

IN THE MATTER OF

*

BEFORE THE

AMANDA V. SULTANI, PA-C

*

MARYLAND STATE

Respondent

*

BOARD OF PHYSICIANS

License Number: C03831

*

Case Number: 2223-0050

* * * * *

CONSENT ORDER

On March 21, 2023, Disciplinary Panel B ("Panel B") of the Maryland State Board of Physicians (the "Board") charged **AMANDA V. SULTANI, PA-C** (the "Respondent"), License Number C03831, with violating the Maryland Physician Assistants Act (the "Act"), Md. Code Ann., Health Occ. ("Health Occ.") §§ 15-101 *et seq.* (2021 Repl. Vol. & 2022 Supp.). Panel B charged the Respondent under the following provisions of the Act:

§ 15-314. Reprimand, probation, suspension, revocation.

(a) *Grounds.* – 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:

....

(41) Performs delegated medical acts beyond the scope of the delegation agreement filed with the Board or after notification from the Board that an advanced duty has been disapproved[.]

On May 24, 2023, Panel B was convened as a Disciplinary Committee for Case Resolution ("DCCR") in this matter. Based on the negotiations occurring as a result of this DCCR, the Respondent agreed to enter into this Consent Order, consisting of Findings of Facts, Conclusions of Law, Order, and Consent.

FINDINGS OF FACT

Panel B makes the following factual findings:

I. Background

1. The Respondent was originally licensed as a physician assistant in Maryland on September 25, 2008.

2. At all relevant times, the Respondent was employed as a physician assistant at a primary care practice (the “Practice”)¹ with locations in Maryland and the District of Columbia (“DC”). The Respondent began her employment at the Practice on November 5, 2014.

3. The Respondent later began working at the DC location and obtained a DC license in 2014. The Respondent allowed her Maryland license to expire on June 30, 2015.

4. On August 25, 2021, the Respondent submitted an application for reinstatement of her Maryland physician assistant license.

5. On October 6, 2021, the Board reinstated the Respondent’s physician assistant license. The Respondent’s license is currently active and is scheduled to expire on September 30, 2023.

6. On October 27, 2021, the Respondent submitted the Physician Assistant / Primary Supervising Physician Delegation for Core Duties to the Board (the “Delegation

¹ The names of facilities and individuals in this document are confidential.

Agreement”), which identified a primary supervising physician (the “Supervising Physician”).²

7. On December 1, 2021, the Board approved the Delegation Agreement with the approved Supervising Physician.

8. On October 27, 2021, the Respondent also submitted a Delegation Agreement Addendum (the “Addendum”) for Advanced Duties to include Intrauterine Device (IUD) insertion and removal, listing the same Supervising Physician.

9. On January 26, 2022, the Board approved the Respondent’s Addendum for IUD insertion and removal. There were no additional delegations of advanced duties noted on the Addendum or the Board’s letter of approval.³

II. The Complaint

10. On July 26, 2022, the Board received a Delegation Agreement Addendum for Advanced Duties from another physician assistant (the “PA-C”) in the Practice.

11. The Addendum requested approval for the PA-C to perform Intrauterine Device (IUD) insertion and removal under the supervision of an alternate supervising physician (the “ASP”).

² The Code of Maryland Regulations (COMAR) 10.32.03.05A provides that before a physician assistant may perform medical acts, the physician assistant and primary supervising physician shall file with the Board a delegation agreement on the Board-approved form and include core duties as well as advanced duties which are being delegated to the physician assistant.

³ COMAR 10.32.03.06B states that the Board shall notify the primary supervising physician and the physician assistant of the Board’s receipt of the delegation agreement and that upon receipt of a delegation agreement at the Board of Physicians, a physician may delegate and a physician assistant may perform delegated core medical acts.

12. Attached to the Addendum was a procedure log documenting that the PA-C performed ten (10) IUD insertions between April 29, 2022 and June 23, 2022, and ten (10) IUD removals between April 19, 2022 and June 22, 2022.

13. According to the procedure log, the PA-C performed only one IUD removal procedure under the supervision of the ASP on June 14, 2022.

14. The procedure log documented that the PA-C performed a majority of the procedures under the supervision of the Respondent, who was not listed on the Addendum.

III. Board Investigation

15. After reviewing the above Addendum, the Board initiated an investigation which included obtaining medical records, reviewing filed delegation agreements, and obtaining a written response from the Respondent.

16. On November 22, 2022, the Respondent, through counsel, submitted a response stating,

On April 19, 2022, the PA-C removed her first IUD under the direct supervision of the Respondent...At that time [the Respondent] was working under her most recent Advanced Duties Delegation Agreement with [the Supervising Physician.] From April 19 through June 23, 2022, the PA-C removed and/or placed IUD's for thirteen (13) patients under the direct supervision of the Respondent.

CONCLUSION OF LAW

Panel B concludes that the Respondent acted as a supervisor for a physician assistant and performed delegated medical acts beyond the scope of the delegation agreement filed with the Board, in violation of Health Occ. § 15-314(a)(41).

ORDER

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

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

ORDERED that, within **ONE YEAR**, the Respondent shall pay a civil fine of \$500.00. 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. The Board will not renew or reinstate the Respondent's license if the Respondent fails to timely pay the fine to the Board; 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 with appropriate terms and conditions, or revoke the Respondent's license to practice medicine in Maryland. 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 the Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; 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).

06/14/2023
Date

Signature On File

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

CONSENT

I, Amanda V. Sultani, PA-C, 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. § 15-315 and Md. Code Ann., State Gov't §§ 10-201 *et seq.* concerning the 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.

06/09/2023
Date

Signature On File

Amanda V. Sultani, PA-C
Respondent

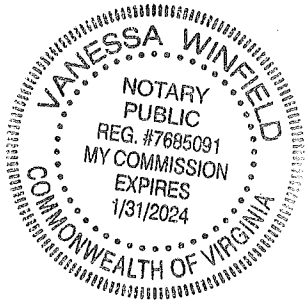
NOTARY

STATE OF VIRGINIA

CITY/COUNTY OF FAIRFAX

I HEREBY CERTIFY that on this 9TH day of JUNE, 2023, before me, a Notary Public of the foregoing State and City/County, did personally appear Amanda V. Sultani, P.A.-C, and made oath in due form of law that signing the foregoing Consent Order was her voluntary act and deed.

AS WITNESSTH my hand and seal.



Vanessa Winfield
Notary Public

My commission expires: 01/31/2024