that **SAMER BOLIS, D.O.**'s application for license to practice medicine in Maryland is **GRANTED**; and it is further

ORDERED that Dr. Bolis 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).

01/14/2020
Date

Signature on File

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians

CONSENT

I, Samer Bolis, D.O. acknowledge that I have consulted with counsel before signing this document.

By this Consent, I agree to be bound by this Consent Order and understand that the disciplinary panel will not entertain any request for amendments or modifications.

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 intent to deny licensure. 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 the Consent Order as a resolution of the notice of intent to deny. 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.

1 / 10 / 2020

Date

Signature on File


Samer Bolis, D.O.
Respondent

NOTARY

STATE OF Pennsylvania
CITY/COUNTY OF Philadelphia

I HEREBY CERTIFY that on this 10th day of JANUARY 2020, before me, a Notary Public of the foregoing State and City/County, personally appeared Samer Bolis, D.O., 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.

Donna M. Packard

Notary Public

My Commission expires: 12-1-2022

