

IN THE MATTER OF

*

BEFORE THE

STACIA E. BRANDENBURG, PA-C

*

MARYLAND STATE

Respondent

*

BOARD OF PHYSICIANS

License Number: C05910

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Case Number: 2220-0060A

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CONSENT ORDER

On November 13, 2019, Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the “Board”) charged Stacia E. Brandenburg, PA-C (the “Respondent”), License Number C05910, with violating the Maryland Physician Assistants Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) § 15-314 (2014 Repl. Vol. & 2019 Supp.).

The pertinent provisions of the Act provide:

(a) *In general.* -- 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:

...

(3) Is guilty of:

...

(ii) Unprofessional conduct in the practice of medicine;

...

(42) Performs delegated medical acts without the supervision of a physician[.]

FINDINGS OF FACT

Panel A finds:

1. At all times relevant, the Respondent was, and is, licensed as a physician assistant in the State of Maryland. She was initially licensed in Maryland on or about September 11, 2015. Her license will expire on June 30, 2021.
2. From in or around January 2016, the Respondent was a physician assistant employed full time by a Maryland hospital (“Hospital A”¹). The Respondent resigned from Hospital A on or about May 7, 2019.
3. In December 2018, the Respondent began employment as a physician assistant at a county health department (“Facility A”).
4. On or around April 23, 2019, the Respondent contacted the Board to inquire whether her primary supervising physician could supervise her while the supervisor was out of the country. The Respondent further stated that both she and her supervising physician were considering employment by a psychiatric telehealth organization (“Company A”).
5. The Board had no record of an approved Delegation Agreement listing Company A as the Respondent’s employer.
6. By letter dated May 15, 2019, Board staff thereafter requested the Respondent to provide a detailed explanation of her employment at Company A, including her date of hire and job duties.

¹ In order to maintain confidentiality and privacy, names of facilities and employees are not used in this Consent Order.

7. On May 23, 2019, the Respondent contacted Board staff by telephone and stated that she did not work at Company A, but instead was employed at Facility A. The Respondent identified the name of her supervising physician (“Physician A”).
8. The Board had no record of an approved Delegation Agreement between the Respondent and Physician A.
9. On May 24, 2019, the Health Officer at Facility A contacted the Board and confirmed that the Respondent was employed there. The Health Officer reported that there had been a “mix-up on their end” and that the Delegation Agreement signed by the Respondent and Physician A on December 17, 2018, had not been transmitted to the Board.
10. On May 29, 2019, the Board received a completed Delegation Agreement for Core Duties and an Addendum for Advanced Duties signed by both the Respondent and Physician A.
11. On May 31, 2019, Board staff transmitted by email to the Respondent and Physician A acknowledgement of receipt of the Delegation Agreement.
12. On August 16, 2019, the Board subpoenaed from Facility A the Respondent’s patient appointment logs from December 2018 through May 2019.
13. The patient appointment logs revealed that the Respondent had seen patients from December 19, 2018 through June 4, 2019.
14. The Board’s Delegation Agreement states in pertinent part:

A physician assistant (PA) may begin working after the Board receives the completed delegation agreement and acknowledges receipt of the delegation agreement. Unless otherwise specified,

acknowledgements will be sent of the physician assistant and supervising physician by email. The email will be sent once Board staff reviews the delegation for completeness and verifies that the agreement meets all requirements. (Emphasis in original).

15. The Respondent had not received from the Board acknowledgement that the delegation agreement with Physician A had been reviewed and approved until May 31, 2019.
16. The Respondent performed medical acts at Facility A without a Board-approved Delegation Agreement from December 2018 through May 2019.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Panel A concludes that Respondent engaged in unprofessional conduct in the practice of medicine, in violation of Health Occ. § 15-314(a)(3)(ii) and performing delegated medical acts without the supervision of a physician in violation of Health Occ. § 15-314(a)(42).

ORDER

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

ORDERED that the Respondent 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); and it is further

01/07/2020

Date

Signature On File

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians

CONSENT

I, Stacia E. Brandenburg, 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 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 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 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.

Jan 4 2020

Date

Signature On File

Stacia E. Brandenburg, PA-C
Respondent

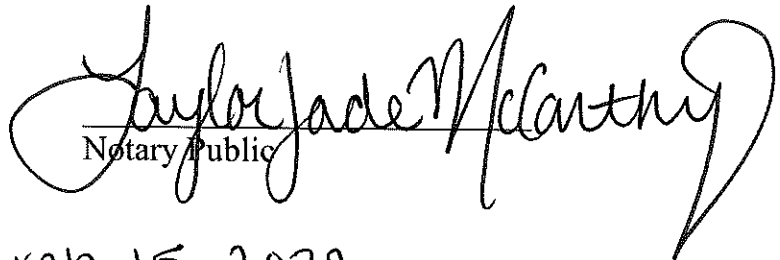
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NOTARY

STATE OF Maryland
CITY/COUNTY OF St Marys

I HEREBY CERTIFY that on this 4 day of January ~~2019~~ 2020, before me,
a Notary Public of the foregoing State and City/County, personally appeared Stacia E.
Brandenburg, PA-C, 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: March 15, 2022

TAYLOR JADE MCCARTHY
NOTARY PUBLIC
St. Mary's County, Maryland
My Commission Expires 3/15/22