

<b>IN THE MATTER OF</b>	*	<b>BEFORE THE</b>
<b>RAELYNN M. TORZONE, PA-C</b>	*	<b>MARYLAND STATE</b>
<b>Respondent</b>	*	<b>BOARD OF PHYSICIANS</b>
<b>License Number: C06111</b>	*	<b>Case Number: 2221-0058B</b>
* * * * *	*	* * * * *

**CONSENT ORDER**

On January 22, 2021, Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) charged Raelynn M. Torzone, P.A.-C (“the Respondent”) under the Maryland Physician Assistants Act (the “Act”), Md. Code Ann., Health Occ. §§ 15-101 *et seq.* (2014 Repl. Vol. & 2019 Supp.).

Specifically, the Respondent was charged with violating the following:

**Health Occ. § 15-314.**

(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:

- ...
  - (3)(ii) Is guilty of: . . . Unprofessional conduct in the practice of medicine; [and]
  - ...
    - (33) Fails to cooperate with a lawful investigation conducted by the Board or a disciplinary panel.

On April 28, 2021, Panel B was convened as a Disciplinary Committee for Case Resolution (“DCCR”) in this matter. Based on negotiations occurring as a result of this DCCR, the Respondent agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law, Order, and Consent.

## FINDINGS OF FACT

Panel B finds the following facts:

### **I. BACKGROUND/LICENSING INFORMATION**

1. At all times relevant to these charges, the Respondent was and is licensed as a physician assistant in the State of Maryland. The Respondent was initially licensed to practice as a physician assistant in Maryland on March 21, 2016, under License Number C06111. The Respondent's license is active through June 30, 2021.

2. At all times relevant to these charges, the Respondent practiced as a physician assistant at a health care facility<sup>1</sup> located in Anne Arundel County, Maryland.

### **II. INVESTIGATIVE ALLEGATIONS**

3. In or around August 2020, the Board, while investigating a patient complaint, reviewed a website 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 notes 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 is prominently featured throughout the website, which includes an extensive testimonial narrative from her that states, "I am a Physician Assistant who worked in Emergency rooms, Urgent cares, Hospital medicine, OB/GYN, Family

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<sup>1</sup> For confidentiality reasons, the name of the health care facility has not been identified in this document. The Respondent is aware of the identity of the referenced health care facility.

medicine and in the National Health Service Corp. I have first hand seen the increasing suffering of patient's (sic) over the past 29 years of my career and the new lack of understanding of what is going on with these chronic health conditions.”

5. The Respondent further stated that she and the 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 after conducting this testing, she and the practitioners at Natural Benefits provide a “personalized health improvement program.”

6. The website also contains testimonials, purportedly from Natural Benefits clients. The testimonials variously state that the Respondent treated conditions including high blood pressure, acid reflux and a suppressed immune system. One testimonial referred to the Respondent as the “Voodoo Women (sic).”

7. As part of its investigation, the Board issued a *subpoena duces tecum* (“SDT”), dated August 14, 2020, to the Custodian of Records at Natural Benefits, directing the Custodian to provide “a copy of any and all appointment logs/patient/client listings of clients/patients treated by Raelynn Torzone, PA, to include patient name, date of birth, and reason for visit, from June 1, 2020 to present.” The SDT directed compliance within ten business days.

8. The Board did not receive the requested information within ten business days. As a result, the Board reissued the above SDT on September 3, 2020.

9. On September 4, 2020, the Board received a letter, dated September 1, 2020, from an individual who identified himself as the “Operating Manager/Custodian of Records” at Natural Benefits. He stated that the Respondent “does not treat, diagnose, or proclaim to cure any clients at this facility and does not operate under her medical licensure as a Physician Assistant at this facility. Therefore, there are no documents to provide.”

10. By letter dated September 10, 2020, and through an email of the same date, the Board responded to the above letter, reiterating its investigative authority and its expectation that Natural Benefits comply with its August 14, 2020 SDT (reissued September 3, 2020). The Board directed Natural Benefits to provide the requested information on or before September 18, 2020.

11. By email dated September 14, 2020, an individual identifying himself as the “Managing Member” of Natural Benefits<sup>2</sup> responded to the Board’s September 10, 2020 letter and email. He again stated that Natural Benefits would not comply with the Board’s SDT, asserting that the Respondent did not treat, diagnose, prescribe medical prescription drugs or utilize her license as a physician assistant at Natural Benefits. He suggested that the Board subpoena other sources if it wished to investigate the Respondent and that he was “happy to provide a contact for you if you request.”

12. The Board did not receive the requested information on or before September 18, 2020.

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<sup>2</sup> This same individual identified himself in the September 4, 2020, letter as the “Operating Manager/Custodian of Records.”

13. By letter dated September 24, 2020, sent to the Respondent's address of record with the Board, the Board informed the Respondent that it had opened a preliminary investigation of her after receiving information that she may be practicing medicine without a delegation agreement or practicing another health care profession without a license at Natural Benefits. The Board directed the Respondent to provide a written response to these 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 (HRV), Symptom Survey, body scan and treatment protocol." The Board directed the Respondent to provide a written response within ten business days of the date of the letter.

14. The Board also issued the Respondent a SDT dated September 24, 2020, sent to her address of record with the Board, directing her to produce "a copy of all appointment logs/patient/client listings of clients/patients treated by you, to include patient name, date of birth, and reason for visit, from June 1, 2020 to present." The Board directed the Respondent to provide the requested information within ten business days of the date of the SDT.

15. The Board did not receive the above requested information within ten business days.

16. By email dated October 16, 2020, sent to the Respondent's email addresses of record with the Board, the Board informed the Respondent that it had issued a SDT to her attention, dated September 24, 2020, and that she had not complied with the SDT within the time period mandated under the SDT and in addition, had not provided a written

response to the Board's August 24, 2020 letter. The Board again advised the Respondent to respond to its SDT and letter and that her failure to do so might result in disciplinary action under the Health Occupations Article. The Board instructed the Respondent to provide a response on or before October 23, 2020. The Board attached its September 24, 2020, letter and SDT to the email.

17. The Respondent did not provide a written response to the Board or comply with its September 24, 2020, SDT by October 23, 2020.

18. By letter dated December 22, 2020, the Board notified the Respondent that it had opened a preliminary investigation that she may be practicing without a delegation agreement at Natural Benefits and that based on this review, it determined that further investigation was warranted under Case Number 2221-0058.

#### **CONCLUSIONS OF LAW**

Based on the Findings of Fact, Panel B concludes as a matter of law that the Respondent: is guilty of unprofessional conduct in the practice of medicine, in violation of Health Occ. § 15-314(a)(3)(ii); and failed to cooperate with a lawful investigation conducted by the Board or disciplinary panel, in violation of Health Occ. § 15-314(a)(33).

#### **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:

1. Within 10 days of the effective day of this Consent Order, the Respondent shall comply in full with all of the Board's written inquiries

into its investigation of the Respondent, including the Board's letter, dated September 24, 2020, and any and all Board investigative subpoenas, including the subpoena duces tecum, issued on September 24, 2020; and

2. If, within 10 days of the effective date of this Consent Order, the Respondent fails to comply with Provision 1, directly above, the Respondent's license to practice as a physician assistant in Maryland shall be automatically suspended from the 11<sup>th</sup> day and will remain suspended until the Respondent is in compliance with Provision 1. If the suspension is imposed, upon the Respondent's compliance in full with all of the Board's written inquiries into its investigation of the Respondent, including the Board's letter, dated September 24, 2020, and any and all Board investigative subpoenas, including the subpoena duces tecum, issued on September 24, 2020, and the Board's receipt of all the requisite documents, the suspension will be administratively terminated through an order of the disciplinary panel; and it is further

**ORDERED** that the Respondent is placed on **PROBATION** for a minimum period of **ONE YEAR**.<sup>3</sup> During probation, the Respondent shall comply with the following terms and conditions of probation:

1. Within **SIX MONTHS**, the Respondent is required to take and successfully complete a course in professional ethics. The following terms apply:

- (a) it is the Respondent's responsibility to locate, enroll in and obtain the disciplinary panel's approval of the course before the course begin;
- (b) the disciplinary panel will accept a course taken in person or over the internet during the state of emergency;
- (c) the Respondent must provide documentation to the disciplinary panel that the Respondent has successfully completed the course;
- (d) the course may not be used to fulfill the continuing medical education credits required for license renewal;
- (e) the Respondent is responsible for the cost of the course; and

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<sup>3</sup> If the Respondent's license expires during the period of probation, the probation and any conditions will be tolled.

2. The Respondent shall cooperate and comply with the Board's existing investigation of the Respondent; 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, after the Respondent has complied with all terms and conditions and the minimum period of probation imposed by the Consent Order has passed, the Respondent may submit a written petition for termination of probation. The Respondent may be required to appear before the disciplinary panel to discuss the petition for termination of probation. After consideration of the petition, the Respondent's probation may be administratively terminated through an order of the disciplinary panel if the Respondent has complied with all probationary terms and conditions and there are no pending complaints related to the charges; 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 of probation, 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 of probation, 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).

## *Signature on File*

05/27/2021  
Date

Christine A. Farrelly  
Executive Director  
Maryland State Board of Physicians

### **CONSENT**

I, Raelynn M. Torzone, P.A.-C., acknowledge that I have consulted with legal 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 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

5-21-2021  
Date

Raelynn M. Torzone, P.A.-C  
Respondent

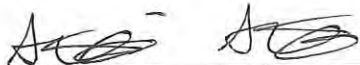
## NOTARY

STATE OF Maryland

CITY/COUNTY OF Anne Arundel

I HEREBY CERTIFY that on this 21 day of May 2021, before me, a Notary Public of the foregoing State and City/County, appeared Raelynn M. Torzone, P.A.-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: 08/13/2024

Stephanie Rose Stapf  
Notary Public  
Anne Arundel County, Maryland  
My Commission Expires August 13, 2024