

IN THE MATTER OF

*

BEFORE THE

KELVIN YEE, M.D.

*

MARYLAND STATE

Respondent

*

BOARD OF PHYSICIANS

License Number: D47416

*

Case Number: 2225-0137 B

* * * * *

CONSENT ORDER

On July 1, 2025, Disciplinary Panel B (“Panel B” or the “Panel”) of the Maryland State Board of Physicians (the “Board”) charged Kelvin Yee, M.D. (the “Respondent”), License Number D47416, under the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. §§ 14-101 *et seq.* (2021 Repl. Vol. & 2024 Supp.). Panel B charged the Respondent with violating the following provisions of the Act:

Health Occ. § 14-404. Denials, reprimands, probations, suspensions, and revocations — Grounds.

- (a) 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:

...

- (3) Is guilty of:

...

- (ii) Unprofessional conduct in the practice of medicine[.]

On September 24, 2025, 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 makes the following findings of fact:

INTRODUCTION

1. The Respondent violated the Act by stealing medical supplies from his place of employment and by failing to properly dispose of narcotic medications.

BACKGROUND & LICENSING INFORMATION

2. At all relevant times, the Respondent was and is licensed to practice medicine in the State of Maryland. The Respondent initially was licensed to practice medicine in the State of Maryland on May 26, 1995, under License Number D47416. His license expires on September 30, 2027, subject to renewal. The Respondent is board-certified in anesthesiology.

3. At all relevant times, the Respondent was employed by an anesthesia group (the “Company”) and practiced anesthesiology at a health care facility (the “Health Care Facility”) located in Baltimore City, Maryland.¹

COMPLAINT

4. On or about November 25, 2024, the Board received a Mandated 10-Day Report (the “Report”) from the Company stating that the Respondent “was terminated from employment for stealing company property.”

¹ For confidentiality and privacy purposes, the names of individuals and health care facilities involved in this case are not disclosed in this document.

BOARD INVESTIGATION

5. The Board initiated an investigation into the Respondent upon receiving the Report. As part of its investigation, Board staff conducted interviews of the Corporate Director of Security for the Health Care Facility (“Security Director”), the Medical Director of the Company (“Medical Director”), and the Respondent. The Board also received a written response to the Report from the Respondent. The Board further subpoenaed and obtained the Respondent’s Quality Assurance/Risk Management file, and the results of the Health Care Facility’s internal security investigation of the Respondent.

6. The Board’s investigation revealed that on or about October 30, 2024, the security department of the Health Care Facility received an anonymous complaint concerning the Respondent. The anonymous complaint stated in part that the Respondent “has been stealing thousands of dollars of supplies from the hospital since he started working there...he comes into work early at 3 a.m. so he can steal. Check his black bag when he leaves or set up a hidden camera to catch him.”

7. Based on the anonymous complaint, the Security Director for the Health Care Facility initiated an inquiry. The inquiry in part reviewed the Respondent’s badge access reports for the past six months, which revealed a pattern of early morning arrivals. The badge access reports also confirmed that the Respondent accessed the anesthesia supply room on multiple occasions. On November 1, 2024, a security camera was placed in the anesthesia supply room.

8. Surveillance cameras revealed that between November 2 and November 20, 2024, the Respondent entered the anesthesia supply room on multiple occasions with a black duffle bag and/or empty clear plastic containers. While the Respondent was in the

anesthesia supply room, he was observed on surveillance cameras to fill the empty plastic containers with medical supplies.

9. On November 20, 2024, the Respondent's black duffle bag was searched by the Security Director and Medical Director. The search discovered numerous medical supplies including fluid bottles and chuck pads. The search also discovered vials of narcotic medications, including fentanyl and remifentanyl.

10. Thereafter, the Respondent was questioned by the Security Director. During questioning, the Respondent admitted that "he has been taking some supplies," including "gloves, chucks, and fluid bottles."

11. The Respondent claimed he used the fluid bottles and boxes of gloves as a ballast for his knee scooter. The Respondent claimed he used the chuck pads at his residence for his pets. The Respondent also claimed he used the gloves for gardening and household chores, and as packing materials when he sent parcels to family members. The Respondent also admitted to taking masks from the Health Care Facility for use at his residence.

12. Several of the narcotics discovered in the Respondent's duffle bag were two or more years old according to the expiration dates. The Respondent claimed the narcotics must have been in his scrubs and he would have placed them in his bag when he returned to his residence following work. The Respondent further explained to the Security Director that when he does a case, he does not waste drugs and stores them in a refrigerator in the operating room to use in future cases. The Respondent acknowledged that this practice violates the policies of the Company and the Health Care Facility. A search of a refrigerator

at the Health Care Facility that only the Respondent had access to also discovered three vials of fentanyl.

13. The Respondent also admitted to keeping supplies he took from the anesthesia supply room at his residence. A consensual search of the Respondent's residence by the Security Director recovered numerous boxes of fluid bottles, boxes of gloves, boxes of masks and packages of chuck pads.

14. In total, the Security Director recovered from the Respondent 54 fluid bottles of sterile water for irrigation, 9 boxes of gloves, 4 boxes of surgical masks, 11 packages of chuck pads, and 11 vials that contained fentanyl, remifentanyl, amiodarone, bridion, morphine, and hydromorphone.

15. In his written response to the Board, the Respondent stated "I do not deny the allegations of stealing items from [the Health Care Facility]. I cannot justify my actions other than it was a serious lapse of judgment. I will accept the final ruling from the medical board."

16. In his interview with Board investigators, the Respondent admitted that "the things I was basically stealing was gloves, you know, hospital gloves and bottles of water, sterile water." The Respondent stated "I did what I did. I'm not proud of it. I never will be. It's a shame. But I did it."

17. With respect to the narcotics discovered in his black duffle bag and the refrigerator, the Respondent admitted his conduct was "completely wrong. I'm in complete violation of the [health care facility's] narcotic [disposal] policy for doing this."

CONCLUSIONS OF LAW

Based on the foregoing 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. § 14-404(a)(3)(ii).

ORDER

It is thus, on the affirmative vote of a majority of the quorum of Panel B, hereby:

ORDERED that Respondent is **REPRIMANDED**; and it is further

ORDERED that the Respondent is placed on **PROBATION**² for a minimum period of **SIX MONTHS**. During probation, the Respondent shall comply with the following terms and conditions of probation:

Within **SIX MONTHS**, the Respondent is required to take and successfully complete a course in **medical 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 begins;
- (b) the Respondent must provide documentation to the disciplinary panel that the Respondent has successfully completed the course;
- (c) the course may not be used to fulfill the continuing medical education credits required for license renewal; and
- (d) the Respondent is responsible for the cost of the course; and it is further

² If the Respondent's license expires during the period of probation, the probation and any conditions of probation, will be tolled.

ORDERED that, within **SIX MONTHS**, the Respondent shall pay a civil fine of **\$5,000**. The Payment shall be by money order or bank certified check made payable to the Maryland Board of Physicians and mailed to P.O. Box 37217, Baltimore, Maryland 21297. The Board will not renew or reinstate the Respondent's license if the Respondent fails to timely pay the fine to the Board; and it is further

ORDERED that the Respondent shall not apply for early termination of probation; and it is further

ORDERED that a violation of probation constitutes a violation of this Consent Order; and it is further

ORDERED that this Consent Order shall not be amended or modified, and future requests for modification will not be considered by the Board or a disciplinary panel; and it is further

ORDERED that, after the Respondent has complied with all terms and conditions of probation after the minimum period of probation imposed by the Consent Order has passed, the Respondent may submit a written petition for termination of probation. After consideration of the petition, the Respondent's probation may be terminated through an order of the disciplinary panel. The Respondent may be required to appear before the disciplinary panel to discuss his petition for termination. The disciplinary panel may grant the petition to terminate the probation, through an order of the disciplinary panel, if the Respondent has complied with all the probationary terms and conditions and there are no pending complaints relating to the charges; and it is further

ORDERED that, if the Respondent allegedly fails to comply with any term or condition imposed by this Consent Order, the Respondent shall be given notice and an opportunity for a hearing. If 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 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 imposed by this Consent Order, the disciplinary panel may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, or suspend or revoke the Respondent's license to practice medicine in Maryland. 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 the Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and it is further

ORDERED that this Consent Order goes into effect on 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 this Consent Order is a public document. *See* Md. Code Ann., Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

10/08/2025
Date

Signature on file

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians

CONSENT

I, Kelvin Yee, M.D., acknowledge that I have consulted with counsel before signing this Consent Order.

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. § 14-405 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

10/1/25
Date

Kelvin Yee, M.D.

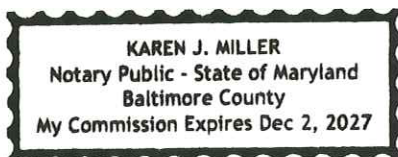
NOTARY

STATE OF Maryland

~~CITY~~/COUNTY OF Baltimore

I HEREBY CERTIFY that on this 1st day of October 2025, before me, a Notary Public of the foregoing State and City/County, Kelvin Yee, M.D., personally appeared and made oath in due form of law that signing the foregoing Consent Order was his voluntary act and deed.

AS WITNESSETH my hand and notarial seal.



Karen J. Miller
Notary Public

My Commission expires: 12/2/27