

¹ The statements regarding the Respondent's conduct are intended to provide the Respondent with reasonable notice of the basis of Panel A'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.

Panel A is summarily suspending the Respondent's license to practice medicine after a Board investigation determined that the Respondent inappropriately touched and sexually abused multiple victims. The Respondent was arrested, charged, and convicted on two counts of Rape - Second Degree and two counts of Sex Offense Fourth Degree - Sexual Contact involving two victims. The Respondent was also charged with additional counts of Assault-Second Degree and Sex Offense Fourth Degree - Sexual Contact. The Respondent entered a guilty plea to eight additional counts of 4th Degree Sex Offense - Sexual Contact involving eight additional victims. The Respondent is scheduled to be sentenced for those guilty findings on August 7, 2024.

Background/Licensing Information

1. The Respondent was originally issued a license to practice medicine in Maryland on August 2, 2002 under License Number D59281. His license expired on September 30, 2023.²
2. The Respondent is board-certified in Internal Medicine.
3. At all relevant times, the Respondent practiced at an urgent care facility (the "Facility") in Silver Spring, Maryland.

The Board Investigation

4. On February 15, 2023 the Respondent was arrested and subsequently indicted on March 16, 2023 in the Circuit Court for Montgomery County, *State of Maryland v. Ishtiaq Malik*, Case No. C-15-CR-23-000299. The Respondent was charged

² Pursuant to Health Occ.§14-403(a), the Respondent's license did not lapse for disciplinary purposes.

with two counts of Rape - Second Degree and two counts of Sex Offense Fourth Degree - Sexual Contact involving two victims ("Victim 1" and "Victim 2").

5. Victim 1 disclosed that on September 7, 2022, she presented to the Facility for a medical clearance as a prerequisite for an elective surgery. Upon arrival she was seen by the Respondent. During the exam the Respondent squeezed her breasts with both hands, pushed her breasts together and pulled on her nipples. The Respondent also asked the victim to remove her pants and digitally penetrated Victim 1's vagina. Victim 1 observed that the Respondent had an erection and she immediately reported the sexual assault to the receptionist who directed her to contact the police.

6. Victim 2 disclosed that on October 14, 2022, she presented to the Facility with complaints of sciatic nerve pain radiating down to her foot. During the examination the Respondent removed Victim 2's pants without her permission and digitally penetrated Victim 2's vagina. Victim 2 attempted to close her legs to stop the Respondent and the Respondent forced her legs open and continued to digitally penetrate her vagina.

7. On or about January 26, 2023, the Board received a complaint, (the "Complaint") stating that the Respondent inappropriately touched the complainant ("Victim 3") and acted in an unprofessional manner.

8. Victim 3 stated that she went to the Facility on January 26, 2023 for a required pre-employment drug screening test. Upon arrival she was seen by the Respondent who began to make inappropriate comments regarding her appearance. The Respondent also offered to remove a positive finding on the drug screening test for an additional fee. On the way to the bathroom, the Respondent grabbed Victim 3 on the shoulder/upper arm

area and rubbed up and down. The Respondent also grabbed Victim 3's upper left thigh, squeezed it and rubbed up and down.

9. On May 16, 2023, the Respondent was charged by criminal information in the Circuit Court for Montgomery County, *State of Maryland v. Ishtiaq Malik*, Case No. C-15-CR-23-000545. The charges included twenty-two counts including Assault - Second Degree, Fourth Degree Sex Offense - Sexual Contact, Attempted Fourth Degree Sex Offense - Sexual Contact, and Harassment - Course of Conduct occurring between November 22, 2022 through February 16, 2023. Victim 3 was one of eight victims identified in the criminal information.

10. On January 26, 2024 the Respondent was found guilty by a jury in Case No. C-15-CR-23-000299 of two counts of Rape - Second Degree and two counts of Sex Offense Fourth Degree - Sexual Contact involving Victims 1 and 2.

11. On January 29, 2024 the Respondent entered a plea of guilty in Case No. C-15-CR-23-000545 to eight counts of Sex Offense Fourth Degree - Sexual Contact involving Victim 3 and seven additional victims.

CONCLUSION OF LAW

Based upon the foregoing Investigative Findings, Panel A of the Board concludes that the public health, safety, or welfare imperatively requires emergency action, and that pursuant to State Gov't § 10-226(c)(2) and COMAR 10.32.02.08B(7), the summary suspension of the Respondent's license to practice medicine in Maryland is required.

ORDER

IT IS thus, by Panel A of the Board, hereby:

ORDERED that pursuant to the authority vested in Panel A by State Gov't. §10-226(c)(2)(2021 Repl. Vol. & 2023 Supp.) and COMAR 10.32.02.08B(7), the Respondent's license to practice medicine in the State of Maryland is hereby **SUMMARILY SUSPENDED**; and it is further

ORDERED that, during the course of the summary suspension, the Respondent shall not practice medicine in the State of Maryland; and it is further

ORDERED that in accordance with Md. Code Regs. 10.32.02.08B(7) and E, a post deprivation initial hearing on the summary suspension will be held on **Wednesday, August 14, 2024, at 10:30 a.m.** at the Board's offices, located at 4201 Patterson Avenue, Baltimore, Maryland 21215-0095; and it is further

ORDERED that after the **SUMMARY SUSPENSION** hearing before Panel A, the Respondent, is dissatisfied with the result of the hearing, may request, within ten (10) days, an evidentiary hearing, such hearing to be set within thirty (30) days of the request, before an Administrative Law Judge at the Office of Administrative Hearings, Administrative Law Building, 11101 Gilroy Road, Hunt Valley, Maryland 21031-1301; and it is further

ORDERED that a copy of the Order for Summary Suspension shall be filed by Panel A immediately in accordance with Health Occ. § 14-407(a)(2022 Repl. Vol. & 2023 Supp.); and it is further

ORDERED that this is a disciplinary Order of Panel A, and as such, is a public document. See Health Occ. §§ 1-607, 14-411.1(b)(2) and Md. Code Ann., Gen Prov. §4-333(B)(6).

07/31/2024
Date

Signature On File

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