

IN THE MATTER OF * BEFORE THE
ISHTIAQ MALIK, M.D. * MARYLAND STATE
Respondent * BOARD OF PHYSICIANS
License Number: D59281 * Case Number: 2224-0110

* * * * *

FINAL DECISION AND ORDER

PROCEDURAL HISTORY

Ishtiaq Malik, M.D. was licensed to practice medicine in the State of Maryland on August 2, 2002, under license number D59281.

On May 16, 2023, the Montgomery County State's Attorney's Office filed an Information in the Circuit Court for Montgomery County, Maryland under *State of Maryland v. Ishtiaq Malik*, Case No. C-15-CR-23-000545, which alleged that Dr. Malik violated Criminal Law Article § 3-203- Assault - Second Degree, Criminal Law Article § 3-308 Sex Offense-Fourth Degree, and Criminal Law Article §3-803 Harassment - Course of Conduct. On January 29, 2024, Dr. Malik entered an Alford plea in Case No. C-15-CR-23-000545 to eight counts of Sex Offense Fourth Degree - Sexual Contact.

On August 7, 2024, in Case No. C-15-CR-23-000545, Dr. Malik was sentenced to eight years of incarceration, one year for each count. In that case, on or about September 4, 2024, Dr. Malik filed an Application for Leave to Appeal. On October 20, 2024, Dr. Malik's Application for Leave to Appeal was denied by the Appellate Court of Maryland.

On May 27, 2025, the Office of the Attorney General filed with the Maryland Board of Physicians (the "Board") a petition to revoke Dr. Malik's license to practice medicine ("the

Petition") and a proposed show cause order pursuant to section 14-404(b)(2) of the Maryland Medical Practice Act. The statute provides:

- (1) On the filing of certified docket entries with the Board by the Office of the Attorney General, a disciplinary panel shall order the suspension of a license if the licensee is convicted of or pleads guilty or nolo contendere with respect to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.
- (2) After completion of the appellate process if the conviction has not been reversed or the plea has not been set aside with respect to a crime involving moral turpitude, a disciplinary panel shall order the revocation of a license on the certification by the Office of the Attorney General.

Attached to the Petition were copies of the certified docket entries, criminal information, plea agreement transcript, and sentencing hearing transcript.

On June 30, 2025, Dr. Malik submitted a response to the Board proclaiming his disagreement with the plea agreement transcript and was planning to file a Motion to Correct the Transcript with the Appellate Court of Maryland. Dr. Malik did not request a hearing but did ask that the disciplinary panel delay ruling on the petition to revoke until after his motion was decided. On July 8, 2025, in the Appellate Court of Maryland, Case No: ACM-ALA-1358-2024, Dr. Malik filed a motion to correct the plea bargain transcript, which he alleged was falsified by the Montgomery County Circuit Court. On July 11, 2025, the Appellate Court of Maryland denied Dr. Malik's motion but stated he was not foreclosed from filing a motion in the circuit court. On August 4, 2025, Dr. Malik filed a Motion for Reconsideration with the Appellate Court of Maryland, which was also denied. Thereafter, Dr. Malik submitted substantially similar motions to the circuit court, which were also denied. Through his motions, Dr. Malik expressed dissatisfaction with his attorney's representation but did not dispute any of the facts contained in the statement of facts read by the State's Attorney. The appellate proceedings, in Case No. C-15-

CR-23-000545, have been completed and Dr. Malik's conviction and Alford plea have not been reversed or set aside.

Having reviewed and considered the record in this case, Disciplinary Panel A of the Maryland State Board of Physicians ("Panel A") issues this Final Decision and Order. COMAR 10.32.02.07H(1).

FINDINGS OF FACT

1. Dr. Malik was licensed to practice medicine in the State of Maryland on August 2, 2002, under license number D59281. Dr. Malik's license expired on September 30, 2023.¹

2. On May 16, 2023, the Montgomery County State's Attorney's Office filed an Information in the Circuit Court for Montgomery County, Maryland under *State of Maryland v. Ishtiaq Malik*, Case No. C-15-CR-23-000545, alleging that Dr. Malik violated Criminal Law Articles § 3-203- Assault - Second Degree, Criminal Law § 3-308 Sex Offense - Fourth Degree, and Criminal Law §3-803 Harassment - Course of Conduct. The charges alleged twenty-two violations, occurring between September 13, 2022, through February 16, 2023 with eight patients/victims.

3. On January 29, 2024, Dr. Malik entered an Alford plea in Case No. C-15-CR-23-000545 to eight counts of Sex Offense Fourth Degree - Sexual Contact. The factual basis for the Alford plea and later criminal convictions is detailed in the Statement of Facts put forth on the record by the State at the plea hearing. Dr. Malik's counsel and Dr. Malik were satisfied with the proffer and agreed that it was sufficient to convict Dr. Malik beyond a reasonable doubt on the eight counts of Sex Offense - Fourth Degree.

¹ Pursuant to Health Occ. §14-403(a), Dr. Malik's license did not lapse for disciplinary purposes.

4. The Alford plea included a statement of facts put forth orally on the record which included the following information regarding the eight counts of Sex Offense - Fourth Degree;

- (a) On September 13, 2022, [Victim 1] went to [the urgent care facility where Dr. Malik worked] for a cardiac clearance for a prescription. [Dr. Malik] performed an EKG on her. He told her to remove her bra and did not give her a gown. He groped her breast while applying the electrodes for the EKG outside the scope of what would be appropriate breast touching for a medical exam. [Victim 1] would have testified that it was not something that would have been appropriate for medical treatment and [State's expert] would also testify that there's no reason to touch the breasts for the purpose of applying electrodes or to grope the breasts for the purpose of applying electrodes.
- (b) On January 26, 2023, [Victim 2] went to [Dr. Malik's] urgent care to get a urine test for a job, clearance for a job. She would have testified that [Dr. Malik] told her that the fact that she was on Adderall was an issue for her getting a job, which was not true. And then told her, "you look good for your age and your skin looks good." During their conversation, he touched her breast, placed his hand on her thigh and slid it to her crotch. [State's expert] would have testified that for the purpose of a job clearance urine test, there's no reason to have physical contact with a patient.
- (b) [Victim 3] went to the urgent care on January 30, 2023. She went for a vision test. [Dr. Malik] stated to her you're pretty, you're sexy, and let's have some fun. He inquired as to whether her nipples and vagina were pierced. He hugged her and during that hug he groped her breast. [Victim 3] slapped his hand away and she testified that she believed there was no reason for him to touch her body for the purpose of a vision test. [State's expert] would also have testified that there is no reason to touch a patient for a vision test.
- (c) On February 4, 2023, [Victim 4] went to [Dr. Malik's] urgent care for an asbestos clearance. An asbestos clearance applies to the remaining counts to which [Dr. Malik] is pleading guilty. And when you work in the asbestos field, you need to get a physical once a year. That physical generally involves checking reflexes, doing something called a spirometry test which is a breathing test, and checking the lungs and heart with a stethoscope. For [Victim 4], she would have testified that she had a number of these tests previously. This was nothing like that. [Dr. Malik] lifted her shirt and touched her breasts which no doctor has ever done before for these tests. He also touched her vagina for a few seconds over her pants. [State's expert] would also have testified with respect to each of the remaining victims that I'm about to discuss that there's no reason to touch breasts or vagina for an asbestos clearance.

- (d) On February 4, 2023, [Victim 5] also went for an asbestos clearance. A number of these victims went on or close to the same day because they were sent there by their company. [Victim 5] would have testified that [Dr. Malik] touched her breasts over and under her shirt, told her she was pretty, and asked if she was married. It was not part of the medical exam.
- (e) On February 4, 2023, [Victim 6] also went to [Dr. Malik] for an asbestos physical annual clearance. [Dr. Malik] touched her breasts and groped it. She was distressed and could not complete the test in which she needed to take a deep breath and breathe it hard into this machine, and so [Dr. Malik] actually did it for her. He asked her for a hug prior to her leaving the office.
- (f) On February 4, 2023, [Victim 7], also present at [Dr. Malik's] urgent care for an asbestos clearance. [Dr. Malik] lifted her shirt and exposed her breasts. His hands moved close to her crotch, but she slapped them away. He also touched her breasts, not for the purpose of medical treatment. She would have testified that she was visibly upset. [Dr. Malik] hugged her from behind before she left the exam room.
- (g) On February 6, 2023, [Victim 8] also was there for an asbestos physical. [Dr. Malik] asked her about her marital status and if she likes to go out and have fun. Initially, when she was clothed, he touched both her legs and her breasts. Then he lifted her shirt and lifted and separated her breasts for approximately five to 10 seconds, which is not for the purpose of medical treatment.

5. On August 7, 2024, Dr. Malik was sentenced to eight (8) years of incarceration, one year for each count in Case No. C-15-CR-23-000545 and was advised of his limited rights to appeal.

6. On or about September 4, 2024, Dr. Malik filed an Application for Leave to Appeal in Case No. C-15-CR-23-000545. On October 20, 2024, Dr. Malik's Application for Leave to Appeal was denied by the Appellate Court of Maryland in Case No: ACM-ALA-1358-2024.

DISCUSSION

Pursuant to COMAR 10.32.02.07E(2), Dr. Malik may respond to the order to show cause, in writing, to address the following limited issues: "(a) Lack of conviction or plea; (b) Whether the crime is one involving moral turpitude; (c) Misidentity of the respondent with the defendant in

the criminal matter; and (d) Other relevant issues, if any, other than mitigation.” Dr. Malik does not deny that he entered an Alford plea to eight counts of fourth degree sex offense. Nor does he argue that he was misidentified as the defendant in the criminal case. Rather, Dr. Malik argues that the transcript of the Alford hearing was inaccurate and that his attorney was ineffective. Dr. Malik litigated the accuracy of the transcript at both the Circuit Court and Appellate Court levels, and his Motions were denied in both jurisdictions.

Health Occ. §14-404(b)(2) mandates the automatic revocation of a physician’s medical license after completion of the appellate process, when a disciplinary panel concludes that a physician was convicted of or pleads guilty to a crime involving moral turpitude. An Alford plea, under Maryland law, is a guilty plea, albeit a “specialized type of guilty plea where the defendant, although pleading guilty, continues to deny his or her guilt, but enters the plea to avoid the threat of greater punishment.” *Abrams v. State*, 176 Md. App. 600, 603 (2007) (quoting *Ward v. State*, 83 Md. App. 474, 575 (1990)). The Board’s regulations clarify that an Alford plea is included as a guilty plea for purposes of the moral turpitude statute. COMAR 10.32.02.07B, C(1)(b).

Under Health Occ. §14-404(b)(2), a disciplinary panel has the obligation and discretion to determine what types of crimes are crimes involving moral turpitude for licensing and disciplinary purposes. Maryland appellate courts have held that the term “moral turpitude” is more broadly defined with respect to Board licensure and discipline than in a witness impeachment context. *See Ricketts v. State*, 291 Md. 701, 711-12 (1981) (“[W]hat constitutes a crime of moral turpitude may involve different considerations compelling different results in different circumstances.”). In the context of licensure and discipline, the term moral turpitude “strikes the broader chord of public confidence in the administration of government. That is, a person who has credibility to testify [at trial] may not have the public’s confidence to practice certain professions[.]” *Stidwell v. Maryland*

State Bd. of Chiropractic Exam'rs, 144 Md. App. 613, 619 (2002). Thus, it is well established that “in the context of a licensing board’s review of the conduct of its licensee, the concept of moral turpitude is rather broad.” *Oltman v. Md. State Bd. of Physicians*, 162 Md. App. 457, 483 (2005). In the licensure context, “[t]he term ‘moral turpitude’ has been defined generally as importing ‘an act of baseness, vileness or depravity in the private and social duties which a man owes to his fellow men, or to society in general, contrary to the accepted and customary rule of right and duty between man and man.’” *Attorney Grievance Comm'n of Md. v. Walman*, 280 Md. 453, 459 (quoting *Braverman v. Bar Ass'n of Balt. City*, 209 Md. 328, 344, *cert. denied*, 352 U.S. 830 (1956)).

Dr. Malik was convicted of eight counts of fourth degree sex offense, Crim. Law § 3.308(b)(1), which states, “A person may not engage in . . . sexual contact with another without the consent of the other[.]” Sexual contact is defined as “an intentional touching of the victim’s or actor’s genital, anal, or other intimate area for sexual arousal or gratification, or for the abuse of either party. . .” and does not include “an act for an accepted medical purpose.” Crim. Law § 3-301 (e). When asked to explain his understanding of the plea hearing and Alford plea, Dr. Malik admitted that the State had enough evidence to convict him even though he was not pleading guilty or admitting to the offense. Therefore, Dr. Malik admitted that there was sufficient evidence to prove beyond a reasonable doubt that he did engage in sexual contact with each of the eight patient/victims without consent and not for an accepted medical purpose. Based on the totality of the circumstances, Dr. Malik’s intentional sexual contact with patients without their consent, and which were not medically necessary, constitutes crimes involving moral turpitude.

Based on the Judge’s findings in this case and the elements of the crimes, the Panel finds that Dr. Malik acted “contrary to the accepted and customary rule of right and duty” that he owes

to his fellow citizens in the State of Maryland and that his conduct was base, vile, and shameful. *Walman*, 280 Md. at 459. Dr. Malik betrayed the trust of his patients and used his position of authority to the detriment of the patients. The Panel finds that Dr. Malik's convictions for fourth degree sexual offense are crimes involving moral turpitude.

CONCLUSION OF LAW

Based on the above-discussion, Panel A concludes that Dr. Malik's Alford plea and convictions for eight counts of fourth degree sexual offense are crimes involving moral turpitude. As a result, Health Occ. § 14-404(b)(2) requires Panel A to revoke Dr. Malik's license to practice medicine in Maryland.

ORDER

It is, by Panel A, hereby:

ORDERED that the license of Ishtiaq Malik, M.D., license number D59281, to practice medicine in Maryland is **REVOKED**, as mandated by Health Occ. § 14-404(b)(2); and it is further

ORDERED that the July 31, 2024 Order for Summary Suspension, which was affirmed on August 15, 2024, is **TERMINATED AS MOOT**; and it is further

ORDERED that this is a **PUBLIC DOCUMENT**. *See* Md. Code Ann., Health Occ. § 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

Signature On File

01/21/2026
Date

Christine A. Farrelly, Executive Director
Maryland State Board of Physicians

NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW

Pursuant to Md. Code Ann., Health Occ. § 14-408, Dr. Malik 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 final decision and 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 Dr. Malik files a petition for judicial review, the Board is a party and should be served with the court's process at the following address:

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

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

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