

IN THE MATTER OF * BEFORE THE MARYLAND
TYSON E. BUBNAR, PA-C * STATE BOARD OF
Respondent * PHYSICIANS
License Number: C0008701 * Case Number: 2225-0073

* * * * *

CONSENT ORDER

PROCEDURAL BACKGROUND

The Maryland Board of Physicians (the “Maryland Board”) received information that Tyson E. Bubnar, PA-C (the “Respondent”), License Number C0008701, was disciplined by the Alaska State Medical Board (the “Alaska Board”). In a Consent Agreement and Order (“Order”) dated August 9, 2024, the Alaska Board disciplined the Respondent by issuing a reprimand and assessing a fine.

Based on the above-referenced Alaska Board sanction, the Maryland Board has grounds to charge the Respondent with violating the following provisions of the Maryland Medical Practice Act (the “Act”) under H. O. § 15-314(a):

- (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 of the disciplinary panel, may reprimand any physician assistant, place any physician assistant on probation, or suspend or revoke a license if the physician assistant:
 - (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 A (“Panel A”) has determined that the acts for which the Respondent was disciplined in Alaska would be grounds for disciplinary action under H.O. § 15-314(a). The grounds for disciplinary action under H.O. § 15-314(a) are as follows:

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

Based on the action taken by the Alaska Board, the Respondent agrees to enter into this Consent Order with Panel A, consisting of Procedural Background, Findings of Fact, Conclusions of Law, Order and Consent.

FINDINGS OF FACT

Panel A makes the following findings of fact:

1. At all times relevant hereto, the Respondent is licensed to practice as a physician assistant in the State of Maryland. The Respondent was initially licensed in Maryland on or about October 28, 2022.

2. In its August 9, 2024 Order, the Alaska Board found that the Respondent failed to report his criminal charges within thirty days in accordance with Alaska Statutes and Regulations.

3. By Order dated August 9, 2024, the Alaska Board disciplined the Respondent by issuing a reprimand and assessing a fine.

A copy of the Alaska Board Order is attached hereto.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Panel A concludes as a matter of law that the Respondent is subject to discipline under Health Occ. § 15-314(a)(21) for the

disciplinary action taken by the Alaska Board against the Respondent for an act or acts that would be grounds for disciplinary action under Health Occ. §15-314(a)(45).

ORDER

It is, thus, by Panel A, hereby:

ORDERED that the Respondent's physician assistant license in the State of Maryland be and is hereby **REPRIMANDED**; 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 the Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and it is further

ORDERED that, if the Respondent allegedly fails to comply with any term or condition imposed by this Consent Order, the Respondent shall be given notice and an opportunity for a hearing. If the disciplinary panel determines there is a genuine dispute as to a material fact, the hearing shall be before an Administrative Law Judge of the Office of Administrative Hearings followed by an exceptions process before a disciplinary panel; and if the disciplinary panel determines there is no genuine dispute as to a material fact, the Respondent shall be given a show cause hearing before a disciplinary panel; and it is further

ORDERED that, after the appropriate hearing, if the disciplinary panel determines that the Respondent has failed to comply with any term or condition imposed by this Consent Order, the disciplinary panel may reprimand the Respondent, place the

Respondent on probation with appropriate terms and conditions, or suspend Respondent's license with appropriate terms and conditions, or revoke the Respondent's license. The disciplinary panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine on the Respondent; 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).

11/12/2024
Date

Signature On File

Christine A. Farrelly
Executive Director
Maryland Board of Physicians

CONSENT

I, _____, acknowledge that I have consulted with legal counsel before signing this document.

[OR]

I, Tyson Bubnar, 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

10/28/24
Date

Tyson E. Bubnar, PA-C
Respondent

Attachment 1

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**STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
BEFORE THE MEDICAL BOARD**

In the Matter of:)
)
Tyson E. Bubnar, PA-C)
)
Respondent)
Case No. 2023-000386

CONSENT AGREEMENT

IT IS HEREBY AGREED by the Department of Commerce, Community and Economic Development, Division of Corporations, Business and Professional Licensing (Division) and Tyson E. Bubnar (Respondent) as follows:

1) **Licensure.** Respondent is currently licensed as a Physician Assistant in the State of Alaska and holds License number PADA931. This license was first issued on November 13, 2010, and will lapse unless renewed by December 31, 2024.

2) **Admission/Jurisdiction.** Respondent admits and agrees that the Alaska State Medical Board (Board) has jurisdiction over the subject matter of his license in Alaska and over this Consent Agreement.

3) **Admission/Facts.** Respondent admits to the following facts:

a) On or about October 22, 2021, Respondent was charged with five (5) misdemeanor offenses, including Negligent Homicide, Reckless/Negligent Operation of a Watercraft and three (3) counts of Pulling a Tube without Proper Flotation Device. Respondent failed to report this to the Alaska Medical Board until December 14, 2021. This is in violation of AS 08.64.326(a)(9) and 12 AAC 40.967(26)(A).

b) Respondent admits that as a result of the above facts, grounds exist for possible suspension, revocation, or other disciplinary sanctions of his license pursuant to AS 08.01.075, AS 08.64.326(a)(9) and 12 AAC 40.967(26)(A).

4) **Formal Hearing Process.** It is the intent of the parties to this Consent Agreement to provide for the compromise and settlement of all issues addressed in Paragraph 3 (above) that could be

1 raised by an Accusation to revoke, suspend, or impose disciplinary sanctions against Respondent's
2 license through a formal hearing process.

3 **5) Waiver of Rights.** Respondent understands he has the right to consult with an attorney of
4 his own choosing and has a right to an administrative hearing on the facts in this case. Respondent
5 understands and agrees that by signing this Consent Agreement, Respondent is waiving his rights
6 to counsel and to a hearing. Further, Respondent understands and agrees that he is relieving the
7 Division of any burden it has of proving the facts admitted above. Respondent further understands
8 and agrees that by signing this Consent Agreement he is voluntarily and knowingly giving up his
9 right to present oral and documentary evidence, to present rebuttal evidence, to cross-examine
10 witnesses against Respondent, and to appeal the Board's decision to Superior Court.

11 **6) Effect of Non-Acceptance of Consent Agreement.** Respondent and the Division agree that
12 this Consent Agreement is subject to the approval of the Board. They agree that, if the Board rejects
13 this Consent Agreement, it will be void, and an Accusation may be filed. If this Consent Agreement
14 is rejected by the Board, it will not constitute a waiver of Respondent's right to a hearing on the
15 matters alleged in an Accusation and the admissions contained herein will have no effect.
16 Respondent agrees that, if the Board rejects this Consent Agreement, the Board may decide the
17 matter after a hearing, and its consideration of this Consent Agreement shall not alone be grounds
18 for claiming that the Board is biased against Respondent, that it cannot fairly decide the case, or
19 that it has received ex parte communication.

20 **7) Consent Agreement, Decision, and Order.** Respondent agrees that the Board has the
21 authority to enter into this Consent Agreement and to issue the following Decision and Order.

22 **PROPOSED DECISION AND ORDER**

23
24 IT IS HEREBY ORDERED that any license issued to Respondent by the Medical Board shall be
25 subject to the following terms and conditions:

26 **A. Violation of Agreement**

27 If Respondent fails to comply with any term or condition of this Consent Agreement, the
28 Division may enforce this agreement by immediately suspending Respondent's license, without an
29 additional order from the Board or without a prior hearing, for a violation of this agreement.

30 If Respondent's license is suspended under this paragraph, as provided above, he will be
31 entitled to a hearing, on an expedited basis, regarding the issue of the suspension. If Respondent's

1 license is suspended, he will continue to be responsible for all license requirements pursuant to AS
2 08.64.

3 Respondent shall maintain an active license for the entire duration of this Consent
4 Agreement. If the Respondent lets his license lapse, and after receiving adequate notice from the
5 Board fails to correct the problem, the failure to maintain active licensure will be considered a
6 violation of this Consent Agreement.

7 **B. Respondent Address**

8 It is the responsibility of the Respondent to keep the Board's agent advised, in writing, at
9 all times of his current mailing address, physical address, telephone number, current employment
10 and any change in employment.

11 Failure to provide notice of any changes within 10 calendar days will constitute grounds for
12 suspension of his license in accordance with paragraph 'B' above.

13 **C. Compliance with Laws**

14 Respondent shall obey all federal, state, and local laws governing his license.

15 **D. Good Faith**

16 All parties agree to act in good faith in carrying out the stated intentions of this Consent
17 Agreement.

18 **E. Civil Fine**

19 Respondent shall pay a fine of one thousand dollars (\$1,000), due within 90 days of the
20 adoption of this agreement and is payable to the "State of Alaska" in cash, certified check, or
21 money order or via credit card.

22 All payments required by this Consent Agreement shall be addressed to:

23 Erika Prieksat, Chief Investigator
24 Division of Corporations, Business and Professional Licensing
25 550 West 7th Avenue, Suite 1500
26 Anchorage, Alaska 99501-3567
27

28 **F. Reprimand**

29 *Tyson E. Bubnar is hereby issued a public reprimand by the Alaska State Medical Board for*
30 *failing to abide by the Alaska Statutes and Regulations governing his license by not reporting*
31 *a license investigation and criminal charges to the Board within thirty (30) days, violations*
32 *of AS 08.64.326(a)(9) and 12 AAC 40.967(26)(A).*
33

34 //

Department of Commerce, Community and Economic Development
Division of Corporations, Business and Professional Licensing
550 West 7th Avenue, Suite 1500
Anchorage, Alaska 99501-3567
Telephone 907-269-8160 Fax 907-269-8195

1 IT IS HEREBY FURTHER ORDERED that this Decision and Order shall take effect
2 immediately upon its adoption by the Medical Board and is a public record of the Medical
3 Board and the State of Alaska. The State may provide a copy of it to any person or entity,
4 professional licensing board, federal, state, or local government, or other entity making a
5 relevant inquiry.

6 The action taken by the Medical Board in this Consent Agreement will be reported to the
7 Federation of State Medical Boards (FSMB), the National Practitioner Data Bank (NPDB), and
8 other entities as required by law.

9
10 DATED this 15th day of July, 2024 at Anchorage, Alaska.

11
12 JULIE SANDE, COMMISSIONER

13 DocuSigned by:
14 Erika Priksat
15 By: _____
16 Erika Priksat, Chief Investigator for
17 Sylvan Robb, Director
18 Division of Corporations, Business and
19 Professional Licensing

20 I, Tyson E. Bubnar, have read the Consent Agreement, understand it, and agree to be
21 bound by its terms and conditions.

22
23 DATED: 7/17/24
24 _____
25 Tyson Bubnar

26 SUBSCRIBED AND SWORN TO before me this 17th day of
27 July, 2024, at Hamson County, Alaska, West Virginia (EH)

28
29 SEAL



30 Erika Humphrey (EH)
31 Notary Public in and for Alaska, West Virginia
32 Erika Humphrey (EH)
33 Notary Printed Name

34 My commission expires: Jan. 26, 2028
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**STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
BEFORE THE MEDICAL BOARD**

In the Matter of:)
)
Tyson E. Bubnar)
)
Respondent)
Case No. 2023-000386

ORDER


The Medical Board for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case No. 2023-000386, Tyson Bubnar, license number PADA931, adopts the Consent Agreement and Decision and Order in this matter.

This Consent Agreement takes effect immediately upon signature of this Order in accordance with the approval of the Medical Board.

The Division may enforce the Consent Agreement by immediately suspending Respondent's license, without an additional order from the Medical Board or without a prior hearing, for a violation of the Consent Agreement.

DATED this 9th day of August, 2024, at Chickaloon, Alaska.

MEDICAL BOARD

By: 
Chairperson