

IN THE MATTER OF * **BEFORE THE**
JAY S. COPELAND, M.D. * **MARYLAND STATE**
Respondent * **BOARD OF PHYSICIANS**
License Number: D0008592 * **Case Number: 2223-0100 B**

* * * * *

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 Occupations (“Health Occ.”) § 14-206(e)(3) (2021 Repl. Vol. & 2023 Supp.), Panel B hereby orders **JAY S. COPELAND, M.D.** (the “Respondent”), License Number: D08592, to immediately **CEASE AND DESIST** from performing urologic procedures and surgeries.

The pertinent provisions of the Maryland Medical Practice Act (the “Act”), Health Occ. § 14-101, *et seq.*, under which Panel B issues this Order provide the following:

§ 14-206. Judicial Powers.

.....

(e) A disciplinary panel may issue a cease and desist order or obtain injunctive relief against an individual for:

.....

(3) Taking any action:

(i) For which a disciplinary panel determines there is a preponderance of evidence of grounds for discipline under § 14-404 of this title; and

- (ii) That poses a serious risk to the health, safety, and welfare of a patient.

§ 14-404. Denials, reprimands, probation, suspensions, and revocations.

- (a) *In general.* – Subject to the hearing provisions of § 14-405 of this subtitle, a disciplinary panel, on the affirmative vote of a majority of the quorum of the disciplinary panel, may reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the licensee:

....

- (4) Is professionally, physically, or mentally incompetent[.]

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:

1. At all times relevant, the Respondent was and is licensed to practice medicine in the State of Maryland. The Respondent was originally licensed to practice medicine in Maryland on September 17, 1970, under License Number D08592. The Respondent’s medical license expires on September 30, 2024, subject to renewal.

2. The Respondent currently has active licenses to practice medicine in Illinois, Pennsylvania, and Virginia. The Respondent currently has expired licenses to practice medicine in Washington, D.C. and Colorado.

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.

3. The Respondent was employed as a full-time urologist at a medical center (the “Medical Center”)² in West Virginia from 2008 until on or about November 1, 2022.

4. The Board initiated an investigation of the Respondent after receiving a referral from the Medical Center on or about February 22, 2023, which stated that the Respondent significantly failed to meet generally accepted standards of clinical practice due to inability to perform due to physical limitations.

5. In furtherance of its investigation, the Board obtained the Respondent’s state licensing board reporting file from the Medical Center, the Respondent’s medical records including medical evaluations, and his written response to the Medical Center’s referral. Board staff also conducted under-oath interviews of the Respondent and of two physicians who worked with the Respondent at the Medical Center.

6. Subsequently, the Board submitted its investigative materials to a licensed physician board-certified in urology and surgery (the “Board Reviewer”) for review. After review, the Board Reviewer issued a report in which he found that the Respondent’s medical condition “makes him physically incompetent to perform urologic surgery safely.”³

² For confidentiality and privacy reasons, the names of individuals and health care facilities are not disclosed in this document. The Respondent may obtain the identity of any individual or health care facilities referenced herein by contacting the administrative prosecutor.

³ For confidentiality and privacy reasons, the specific information contained in the Board Reviewer’s report will not be disclosed in this document. This information will be disclosed to the Respondent upon request. The Panel reviewed this information prior to the issuance of this Cease and Desist Order.

CONCLUSIONS OF LAW

Based on the foregoing Investigative Findings, Panel B concludes as a matter of law that a preponderance of evidence supports a conclusion that the Respondent is professionally, physically or mentally incompetent to perform urologic procedures and surgeries, in violation of Health Occ. § 14-404(a)(4). Because the Respondent's medical condition poses a serious risk to the health, safety and welfare of patients, Panel B is authorized to issue this cease and desist order under Health Occ. § 14-206(e)(3).

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)(3), the Respondent, Jay S. Copeland, M.D., shall **IMMEDIATELY CEASE AND DESIST** from performing urologic procedures and surgeries; and it is further

ORDERED that if the Respondent violates this Cease and Desist Order, a fine, pursuant to COMAR 10.32.02.11E(4)(a), may be imposed; and it is further

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

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

10/02/2024
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 and request for a hearing shall be sent 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:

Blair E. Thompson
Assistant Attorney General
Maryland Office of the Attorney General
Health Occupations Prosecution and Litigation Division
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.