

IN THE MATTER OF	*	BEFORE THE
RAELYNN M. TORZONE, PA-C	*	MARYLAND STATE
Respondent	*	BOARD OF PHYSICIANS
License Number: C06111	*	Case Number: 2222-0049B

* * * * *

CEASE AND DESIST ORDER

Pursuant to the authority granted to Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) under Md. Code Ann., Health Occ. (“Health Occ.”) § 14-206(e)(1) and (2)(vii) (2021 Repl. Vol.), Panel B hereby orders **RAELYNN M. TORZONE, PA-C** (the “Respondent”), License Number C06111, to immediately **CEASE AND DESIST** from all activities associated with the practice of naturopathic medicine in the State of Maryland, as defined in Health Occ. § 14-5F-01(k).

The pertinent provisions of the Maryland Naturopathic Medicine Act (the “Act”), Health Occ. §§ 14-5F-01 *et seq.*, under which Panel B issues this Order, provide the following:

§ 14-5F-01. Definitions.

- (k) *Naturopathic medicine*. – (1) “Naturopathic medicine” means the prevention, diagnosis, and treatment of human conditions, injury, and disease using only patient education and naturopathic therapies and therapeutic substances recognized by the Council of Naturopathic Medical Education.
- (2) “Naturopathic medicine” includes:
 - (i) Counseling;
 - (ii) The practice of mechanical sciences of healing, including mechanotherapy, articular manipulation, corrective and orthopedic gymnastics, hydrotherapy, electrotherapy, and phototherapy;

- (iii) The practice of the material sciences of healing, including nutrition, phytotherapy, treatment by natural substances, and external applications; and
- (iv) Prescribing, dispensing, or administering nonprescription and prescription drugs and devices listed in the formulary.

§ 14-5F-29. Unlicensed practice prohibited.

- (a) *In general.* — Except as otherwise provided in this subtitle, a person may not practice, attempt to practice, or offer to practice naturopathic medicine in this State unless licensed by the Board.

§ 14-5F-30. Unauthorized practice – Representations to public.

- (a) *In general.* -- Unless authorized to practice naturopathic medicine, the individual may not:
 - (1) Represent to the public, by description of services, methods, or procedures, or otherwise, that the individual is licensed by the Board to practice naturopathic medicine.

The Board is authorized to issue Cease and Desist Orders under Health Occ. § 14-206, which states:

§ 14-206. Judicial Powers.

...

- (e) *Cease and desist orders; injunctions.* — A disciplinary panel may issue a cease and desist order or obtain injunctive relief against an individual for:
 - (1) Practicing a profession regulated under this title or Title 15 of this article without a license;
 - (2) Representing to the public, by title, description of services, methods, procedures, or otherwise, that the individual is authorized to practice:
 - (vii) Naturopathic medicine in this State, in violation of § 14-5F-30 of this title[.]

INVESTIGATIVE FINDINGS¹

Based on the investigatory information received by, made known to, and available to Panel B, there is reason to believe that the following facts are true:

BACKGROUND, COMPLAINT AND PRIOR DISCIPLINARY CHARGES

1. At all relevant times, the Respondent was and is licensed to practice as a physician assistant in the State of Maryland. The Respondent was originally licensed to practice as a physician assistant in Maryland on March 21, 2016, under License Number C06111. The Respondent's physician assistant's license is scheduled for renewal on June 30, 2023.
2. The Respondent has never been licensed to practice as a naturopathic doctor by the Board.
3. In or around August 2020, the Board, while investigating a patient complaint, reviewed a website (mynaturalbenefits.com) for Natural Benefits ("Natural Benefits"), located in Annapolis, Maryland. The Natural Benefits website states that it is a "Family Health and Wellness Center," and that the Respondent is its "Chief Nutrition Officer." The website states that it has daily office hours and allows clients to book appointments online. The website states, "Let us Help you with" conditions including digestive disorders, fatigue/anxiety, thyroid, allergy/desensitization, and ADHD.
4. The Respondent's license to practice as a physician assistant would not authorize the Respondent to perform the activities of a naturopathic doctor because there

¹ The statements regarding the Board's investigative findings are intended to provide the Respondent with reasonable notice of the basis of the Board's action. They are not intended as, and do not necessarily represent, a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with this matter.

was no delegation agreement between her and a supervising physician at Natural Benefits.

5. The Respondent is prominently featured throughout the Natural Benefits website, which includes an extensive testimonial narrative from her in which she identified herself as a physician assistant and made observations about chronic health conditions she had encountered in various clinical settings. The Respondent stated that she and other staff practitioners at Natural Benefits provide services including the use of "Natural Response Testing," which purportedly "analyzes different areas on the surface of the body that relate to the state of health and to the flow of energy in each and every organ and function of the body." The Respondent stated that she and the practitioners at Natural Benefits provide a "personal health improvement program."

6. The website also published testimonials, purportedly from Natural Benefits clients. The testimonials state that the Respondent treated conditions including high blood pressure, acid reflux and a suppressed immune system.

7. After receiving the complaint, the Board initiated an investigation of the Respondent to determine if she was practicing medicine without a Board-approved Delegation Agreement or if she was practicing another health care profession at Natural Benefits without a license. Pursuant to its investigation, the Board, beginning on or about August 14, 2020, issued a series of subpoenas, both to Natural Benefits and to the Respondent directly, in which it sought appointment logs/patients/client listings of clients/patients the Respondent treated, from June 1, 2020 to present. The Respondent failed to comply with any of the subpoenas the Board issued.

8. The Board also directed the Respondent to provide a written response to the above allegations and that in her response, she provide a detailed explanation of the services she provides, including all components of “Nutrition Response Testing, 90-minute comprehensive exam, including Heart Rate Variability test, Symptom Survey, body scan and treatment protocol.” The Respondent failed to provide a written response to the Board.

9. As a result, Panel B, on January 22, 2021, issued disciplinary charges against the Respondent pursuant to the Act. The Respondent resolved Panel B’s charges by entering into a Consent Order, dated May 27, 2021, in which Panel B found as a matter of law that the Respondent violated the following grounds of the Act under Health Occ. § 15-314(a): (3) Is guilty of: (ii) Unprofessional conduct in the practice of medicine; and (33) Willfully fails to cooperate with a lawful investigation conducted by the Board or a disciplinary panel.

10. Under the Consent Order, Panel B reprimanded the Respondent, placed her on probation for a minimum period of one year, and directed that within ten days, she comply in full with all previously issued written inquiries and Board investigative subpoenas, including a *subpoena duces tecum* (“SDT”) it issued on September 24, 2020. Panel B also directed the Respondent to take and successfully complete a course in professional ethics.

BOARD INVESTIGATION

11. On or about April 28, 2021, the Board reissued its September 24, 2020, SDT, and again directed the Respondent to provide a written response regarding the

services she provided at Natural Benefits. By email dated June 7, 2021, the Respondent provided the responsive information.

12. On or about June 7, 2021, the Board issued a SDT to the Respondent for six patient records. On or about July 1, 2021, the Respondent provided the records to the Board.

EXPERT REVIEW

13. On or about August 18, 2021, the Board submitted a copy of the information Natural Benefits posted on its website, the Respondent's written response to the outstanding allegations, and the six patient records to a Maryland-licensed naturopathic doctor who is an expert in naturopathic medicine (the "Expert") for a review.

14. The Expert issued a report dated October 17, 2021, concluding that the Respondent practiced, attempted to practice, or offered to practice naturopathic medicine without a license, in violation of Health Occ. § 14-5F-29(a). The Expert also determined that the Respondent represented to the public by description of services, methods, and procedures that she practiced naturopathic medicine, in violation of Health Occ. § 14-5F-30(a)(1).

15. The Expert determined that the Respondent engaged in actions at Natural Benefits that were consistent with the authorization provided to naturopathic doctors under the following provisions of Health Occ. § 14-5F-14(a):

- (1) Order and perform physical and laboratory examinations for diagnostic purposes, including phlebotomy, clinical laboratory tests, orificial examinations, electrocardiograms with over read by a cardiologist, and physiological tests;

- (3) Dispense or order natural medicines of mineral, animal, or botanical origin, including food, extracts of food, nutraceuticals, vitamins, amino acids, minerals, enzymes, botanicals and their extracts, botanical medicines, homeopathic medicines, and all dietary supplements and nonprescription drugs listed in the formulary that use various routes of administration, including oral, nasal, auricular, ocular, rectal, vaginal, transdermal, and intramuscular;
- (4) Administer natural medicines of mineral, animal, or botanical origin, including food, extracts of food, nutraceuticals, vitamins, amino acids, minerals, enzymes, botanicals and their extracts, botanical medicines, homeopathic medicines, and all dietary supplements and nonprescription drugs listed in the formulary using various routes of administration, including oral, nasal, auricular, ocular, rectal, vaginal, and transdermal; and
- (7) Provide health education and health counseling.

16. Examples of where the Respondent engaged in impermissible actions include but are not limited to the following:

- (a) the Respondent represented or allowed to be represented on the Natural Benefits website that she and/or other staff practitioners:
 - (i) perform examinations and physiological testing for the purpose of diagnosis, in violation of Health Occ. § 14-5F-14(a)(1); and
 - (ii) perform evaluations to determine the need for nutrients or supplements, in violation of Health Occ. § 14-5F-14(a)(1);
- (b) the Respondent stated in her written response that she established Natural Benefits in order to provide “wellness and nutritional services,” and that staff practitioners provided nutritional counseling

and discussed, offered or provided dietary supplements, in violation of Health Occ. §§ 14-5F-14(a)(3) and (7);

- (c) the Respondent documented the results of physical examinations and physiological function testing that she performed for the purpose of diagnosis (Patients 1, 3, 5), in violation of Health Occ. § 14-5F-14(a)(1);
- (d) the Respondent recommended/ordered natural medicines (Patients 1, 3, 5), in violation of Health Occ. Health Occ. § 14-5F-14(a)(3);
- (e) the Respondent maintained forms (*e.g.*, “New Patient Form,” “New Patient Information Form,” “Symptom Survey”) that implied that the Respondent was establishing a doctor-patient relationship with the patient and that the patient was being provided naturopathic medicine services within the Respondent’s licensed scope of practice (Patients 1, 2, 3, 4, 5, 6), in violation of Health Occ. § 14-5F-30(a)(1);
- (f) the Respondent maintained other forms (*e.g.*, “Permission and Authorization Form”) that indicated that she was providing naturopathic medicine services, such as testing (Patients 2, 3, 4, 5, 6), in violation of Health Occ. §§ 14-5F-14(a)(1), (3) and (7);
- (g) the Respondent maintained Program Guidelines forms that implied that she was providing naturopathic medicine services (Patients 2, 3, 6), in violation of Health Occ. §§ 14-5F-14(a)(1) and (7); and Health Occ. § 14-5F-14(30)(a)(1); and

- (h) the Respondent documented treatment plans for the services she provided (Patients 2, 3, 4, 5, 6), in violation of Health Occ. §§ 14-5F-14(a)(3) and (7).

CONCLUSIONS OF LAW

Based on the foregoing Investigative Findings, Panel B concludes as a matter of law that the Respondent: practiced, attempted to practice, or offered to practice naturopathic medicine without a license, in violation of Health Occ. §§ 14-5F-01(k) and Health Occ. 14-5F-29(a); and represented to the public, by description of services, methods, or procedures, or otherwise, that she was licensed by the Board to practice naturopathic medicine, in violation of Health Occ. § 14-5F-30(a)(1).

ORDER

Based on the foregoing Investigative Findings and Conclusions of Law, it is, by a majority of the quorum of Panel B, hereby:

ORDERED that pursuant to the authority under the Maryland Medical Practice Act, Health Occ. § 14-206(e)(1) and (2)(vii), the Respondent, Raelynn M. Torzone, PA-C, shall **IMMEDIATELY CEASE AND DESIST** from the practice of naturopathic medicine and from representing to the public that she is authorized to practice naturopathic medicine in Maryland; and it is further

ORDERED that this order is **EFFECTIVE IMMEDIATELY** pursuant to Md. Code Regs. 10.32.02.11E(1)(b), and it is further

ORDERED that the Respondent's failure to comply with this Cease and Desist Order may result in a civil money penalty against the Respondent pursuant to Md. Code Regs. 10.32.02.11E(4); and it is further

ORDERED that this is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* and Md. Code Regs. 10.32.02.11E(1)(a).

03/21/2022
Date

Signature On File

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians

NOTICE OF OPPORTUNITY FOR A HEARING

The Respondent may challenge the factual or legal basis of this initial order by filing a written opposition, which may include a request for a hearing, within 30 days of its issuance. The written opposition shall be made to:

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians
4201 Patterson Avenue, 4th Floor
Baltimore, Maryland 21215

A copy shall also be mailed to:

Robert J. Gilbert, Deputy Counsel
Health Occupations Prosecution and Litigation Division
Maryland Office of the Attorney General
300 West Preston Street, Suite 201
Baltimore, Maryland 21201

If the Respondent files a written opposition and a request for a hearing, the Board shall consider that opposition and provide a hearing if requested. If the Respondent does not file a timely written opposition, the Respondent will lose the right to challenge this Initial Order to Cease and Desist and this Order will remain in effect.