

<b>IN THE MATTER OF</b>	*	<b>BEFORE THE</b>
<b>KERI M. BENTLEY, M.D.</b>	*	<b>MARYLAND STATE</b>
<b>Respondent</b>	*	<b>BOARD OF PHYSICIANS</b>
<b>License Number: D88987</b>	*	<b>Case Number: 2223-0099</b>
* * * * *	*	* * * * *

**ORDER OF DEFAULT**

On August 22, 2023, Disciplinary Panel B of the Maryland State Board of Physicians (“Board”) charged Keri M. Bentley, M.D. (“Dr. Bentley” or “the Respondent”) with fraudulently or deceptively obtaining or attempting to obtain a license for the applicant or licensee, *see* Md. Code Ann., Health Occ. § 14-404(a)(1); unprofessional conduct in the practice of medicine, *see* Health Occ. § 14-404(a)(3)(ii); willfully making or filing a false report or record in the practice of medicine, *see* Health Occ. § 14-404(a)(11); and willfully making a false representation when seeking or making application for licensure or any other application related to the practice of medicine, *see* Health Occ. § 14-404(a)(36). On October 26, 2023, the case was referred to the Office of Administrative Hearings (“OAH”) for an evidentiary hearing.

On November 1, 2023, OAH sent a Notice of Remote Scheduling Conference to the parties that informed Dr. Bentley that a Scheduling Conference would be held on December 18, 2023, at 9:30 a.m., by video-conference. The scheduling conference notice was sent to Dr. Bentley at her address of record by regular and certified mail. Dr. Bentley signed the certified mail receipt, on November 6, 2023, which was returned to OAH.

On December 18, 2023, at 9:32 a.m., the Administrative Law Judge (“ALJ”) commenced the Scheduling Conference by video-conference. Dr. Bentley was not present. The ALJ recessed until 9:45 a.m. to allow Dr. Bentley additional time to appear. At 9:45 a.m., approximately fifteen minutes after the scheduled start time, the ALJ held the Scheduling Conference. The administrative prosecutor appeared on behalf of the State. Dr. Bentley did not appear, nor did anyone appear on her behalf. During the Scheduling Conference, a Prehearing Conference was scheduled for February 5, 2024, at 9:30 a.m.

On December 19, 2023, the ALJ issued a Scheduling Order notifying the parties that the Prehearing Conference would be held on February 5, 2024, at 9:30 a.m., by video-conference. The Scheduling Order was sent by regular mail to the same address of record on file at which Dr. Bentley signed the certified mail receipt for the notice of scheduling conference. On December 20, 2023, OAH also sent a Notice of Remote Prehearing Conference to the parties that notified the parties that a Prehearing Conference would be held on February 5, 2024, at 9:30 a.m. The Notice of Prehearing Conference informed Dr. Bentley that the failure to appear or to give timely notice of her inability to appear at the Prehearing Conference could result in a decision against her. The Notice was mailed by regular first-class mail to Dr. Bentley’s address of record. The mailed copy was not returned as undeliverable.

On February 5, 2024, the ALJ held the Prehearing Conference by video-conference. The administrative prosecutors appeared on behalf of the State. Dr. Bentley did not appear. At 9:50 a.m., after waiting twenty minutes after the scheduled start time for Dr. Bentley to

appear, the ALJ commenced the Prehearing Conference. The State made a motion for default against Dr. Bentley.

Under OAH's rules of procedure, "[i]f, after receiving proper notice as provided in Regulation .05C of this chapter, a party fails to attend or participate, either personally or through a representative, in a Prehearing Conference, hearing, or other stage of a proceeding, the ALJ may proceed in that party's absence or may, in accordance with the hearing authority delegated by the agency, issue a final or proposed default order against the defaulting party." COMAR 28.02.01.23A.

On February 9, 2024, the ALJ issued a Proposed Default Order. The ALJ found that Dr. Bentley had proper notice of the February 5, 2024, remote Prehearing Conference and that she failed to appear or participate. The ALJ proposed that the Panel find Dr. Bentley in default, adopt as findings of fact the statements set forth in the allegations of fact section of the charges, and conclude as a matter of law that Dr. Bentley violated Health Occ. § 14-404(a)(3)(ii). The ALJ did not propose a sanction.

The ALJ mailed, by regular first-class mail, copies of the Proposed Default Order to Dr. Bentley, the administrative prosecutor, and the Board at each respective address of record. The Proposed Default Order notified the parties that they may file written exceptions to the Proposed Default Order but must do so within 15 days of the date of the Proposed Default Order. The Proposed Default Order stated that any exceptions and requests for a hearing must be sent to the Board with a copy provided to the opposing party.

Neither party filed exceptions. On April 10, 2024, this case came before Disciplinary Panel A (“Panel A”) of the Board for final disposition.

### **FINDINGS OF FACT**

Because Panel A concludes that Dr. Bentley has defaulted and has not filed exceptions to the ALJ’s Proposed Default Order, the following findings of fact are adopted from the allegations of fact in the charging document and are deemed proven by the preponderance of the evidence:

#### **I. Background**

1. The Respondent was originally issued a license to practice medicine in Maryland on or about March 2, 2020, under License Number D88987. The Respondent’s most recent Maryland license had the expiration date of September 30, 2024.

2. The Respondent is licensed in Alabama, Arizona, Colorado, Connecticut, Delaware, Florida, Georgia, Iowa, Kentucky, Montana, North Dakota, Ohio, and Tennessee.

3. The Respondent is board-certified in family medicine.

#### **II. The Complaint**

4. On or around April 11, 2023, the Board received a disciplinary alert (the “Complaint”) from the Federation of State Medical Boards which stated that the Iowa State Board of Medicine had suspended the Respondent’s license to practice medicine in Iowa.

5. The Board conducted an investigation into the Complaint and found that the Respondent submitted a License Renewal Application (the “Application”) to the Board

where she failed to disclose that she had pending criminal charges. The Board made specific determinations, as detailed below.

### **III. Board Investigation**

6. On March 4, 2021, the Respondent was indicted on felony charges (the “Charges”) by a grand jury in the U.S. District Court in the Eastern District of Kentucky in *United States of America v. Taylor et al*, Case No. 6:21-CR-13-REW. The Charges included but were not limited to: Conspiracy to Distribute Buprenorphine; Benzodiazepines; Conspiracy to Falsify Medical Records; Conspiracy to Commit Wire and Health Care Fraud; and Conspiracy to Commit Money-Laundering.

7. On or about September 26, 2022, the Board received the Respondent’s License Renewal Application (the “Application”).

8. In the section of the Application entitled, *Character and Fitness Questions*, the Respondent was instructed to respond “YES” or “NO” to a series of questions.

9. The Respondent answered “NO” to QUESTION (9), which asks:

Are there any charges pending against you in any court of law, are you currently under arrest, released pending trial with or without bond, or is there an outstanding warrant for your arrest?

10. On August 11, 2023, the Respondent was convicted of the Charges. She was scheduled to be sentenced on December 4, 2023.

### **CONCLUSIONS OF LAW**

Panel A finds Dr. Bentley in default based upon her failure to appear or participate at the Prehearing Conference on February 5, 2024 at OAH. *See* State Gov’t § 10-210(4).

Based upon the foregoing findings of fact, Panel A concludes that Dr. Bentley: fraudulently or deceptively obtained or attempted to obtain a license for the applicant or licensee, in violation of Health Occ. § 14-404(a)(1); is guilty of unprofessional conduct in the practice of medicine, in violation of Health Occ. § 14-404(a)(3)(ii); willfully made or filed a false report or record in the practice of medicine, in violation of Health Occ. § 14-404(a)(11); and willfully made a false representation when seeking or making application for licensure or any other application related to the practice of medicine, in violation of Health Occ. § 14-404(a)(36).

#### **SANCTION**

Based on the entirety of the findings of fact, Panel A concludes that the revocation of Dr. Bentley's license to practice medicine in Maryland is warranted.

#### **ORDER**

It is, on the affirmative vote of a majority of the quorum of Panel A, hereby

**ORDERED** that the license of Keri M. Bentley, M.D. to practice medicine in Maryland is **REVOKED**; and it is further

**ORDERED** that this Order of Default goes into effect upon the signature of the Board's Executive Director or her designee. The Board's Executive Director or her designee signs this Order of Default on behalf of Panel A; and it is further

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

06/12/2024  
Date

# *Signature On File*

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. Bentley has the right to seek judicial review of this Order of Default. Any petition for judicial review shall be filed within thirty (30) days from the date of mailing of this Order of Default. The date of the cover letter accompanying this Order is the date the decision was 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. Bentley 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:

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