

**IN THE MATTER OF  
ADRIENNE L. CORDER**

**Respondent**

**Unlicensed**

\* **BEFORE THE**  
\* **MARYLAND STATE**  
\* **BOARD OF PHYSICIANS**  
\* **Case Number: 2219-0098**

\* \* \* \* \*

**FINAL DECISION AND ORDER**

**BACKGROUND**

On February 21, 2020, Disciplinary Panel A of the Maryland State Board of Physicians (“Board”) charged Adrienne L. Corder with using the term Physician Assistant (“P.A.”) as an unlicensed individual, in violation of Md. Code Ann., Health Occ. (“Health Occ.”) § 15-402(b).

The case was forwarded to the Office of Administrative Hearings (“OAH”) for an evidentiary hearing and a proposed decision. On November 9, 2020, a hearing was held before an Administrative Law Judge (“ALJ”) at OAH. At the hearing, the State was represented by the administrative prosecutor and Ms. Corder appeared and represented herself.

On December 22, 2020, the ALJ issued a proposed decision concluding that Ms. Corder engaged in the unauthorized use of the words or terms “physician assistant,” “licensed physician assistant,” “PA,” or “P.A.,” in violation of section 15-402(b) of the Health Occupations Article. The ALJ proposed that the Board’s charges be upheld and recommended, based on the agreement of the parties, that the Board order Ms. Corder to cease and desist from the use of the terms P.A., PA, physician assistant, or licensed physician assistant, that Ms. Corder provide the Board with a written letter within thirty days detailing the corrective action that she has taken to remedy the violation, and that Ms. Corder provide the Board with updated copies of her resume, business cards, and professional website pages with thirty days of the Board’s Order. The ALJ’s proposed

decision notified the parties that any party adversely affected by the proposed decision may file written exceptions within fifteen days of the order.

Neither party filed exceptions to the ALJ's proposed decision. On February 24, 2021, this matter came before Disciplinary Panel B ("Panel B") of the Board. Panel B now issues this final order adopting the ALJ's proposed decision based on the agreement of the parties and the undisputed findings of fact, conclusions of law, and sanction.

### **FINDINGS OF FACT**

Panel B adopts the ALJ's proposed finding of fact, which was stipulated to by the parties. *See* ALJ proposed decision, attached as **Exhibit 1**. The parties stipulated that Ms. Corder was not licensed as a physician assistant and she used the term "P.A." or "PA" on her resume, professional signature, website, and LinkedIn Page, from at least December 2018 through June 19, 2019. Neither party filed exceptions to the stipulated factual finding and the factual finding was proven by a preponderance of the evidence. The Panel also adopts the ALJ's discussion and sanction sections set forth on pages 4-8. The discussion and sanction sections are incorporated by reference into the body of this document as if set forth in full.

### **CONCLUSIONS OF LAW**

Panel B concludes that Ms. Corder, an unlicensed individual, used the terms "physician assistant," "licensed physician assistant," "PA," or "P.A.," in violation of section 15-402(b) of the Health Occupations Article.

### **SANCTION**

Panel B adopts the sanction recommended by the ALJ, which was agreed to by the parties.

**ORDER**

Based upon the findings of fact and conclusions of law, it is, on the affirmative vote of a majority of the quorum of Board Disciplinary Panel B, hereby

**ORDERED** that Adrienne L. Corder **CEASE AND DESIST** from using the term(s) P.A., PA, physician assistant, or licensed physician assistant on her correspondence, professional signature line, business cards, and websites including LinkedIn and Corder Fitness program; and it is further

**ORDERED** that Ms. Corder provide the Board with a written letter within thirty days of this Order explaining the corrective action that she has taken to remedy the violation; and it is further

**ORDERED** that Ms. Corder provide the Board with updated copies of her resume, business cards, and professional website pages within thirty days of this Order; and it is further

**ORDERED** that this is a public document. *See* Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

*Signature on File*

04/09/2021  
Date

Christine A. Farrelly, Executive Director  
Maryland Board of Physicians

**NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW**

Pursuant to Md. Code Ann., Health Occ. § 14-408, Ms. Corder has the right to seek judicial review of this Final Decision and Order. Any petition for judicial review shall be filed within thirty (30) days from the date of mailing of this Final Decision and Order. The cover letter accompanying this Order indicates the date the decision is mailed. Any petition for judicial review

shall be made as provided for in the Administrative Procedure Act, Md. Code Ann., State Gov't § 10-222 and Title 7, Chapter 200 of the Maryland Rules of Procedure.

If Ms. Corder files a petition for judicial review, the Board is a party and should be served with the court's process at the following address:

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

Notice of any petition should also be sent to the Board's counsel at the following address:

**Stacey Darin  
Assistant Attorney General  
Maryland Department of Health  
300 West Preston Street, Suite 302  
Baltimore, Maryland 21201**

# **Exhibit 1**

MARYLAND STATE BOARD OF  
PHYSICIANS

v.

ADRIENNE L. CORDER,  
RESPONDENT

\* BEFORE EILEEN C. SWEENEY,  
\* AN ADMINISTRATIVE LAW JUDGE  
\* OF THE MARYLAND OFFICE  
\* OF ADMINISTRATIVE HEARINGS  
\* OAH No.: MDH-MBP2-74A-20-19128

\* \* \* \* \*

**PROPOSED DECISION**

STATEMENT OF THE CASE  
ISSUES  
SUMMARY OF THE EVIDENCE  
PROPOSED FINDINGS OF FACT  
DISCUSSION  
PROPOSED CONCLUSIONS OF LAW  
PROPOSED DISPOSITION

**STATEMENT OF THE CASE**

On February 21, 2020, Disciplinary Panel A (Panel A) of the Maryland State Board of Physicians (Board) issued charges against Adrienne L. Corder (Respondent) for an alleged violation of the Maryland Physician Assistants Act (Act). Md. Code Ann., Health Occ. §§ 15-101 through 15-502 (2014 & Supp. 2020). Specifically, the Respondent is charged with violating section 15-402(b) of the Act for use of the term "P.A." by an unlicensed person. *Id.* §§ 14-205(a)(1), 15-402(b) (2014 & Supp. 2020); Code of Maryland Regulations (COMAR) 10.32.02.03E(3)(d).

Panel A held a meeting with the Respondent on April 8, 2020 to explore the possibility of resolution.<sup>1</sup> COMAR 10.32.02.03E(9). The parties did not resolve the issues at that time.

On September 4, 2020, the matter was delegated to the Office of Administrative Hearings (OAH) for a hearing. On September 15, 2020, the OAH mailed the Notice of Telephone

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<sup>1</sup> At that time, the Respondent was represented by Vanessa Carpenter Lourie, Esquire.

Scheduling Conference to the Respondent at her address of record. It was not returned by the United States Postal Service as undeliverable. On September 22, 2020, I held a telephone scheduling conference at the OAH in Hunt Valley, Maryland. Debra Smith, Assistant Attorney General and Administrative Prosecutor, represented the State of Maryland (State). The Respondent did not answer when I called the telephone numbers provided by her to the OAH.<sup>2</sup>

Ms. Smith made an oral motion for a default order, which I denied. COMAR 28.02.01.23C. Pursuant to COMAR 28.02.01.23A, I proceeded to conduct the telephone scheduling conference in the Respondent's absence. On September 23, 2020, I issued a Scheduling Order, which was mailed to the Respondent at her address of record.<sup>3</sup>

On October 14, 2020, I conducted a telephone prehearing conference (Conference). The Board was represented by Ms. Smith. The Respondent represented herself. On October 15, 2020, I issued a Prehearing Conference Order.

On November 9, 2020, I held a hearing remotely via the Google Meet video conferencing platform. Health Occ. § 14-205(a)(9) (Supp. 2020); COMAR 28.02.01.20B. Ms. Smith represented the State. The Respondent represented herself.

Procedure in this case is governed by the contested case provisions of the Administrative Procedure Act, the Rules for Hearings Before the Board of Physicians, and the Rules of Procedure of the OAH. Md. Code Ann., State Gov't §§ 10-201 through 10-226 (2014 & Supp. 2020); COMAR 10.32.02; and COMAR 28.02.01.

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<sup>2</sup> Between 9:30 a.m. and 9:50 a.m., I called 713-725-9593 and left voicemails three times. I called 281-251-9453 and left voicemails twice; on the third attempt, an individual answered who indicated that there was no one by the Respondent's name at that number. In addition, when I called Ms. Lourie's telephone number, I was advised that she no longer represented the Respondent.

<sup>3</sup> On September 24, 2020, the Respondent emailed a change of mailing address to the OAH.

## ISSUES

- 1) Did the Respondent engage in the unauthorized use of the words or terms "physician assistant," "licensed physician assistant," or "P.A." in violation of section 15-402(b) of the Health Occupations Article?
- 2) If so, what is the appropriate sanction?

## SUMMARY OF THE EVIDENCE

### Exhibits

I admitted the following exhibits as joint exhibits:

- Jt. Ex. 1 February 21, 2020 letter from Ms. Smith to the Respondent enclosing Charges Under the Act (Charges) from the Health Occupations Prosecution and Litigation Division
- Jt. Ex. 2 August 22, 2019 Investigative Report
- Jt. Ex. 3 December 4, 2018 Complaint
- Jt. Ex. 4 December 10, 2018 Complaint
- Jt. Ex. 5 November 28, 2018 Daily Record article
- Jt. Ex. 6 LinkedIn and Corder Pounders Program pages, printed on January 4, 2019
- Jt. Ex. 7 April 24, 2019 Memorandum of Unannounced Office Site Visit
- Jt. Ex. 8 April 15, 2019 letter from Troy Garland to the Respondent with attachment
- Jt. Ex. 9 April 15, 2019 Subpoena Duces Tecum to the Respondent
- Jt. Ex. 10 April 16, 2019 response of the Respondent to the Charges
- Jt. Ex. 11 May 6, 2019 Information Form
- Jt. Ex. 12 May 6, 2019 letter from [REDACTED], M.D., F.A.A.P., to Mr. Garland
- Jt. Ex. 13 June 5, 2019 letter from Mr. Garland to the Respondent with attachment
- Jt. Ex. 14 Transcript of June 19, 2019 interview with the Respondent
- Jt. Ex. 15 June 19, 2019 Subpoena Duces Tecum to the Respondent



- Jt. Ex. 16 Copies of May 11, 2002 Degree from Howard University and November 30, 2013 Degree from University of Phoenix
- Jt. Ex. 17 July 2, 2019 letter from University of Maryland Eastern Shore addressed to "To Whom It May Concern"
- Jt. Ex. 18 July 30, 2019 Subpoena Duces Tecum to the Respondent
- Jt. Ex. 19 Undated Resume of the Respondent

### Testimony

Based on the joint exhibits submitted into evidence and stipulations, the parties presented oral argument only and did not present the testimony of any witnesses.

### PROPOSED FINDINGS OF FACT

The parties stipulated to the following fact<sup>4</sup>:

1. The Respondent, who was not licensed as a physician assistant, used the term "P.A." or "PA." on her resume, professional signature, website, and LinkedIn page,<sup>5</sup> from at least December 2018 through June 19, 2019.

### DISCUSSION

A license is required to practice, attempt to practice, or offer to practice as a physician assistant in the State of Maryland. Health Occ. § 15-401(a) (2014). The Act governs the licensure and standards for the practice of physician assistants in the State of Maryland. *Id.* §§ 15-101 to -502 (2014 & Supp. 2020). The Board is responsible for the licensure of physician assistants in Maryland and for enforcing Title 15 of the Health Occupations Article. *Id.* §§ 14-205(a)(1), 15-303, 15-305 (Supp. 2020).

In this case, Panel A of the Board issued charges against the Respondent for an alleged violation of section 15-402(b) of the Act, which provides:

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<sup>4</sup> The parties presented this stipulation at the hearing; it is essentially an abbreviated version of the facts to which the parties stipulated at the October 14, 2010 Conference.

<sup>5</sup> The Charges describe LinkedIn as "a professional social media networking site that seeks to connect professionals, businesses, and job seekers." (Jt. Ex. 1)

(b) *Use of terms "physician assistant," etc.* — Unless licensed to practice as a physician assistant under this title, a person may not use the words or terms "physician assistant", "licensed physician assistant", or "P.A."

Health Occ. § 15-402(b) (2014).

When not otherwise provided by statute or regulation, the standard of proof in a contested case hearing before the OAH is a preponderance of the evidence, and the burden of proof rests on the party making an assertion or a claim. Md. Code Ann., State Gov't § 10-217 (2014); COMAR 28.02.01.21K. To prove an assertion or a claim by a preponderance of the evidence means to show that it is "more likely so than not so" when all the evidence is considered. *Coleman v. Anne Arundel Cty. Police Dep't*, 369 Md. 108, 125 n.16 (2002). In this case, the State bears the burden to show that the Respondent violated the Act by a preponderance of the evidence. COMAR 28.02.01.21K(1)-(2)(a).

### Violation

As indicated above, the parties stipulated that the Respondent was not licensed as a physician assistant and used the term "P.A." or "PA." on her resume, professional signature, website, and LinkedIn page, from at least December 2018 through June 19, 2019. Further, the Respondent agreed that by doing so, she violated section 15-402(b) of the Act.

In addition, the Joint exhibits submitted into evidence show by a preponderance of the evidence that the Respondent was not licensed and that she used the term "P.A." or "PA." on her resume, professional signature, website, and LinkedIn page, from at least December 2018 through June 19, 2019. These include the results of the Board investigation (Jt. Ex. 2); a November 28, 2018 Daily Record article (Jt. Ex. 5); copies of the Respondent's LinkedIn and Corder Pounders Program pages (Jt. Ex. 6); the Respondent's April 18, 2019 response to the Charges (Jt. Ex. 10); a transcript from the Board's interview with the Respondent on June 19, 2019 (Jt. Ex. 14, at 3, 5, 6, 21, 22, 29, 30, 33, 34); and the Respondent's resume (Jt. Ex. 19).

Indeed, the Respondent entered into the following more specific stipulations at the October 14, 2020 Conference:

- 1) Sometime prior to December 2018, a media outlet website reported the Respondent received a community service award for her work with a program she founded to help children in her community maintain a healthy weight and lifestyle. The article described the Respondent as a "P.A.";
- 2) The Respondent has never been licensed to practice as a P.A. in Maryland or any other state;
- 3) During the period of at least December 2018 through at least June 19, 2019, the Respondent's resume listed the Respondent's name and title as follows: "Adrienne Corder, MBA-HCM,<sup>6</sup> MMS,<sup>7</sup> P.A.";
- 4) On or about June 19, 2019, in a transcribed interview with Board staff, the Respondent stated that she identified herself as a medical entrepreneur and not a P.A. but used the stamp "P.A." as her professional signature, because she "paid for school and went to [P.A.] school";
- 5) During the period of at least December 2018 through at least June 19, 2019, the Respondent's "LinkedIn" page listed her name and title as "Adrienne Corder, MBA-HCM, MMS, P.A.";
- 6) During the period of at least December 2018 through at least June 19, 2019, the Respondent's website for her healthy lifestyle program also lists the Respondent's professional signature as "Adrienne Corder, MBA-HCM, MMS, P.A."

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<sup>6</sup> Master of Business Administration: Healthcare Management.

<sup>7</sup> Master of Medical Science.

Sanction

In a Memorandum of Law submitted by the State, the State requested an Order that the Respondent:

- (1) cease and desist from the use of the term(s) P.A., PA, or physician assistant on her correspondence, professional signature line, business cards, and websites, including LinkedIn and Corder Fitness program;
- (2) provide the Board with a written letter explaining the corrective action that she has taken to remedy the violation; and
- (3) provide the Board with updated copies of her resume, business cards, and professional website pages.

The Respondent agreed to all of the requested sanctions.

Section 14-206(e) of the Health Occupations Article allows for a cease and desist order:

(e) *Cease and desist order; injunctions.* — A disciplinary panel may issue a cease and desist order or obtain injunctive relief against an individual for:

....

(2) Representing to the public, by title, description of services, methods, procedures, or otherwise, that the individual is authorized to practice:

....

(viii) As a physician assistant in this State, in violation of § 15-402 of this article ....

Health Occ. § 14-206(e)(2)(viii) (Supp. 2020).

I am not aware of, and the State did not cite, specific legal authority for its proposition that the Board may require an *unlicensed* Respondent to provide to the Board a written letter explaining the corrective action that she has taken to remedy the violation as well as updated

copies of her resume, business cards, and professional website pages.<sup>8</sup> I find, however, that such authority may be reasonably implied where a respondent has agreed to those sanctions and pursuant to the Board's general enforcement power. *Id.* § 14-205(a)(1); *see also Neutron Products, Inc. v. Dep't of the Env't*, 166 Md. App. 549, 584 (2006) (providing an "adjudicatory administrative agency" with "broad latitude in fashioning sanctions within legislatively designated limits").

### **PROPOSED CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact and Discussion, I conclude as a matter of law that the Respondent engaged in the unauthorized use of the words or terms "physician assistant," "licensed physician assistant," "PA," or "P.A." in violation of section 15-402(b) of the Health Occupations Article. Health Occ. § 15-402(b) (2014). I further conclude that the appropriate sanction is the imposition by the Board of the aforementioned cease and desist order as well as an order that the Respondent provide to the Board a written letter explaining corrective action taken and updated copies of her resume, business cards, and professional website pages. *Id.* §§ 14-205(a)(1), 14-206(e)(2)(viii) (Supp. 2020).

### **PROPOSED DISPOSITION**

I **PROPOSE** that charges filed by the Maryland State Board of Physicians against the Respondent on February 21, 2020 be **UPHELD**; and

I **PROPOSE** that the Board order that the Respondent:

- (1) cease and desist from the use of the term(s) P.A., PA, physician assistant or physician assistant on her correspondence, professional signature line, business cards, and websites, including LinkedIn and Corder Fitness program;

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<sup>8</sup> Compare section 15-403(b)(1) (authorizing a disciplinary panel to assess a civil penalty against an *unlicensed* person in an amount not exceeding \$5000 for a violation of section 15-401), *with* section 15-316(c) (authorizing a disciplinary panel to require a *licensee* to comply with specified terms and conditions determined by the disciplinary panel). Health Occ. §§ 15-403(b)(1), 15-316(c) (Supp. 2020).

- (2) provide the Board with a written letter within thirty days of the Board's Order explaining the corrective action that she has taken to remedy the violation; and
- (3) provide the Board with updated copies of her resume, business cards, and professional website pages within thirty days of the Board's Order.

December 22, 2020  
Date Decision Issued

*Eileen C. Sweeney*

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Eileen C. Sweeney  
Administrative Law Judge

ECS/emh  
#189252

#### **NOTICE OF RIGHT TO FILE EXCEPTIONS**

Any party adversely affected by this proposed decision may file written exceptions with the disciplinary panel of the Maryland State Board of Physicians that delegated the captioned case to the Office of Administrative Hearings (OAH) and request a hearing on the exceptions. Md. Code Ann., State Gov't § 10-216(a) (2014); COMAR 10.32.02.05. Exceptions must be filed within fifteen (15) days of the date of issuance of this proposed order. COMAR 10.32.02.05B(1). The exceptions and request for hearing must be addressed to the Disciplinary Panel of the Board of Physicians, 4201 Patterson Avenue, Baltimore, MD 21215-2299, Attn: Christine A. Farrelly, Executive Director.

A copy of the exceptions should be mailed to the opposing attorney, and the other party will have fifteen (15) days from the filing of exceptions to file a written response addressed as above. COMAR 10.32.02.05B(1). The disciplinary panel will issue a final order following the exceptions hearing or other formal panel proceedings. Md. Code Ann., State Gov't §§ 10-216, 10-221 (2014); COMAR 10.32.02.05C(1). The OAH is not a party to any review process.


**Copies Mailed to:**

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