

IN THE MATTER OF
COURTNEY MISHLER, P.A.

Respondent

License Number: C0006071

*** BEFORE THE**
*** MARYLAND STATE**
*** BOARD OF PHYSICIANS**
*** Case Number: 2224-0141A**

* * * * *

CONSENT ORDER

In or around April 2023, the Maryland State Board of Physicians (the “Board”) initiated an investigation of **COURTNEY MISHLER, P.A.**, License Number C0006071, after discovering that she was practicing as a physician assistant in Maryland under the supervision of a physician (the “Physician”)¹ without a Board-approved delegation agreement. At the conclusion of its investigation, Panel A determined that it has grounds to charge the Respondent with failing to comply with provisions of the Maryland Physician Assistants Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) §§ 15-101 *et seq.* (2021 Repl. Vol. & 2023 Supp.).

The pertinent provisions of the Act are as follows:

Health Occ. § 15-314. Denials, probations, suspensions, revocations.

- (a) Subject to the hearing provisions of § 15-315 of this subtitle, a disciplinary panel, on the affirmative vote of a majority of the quorum, may reprimand any physician assistant, place any physician assistant on probation, or suspend or revoke a license if the physician assistant:

.....

¹ To ensure confidentiality, the names of individuals, hospitals and healthcare facilities involved in this case are not disclosed in this document.

- (45) Fails to comply with any State or federal law pertaining to the practice as a physician assistant[.]

The pertinent provisions under the Act and Md Code Regs. (“COMAR”) provide:

Health Occ. § 15-302. Delegation Agreements.

- (a) A physician may delegate medical acts to a physician assistant only after:
 - (1) A delegation agreement has been executed and filed with the Board[.]

COMAR 10.32.03.05 Delegation Agreements – Contents.

- A. Before a physician may delegate medical acts and before a physician assistant may perform medical acts, the physician assistant and primary supervising physician shall file with the Board:
 - (1) A delegation agreement on the Board-approved form; and
 - (2) The required fee as specified in Regulation .16 of this chapter.

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

FINDINGS OF FACT

Panel A finds the following facts:

- 1. At all times relevant, the Respondent was and is licensed to practice as a physician assistant in the State of Maryland. The Respondent initially was licensed to practice as a physician assistant in Maryland on February 19, 2016, under License Number C0006071. The Respondent’s license expires on June 30, 2025, subject to renewal.

2. At all times relevant, the Respondent practiced as a physician assistant for a physician (the “Physician”) licensed in Maryland, who was an independent contractor at a health care facility (the “Facility”) located in Salisbury, Maryland.

3. By letter dated June 6, 2023, the Facility notified the Board of an “oversight that occurred within our organization regarding the filing of a supervising physician delegation agreement for Courtney Mishler.” The Facility stated that it had corrected the mistake and completed the delegation agreement.

4. Based on the Facility’s June 6, 2023, letter, the Board initiated an investigation of the matter.

5. The Board’s investigation revealed that the Respondent began working at the Facility on September 29, 2021, and treated patients under the Physician’s supervision until April 27, 2023, without a Board approved delegation agreement.

6. On or about April 27, 2023, the Respondent and the Physician filed the required delegation agreement with the Board, which the Board approved on April 28, 2023.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Panel A concludes as a matter of law that the Respondent practiced as a physician assistant and treated Patients in Maryland from September 29, 2021, to April 27, 2023, without a delegation agreement having been executed and filed with the Board, which constitutes a violation of Health Occ. § 15-314(a)(45), § 15-302(a)(1) and COMAR 10.32.03.05A(1) and (2).

ORDER

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

ORDERED that the Respondent be and hereby is **REPRIMANDED**; and it is further

ORDERED that, **within 6 months** 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 bank certified check or money order made payable to the Maryland Board of Physicians, 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 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.).

Signature On File

06/26/2024
Date

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

CONSENT

I, Courtney Mishler, M.D., 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.

By this Consent, I agree to be bound by this Consent Order and all its terms and conditions and understand that the Board will not entertain any request for amendments or modifications to any condition.

I am aware of the right to a hearing before the Board pursuant to COMAR 10.32.22.06 concerning any disciplinary charges that could have been issued against me. I waive this right and elect 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 substantive and procedural protections. I acknowledge the legal authority and the jurisdiction of the Board 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 this Consent Order as a resolution of the pending disciplinary matters. I waive any right to contest the Findings of Fact and the Conclusions of Law set out in this Consent Order. I waive all right to appeal this Consent Order.

I sign this Consent Order without reservation, and I fully understand and

comprehend the language and meaning of its terms.

5/25/2026

Date

Signature On File

Courtney Mishler, P.A.
The Respondent

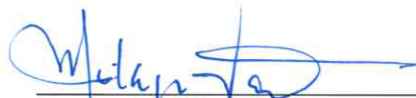
NOTARY

STATE OF MARYLAND

CITY / COUNTY OF WICOMICO

I HEREBY CERTIFY that on this 25 day of MAY 2024, before me, a Notary Public of the foregoing State and City/County, personally appeared Courtney Mishler, P.A. and made oath in due form of law that signing the foregoing Consent Order was her voluntary act and deed.

AS WITNESSETH my hand and notarial seal.



Notary Public

My commission expires: May 25, 2026

