

IN THE MATTER OF
MARIE BEAUVOIR, M.D.

Respondent

License Number: D0099103

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BEFORE THE

MARYLAND STATE

BOARD OF PHYSICIANS

Case Number: 2224-0131

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FINAL DECISION AND ORDER

On May 8, 2024, Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the “Board”) charged Marie Beauvoir, M.D., License Number D99103, with failing to cooperate with a lawful investigation of the Board and violating any State or Federal law pertaining to the practice of medicine. *See* Md. Code Ann., Health Occ. (“Health Occ.”) § 14-404(a)(33) and (43). Concerning Health Occ. § 14-404(a)(43), the specific law that Dr. Beauvoir was alleged to have violated is Health Occ. §14-313.1, which requires a compact physician to complete a supplemental application.

The case was forwarded to the Office of Administrative Hearings (“OAH”) for an evidentiary hearing and a proposed decision. On February 12, 2025, a hearing was held before an Administrative Law Judge (“ALJ”) at OAH. At the hearing, the State presented testimony from the Board’s compliance analyst, and Dr. Beauvoir represented herself and testified on her own behalf.

On May 13, 2025, the ALJ issued a proposed decision, concluding that Dr. Beauvoir failed to cooperate with a lawful investigation of the Board, in violation of Health Occ. § 14-404(a)(33), and violated a State law, namely Health Occ. §14-313.1, which requires a compact physician to complete a supplemental application, in violation of Health Occ. § 14-404(a)(43). As a sanction,

the ALJ recommended that Dr. Beauvoir be reprimanded, pay a \$1,000.00 fine, and complete the supplemental application.¹

Neither party filed exceptions to the ALJ's proposed decision. Board Disciplinary Panel B ("Panel B" or the "Panel") has considered the record in this case, including the proposed decision of the ALJ, and now issues this final decision and order.

FINDINGS OF FACT

Panel B adopts the ALJ's proposed findings of fact, numbered 1 - 24. *See* ALJ proposed decision, attached as **Exhibit 1**. These facts are incorporated by reference into the body of this document as if set forth in full. Neither party filed exceptions to any of the factual findings, and the factual findings were proved by a preponderance of the evidence. The Panel also adopts the ALJ's discussion set forth on pages 8-15. The ALJ's discussion section is also incorporated by reference into the body of this document as if set forth in full.

CONCLUSIONS OF LAW

Based on the Findings of Fact, Panel B concludes as a matter of law that Dr. Beauvoir failed to cooperate with a lawful investigation of the Board, in violation of Health Occ. § 14-404(a)(33), and violated a State law, namely Health Occ. §14-313.1, which requires a compact physician to complete a supplemental application, in violation of Health Occ. § 14-404(a)(43).

SANCTION

Neither party filed exceptions to the ALJ's proposed sanction of a reprimand, \$1,000 fine, and requirement to complete the supplemental application. The Panel adopts the ALJ's proposed sanction.

ORDER

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

¹ Dr. Beauvoir's license expired on September 30, 2024.

ORDERED that Marie Beauvoir, M.D. is **REPRIMANDED**; and it is further

ORDERED that, prior to the reinstatement² of Dr. Beauvoir's license to practice medicine in Maryland, she is required to:

- 1) Pay a civil fine of \$1,000.00. 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; and
- 2) Complete the supplemental application required under Health Occ. § 14-313.1; and it is further

ORDERED that this Order shall not be amended or modified and future requests for modification will not be considered; and it is further

ORDERED that the effective date of the Order is the date the Order is signed by the Executive Director of the Board or her designee. The Executive Director signs the Order on behalf of the disciplinary panel which has imposed the terms and conditions of this Order, and it is further

ORDERED that Dr. Beauvoir is responsible for all costs incurred in fulfilling the terms and conditions of this Order; and it is further

ORDERED that this 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).

8/28/25
Date

Signature on file

Ellen Douglas Smith
Deputy Director
Maryland State Board of Physicians

² Dr. Beauvoir's license expired on September 30, 2024. Dr. Beauvoir will not be eligible for reinstatement of her license until she pays the fine and completes the supplemental application.

NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW

Pursuant to Md. Code Ann., Health Occ. § 14-408, Dr. Beauvoir 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 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. Beauvoir 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:

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

Exhibit 1

MARYLAND STATE BOARD OF
PHYSICIANS

v.

MARIE BEAUVOIR, M.D.
RESPONDENT

LICENSE No.: D0099103

* BEFORE LEIGH WALDER,
* AN ADMINISTRATIVE LAW JUDGE
* OF THE MARYLAND OFFICE
* OF ADMINISTRATIVE HEARINGS
*
* OAH No.: MDH-MBP1-71-24-26250

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PROPOSED DECISION

STATEMENT OF THE CASE
ISSUES
SUMMARY OF THE EVIDENCE
PROPOSED FINDINGS OF FACT
DISCUSSION
PROPOSED CONCLUSIONS OF LAW
PROPOSED DISPOSITION

STATEMENT OF THE CASE

Disciplinary Panel A (Panel A) of the Maryland State Board of Physicians (Board) issued charges against Marie Beauvoir, M.D. (Respondent) for alleged violations of the Maryland Medical Practice Act. Md. Code Ann., Health Occ. §§ 14-101 *et seq.* (2021 & Supp. 2024). As its basis for the charges, Panel A cited the following provisions of the Health Occupations Article:

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

(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:

...

(33) Fails to cooperate with a lawful investigation of the Board or a disciplinary panel; [and]

...

(43) Except for the licensure process described under Section 3A of this title, violates any provision of this title, any rule or regulation adopted by the Board, or any State or federal law pertaining to the practice of medicine[.]

§ 14-313.1. Verification by compact physician regarding licensure.

...
(a) *In general.* – Within 30 days after receiving a request from the Board, a compact physician shall provide to the Board verification, on a form provided by the Board, that the compact physician satisfies the requirements for licensure under this subtitle.

In support of the charges, Panel A alleged eleven Allegations of Fact.

On September 11, 2024, there was a conference before a Board disciplinary panel, sitting as the Disciplinary Committee for Case Resolution. On September 23, 2024, the Office of Administrative Hearings (OAH) received a delegation to conduct a hearing and to issue proposed findings of fact, proposed conclusions of law, and a proposed disposition.

On November 4, 2024, I held a scheduling conference, on January 15, 2025, I held a prehearing conference, and on February 12, 2025, I held a merits hearing. All stages were conducted via the Webex videoconferencing platform. Code of Maryland Regulations (COMAR) 28.02.01.20B(1)(b). Karen Malinowski, Assistant Attorney General and Administrative Prosecutor, represented the State of Maryland (State). The Respondent represented herself.

ISSUES

(1) Did the Respondent fail to cooperate with a lawful investigation of the Board or a disciplinary panel, in violation of section 14-404(a)(33) of the Health Occupations Article?

(2) Did the Respondent, as a compact physician, within thirty days after receiving a request from the Board, fail to provide to the Board verification, on a form provided by the Board, that she satisfied the requirements for licensure, in violation of section 14-313.1(a) of the Health Occupations Article?

(3) And, if so, did the Respondent violate section 14-404(a)(43) of the Health Occupations Article by violating a provision of Title 14 of the Health Occupations Article, or any rule or regulation adopted by the Board, or any State or federal law pertaining to the practice of medicine?

SUMMARY OF THE EVIDENCE

Exhibits

I admitted the following exhibits on behalf of the State:

State Ex. 1 – Application for Expedited Licensure, signed August 11, 2023, pp. 1-4

State Ex. 2 – Physician Profile Portal, as of April 11, 2024, pp. 5-7

State Ex. 3 – 5-Day Reminder Letter, sent December 7, 2023, pp. 8-9

State Ex. 4 – 10-Day Reminder Letter, sent December 12, 2023, pp. 10-11

State Ex. 5 – 15-Day Reminder Letter, sent December 19, 2023, p. 12

State Ex. 6 – Case Referred to Intake Unit Letter, dated January 23, 2024, pp. 13-14

State Ex. 7 – Last Request Letter, dated February 26, 2024, p. 15

State Ex. 8 – Physician Profile Portal, as of November 12, 2024, pp. 16-18

I admitted the following exhibit on behalf of the Respondent:

Resp. Ex. 1 – Narrative, undated

Testimony

The State presented the testimony of Michael Eid, Compliance Analyst, Associate for the Board.

The Respondent testified on her own behalf.

PROPOSED FINDINGS OF FACT

Having considered all the evidence presented at the hearing, I find the following facts by a preponderance of the evidence:

1. The Respondent resides in Texas.
2. The Respondent was employed by Teladoc, which requires that she be licensed in multiple states.
3. Maryland participates in the Interstate Medical Licensure Compact (Compact).
4. Under the Compact, a physician can submit an Application for Expedited Licensure (Application) to a designated Compact state which begins the process to become licensed in that state on an expedited basis.
5. Teladoc utilized an agency, Medallion, which assisted its physicians with obtaining licenses in other states.
6. On August 11, 2023, Medallion filled out and submitted an Application to the Board on the Respondent's behalf. Medallion also submitted an Application to approximately thirty-two other states.
7. On the Application, Medallion provided the Respondent's residential address, office address, and email address.
8. The email address Medallion provided for the Respondent was [REDACTED]@medallion.co.
9. Medallion never provided the Respondent with information on how to access email sent to her @medallion.co email address and Medallion specifically stated on the Application that the Respondent preferred to receive email correspondence sent to her @gmail.com email address.

10. The Board requires a Compact applicant to provide answers to supplemental questions that can be accessed through the Board's website to ensure that the applicant satisfies the requirements for licensure in the State.

11. On December 7, 2023, the Board sent an email to the Respondent's @medallion.co email address instructing her that she needed to: (1) provide the Board with answers to supplemental questions within ten days; (2) create a practitioner profile; and (3) attend a new physician orientation. The email provided guidance on how to complete all three requests. The email specifically set out in bold type: **"Your failure to complete the supplemental questions may subject you to discipline, up to and including revocation of your license (Md. Code Ann. Health Occ. §14-404(a)(43)(44))."** State Ex. 3, p. 8.

12. The Respondent did not receive the December 7, 2023, email because it was sent to her @medallion.co email address and not her designated @gmail.com professional email address.

13. On December 12, 2023, the Board sent an email to the Respondent's @medallion.co email address instructing her that she needed to: (1) provide the Board with answers to supplemental questions within ten days; and (2) create a practitioner profile. The email provided guidance on how to complete both requests and contained the same warning as the email sent on December 7, 2023.

14. The Respondent did not receive the December 12, 2023, email because it was sent to her @medallion.co email address and not her designated @gmail.com professional email address.

15. On December 19, 2023, the Board sent an email to the Respondent's @medallion.co email address informing her in partial bold and underlined type: "This email is a notification that you are being referred to the Board's Intake Unit, and **a complaint against you will be opened** for your failure to timely complete the supplemental questions required for Maryland licensure." State Ex. 5, p. 12. The email instructed the Respondent that she needed to: (1) provide the Board with answers to supplemental questions within ten days; and (2) create a practitioner profile. The email proved guidance on how to complete both requests and contained the same warning as the emails sent on December 7 and 12, 2023.

16. The Respondent did not receive the December 19, 2023, email because it was sent to her @medallion.co email address and not her designated @gmail.com professional email address.

17. On January 23, 2024, the Board mailed a letter to the Respondent's personal residence, and the Board emailed the same letter to the Respondent's @medallion.co email address, which set forth, in pertinent part, as follows:

On December 19, 2023, the Board notified you that you were being referred to the Intake Unit based upon your failure to timely complete the supplemental questions required for Maryland licensure. To date, you have not completed the supplemental application. Therefore, this letter is to inform you that the Board has opened a preliminary investigation based upon your failure to complete the Compact Physician Supplemental Application as required by Health Occ. § 14-313.1. The form is located at www.mbp.state.md.us/mbp_copact/default.aspx

To resolve this issue and to prevent charging you with violating a disciplinary ground that could result in disciplinary action and the non-renewal of your Compact license, please complete the supplemental questions immediately upon receipt of this letter and notify the Board that it has been completed.

State Ex. 6, p. 13. The letter ended by providing the Respondent with a direct dial phone number and an email address for the Board's Intake Manager.

18. The Respondent did not receive the January 23, 2024, email because it was sent to her @medallion.co email address and not her designated @gmail.com professional email address.

19. The January 23, 2024, letter was properly addressed to the Respondent's residential address.

20. On or about February 16, 2024, the Board's Compliance Analyst, Michael Eid, attempted to call the Respondent at her Teladoc office phone number. The call went to voicemail and Mr. Eid left a message. Afterwards, the Respondent called Mr. Eid back. Mr. Eid had a two-minute telephone conversation with the Respondent in which he relayed: (1) the Respondent needed to work with Medallion to get access to her @medallion.co email address because the Board was sending correspondence to this email address; and (2) the Respondent needed to provide the Board with answers to supplemental questions and the process for filling them out. Mr. Eid expressed the necessity for the Respondent to provide answers to the supplemental questions and explained that multiple attempts have been made to get her to comply. The Respondent told Mr. Eid that she would follow his instructions. The Respondent never informed Mr. Eid that she was unaware of the @medallion.co email address.

21. On February 26, 2024, the Board sent an email to the Respondent's @medallion.co email address which stated: "This will be the Board's last request to ask that you complete the Compact Supplement Application on or before February 29, 2024." State Ex. 7, p. 15.

22. The Respondent never provided the Board with answers to the supplemental questions.

23. At all times relevant, the Respondent suffered from depression due to the loss of her mother which impacted the Respondent's ability to function. The Respondent had to take a five-month medical leave of absence from Teladoc as a result.

24. As of the date of the hearing, the Respondent is going through financial difficulties.

DISCUSSION

Applicable Law

The Board seeks to discipline the Respondent based on allegations that the Respondent (1) failed to cooperate with a lawful investigation of the Board or a disciplinary panel; (2) as a compact physician, within thirty days after receiving a request from the Board, failed to provide to the Board verification, on a form provided by the Board, that she satisfied the requirements for licensure; and (3) violated a provision of Title 14 of the Health Occupations Article, or any rule or regulation adopted by the Board, or any State or federal law pertaining to the practice of medicine. In pursuit of disciplinary action, the State relies on the following provisions of the Health Occupations Article:

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

(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:

...
(33) Fails to cooperate with a lawful investigation of the Board or a disciplinary panel; [and]

...
(43) Except for the licensure process described under Section 3A of this title, violates any provision of this title, any rule or regulation adopted by the Board, or any State or federal law pertaining to the practice of medicine[.]

§ 14-313.1. Verification by compact physician regarding licensure.

...
(a) *In general.* – Within 30 days after receiving a request from the Board, a compact physician shall provide to the Board verification, on a form provided by the Board, that the compact physician satisfies the requirements for licensure under this subtitle.

Burden of Proof

When not otherwise provided by statute or regulation, the standard of proof in a contested case hearing before the OAH is a preponderance of the evidence, and the burden of proof rests on the party making an assertion or a claim. Md. Code Ann., State Gov't § 10-217 (2021); COMAR 28.02.01.21K. To prove an assertion or a claim by a preponderance of the evidence means to show that it is “more likely so than not so” when all the evidence is considered. *Coleman v. Anne Arundel Cnty. Police Dep't*, 369 Md. 108, 125 n.16 (2002). In this case, the State bears the burden of proof on all issues by a preponderance of the evidence. COMAR 28.02.01.21K(1)-(2)(a).

Parties Positions

State

The State argued that the Respondent should be disciplined because the Board emailed her correspondence on five occasions (December 7, 12, 19, 2023, January 23, and February 26, 2024), mailed her correspondence on one occasion (January 23, 2024), and called her on one occasion (roughly February 16, 2024) informing the Respondent that she needed to complete a supplemental questionnaire required for State licensure. Despite these efforts, the Respondent never complied with the Board's requests to complete the supplemental questionnaire.

The Respondent

The Respondent argued that she never received any of the email correspondence the Board sent to her @medallion.co email address because she was never given access to this email account. She testified that she did not even recognize it.

The Respondent argued that she was traveling when the Board mailed her a letter on January 23, 2024, so she did not receive it until later. Finally, the Respondent argued that she was in a “dark hole” due to debilitating depression during this time and she was not able to function; as the Respondent testified, her priorities were her children and breathing.

Analysis

Merits

Email Correspondence from December 7, 12, 19, 2023, January 23, and February 26, 2024

I found the Respondent entirely credible that she never received the Board’s email correspondence from December 7, 12, 19, 2023, January 23, and February 26, 2024. When Medallion filled out the Application, it indicated that the Respondent’s email address was [REDACTED]@medallion.co; however, the Respondent was unaware that Medallion created this email account for her and was further unaware of how to access this email account because she was unaware of its existence. What is baffling, and remained unexplained at the hearing, is why the Board chose to email the Respondent at her @medallion.co email address when the Application specifically indicated that the Respondent wanted to receive email correspondence at her @gmail.com email address. *See* State Ex. 1, p. 3.¹ Emails were not sent to her @gmail.com email address. Therefore, it is understandable that the Respondent never responded to the Board’s December 7, 12, 19, 2023, and January 23, 2024, email correspondence. However, the Respondent was placed on notice, as of approximately February 16, 2024, that the Board was communicating with her through her @medallion.co email address by Mr. Eid.

¹ In response to the Application’s question: “Applicants personal email address,” Medallion responded “[REDACTED]@medallion.co” and in response to the Application’s question “Email address delegated by applicant to receive correspondence,” Medallion provided the Respondent’s @gmail.com email address. State Ex. 1, p. 3.

Mr. Eid testified that he informed the Respondent that she needed to work with Medallion to get access to her @medallion.co email address because the Board was sending correspondence to this email address. Therefore, it is less understandable that the Respondent never responded to the Board's February 26, 2024, email which was sent to the Respondent's @medallion.co email address after the Respondent's conversation with Mr. Eid.

United States Mail Correspondence from January 23, 2024

On January 23, 2024, the Board mailed a letter to the Respondent's personal residence which informed her that she needed to submit answers to the supplemental questions or face disciplinary charges. This letter was properly addressed to the Respondent's residence. The Respondent acknowledged receiving this letter but argued that she was traveling around this timeframe and did not receive it in a timely manner. The Respondent did not provide any evidence to corroborate that she was traveling on or around January 23, 2024. As a result, I find that it is more likely that the Respondent received correspondence from the Board around January 23, 2024, instructing her that she needed to provide answers to the supplemental questions. Despite receipt of this letter, the Respondent never provided answers to the supplemental questions around January 23, 2024, or anytime thereafter.

Telephone Conversation on or about February 16, 2024

Mr. Eid credibly recounted that on or about February 16, 2024, he had a two-minute telephone conversation with the Respondent in which he relayed that the Respondent needed to provide the Board with answers to supplemental questions as well as the process for filling out the supplemental questions. Mr. Eid expressed the necessity for the Respondent to provide answers to the supplemental questions and explained that multiple attempts have been made to get her to comply. The Respondent told Mr. Eid that she would follow his instructions.

Despite this conversation, the Respondent never provided answers to the supplemental questions around February 16, 2024, or anytime thereafter. The Respondent argued that she was not mentally well around the time of this conversation and that it was difficult for her to function as a result. I acknowledge that the Respondent was experiencing mental difficulties around this time; however, as discussed below, the Respondent was still required to satisfy the Board's requirements by submitting answers to the supplemental questions.

Violations

Under section 14-313.1(a) of the Health Occupations Article, the Respondent was required to provide the Board verification, on a form provided by the Board, that she satisfied the requirements for licensure in the State. The Respondent never provided answers to the supplemental questions, which constitutes the form the Board utilized to determine if the Respondent satisfies the requirements for licensure in the State. As discussed, above, the Respondent was placed on notice on three occasions that she needed to provide this form to the Board: first, on January 23, 2024, via a letter properly mailed to the Respondent's address; second, on or about February 16, 2024, when Mr. Eid called the Respondent; and third, on February 26, 2024, when the Board sent an email to the Respondent's @medallion.co email address – which the Board emailed to the Respondent after Mr. Eid told the Respondent that the Board had been using her @medallion.co email address to communicate with her and to get access to that email address. The Respondent's failure to provide the Board answers to the supplemental questions – as requested on these three occasions – was a violation of section 14-313.1(a) of the Health Occupations Article. It was also a violation of section 14-404(a)(33) of the Health Occupations Article which required the Respondent to cooperate with a lawful investigation of the Board. Such an investigation was lawful as it was required under section 14-313.1(a) of the Health Occupations Article.

The Respondent never fulfilled the Board's lawful request which would have allowed it to investigate whether she met the criteria for licensure in the State within thirty days of the request, or anytime thereafter. Finally, by violating sections 14-313.1(a) (which is a provision of Title 14) and 14-404(a)(33) (which is also a provision of Title 14), the Respondent was in violation of section 14-404(a)(43) which prohibits a violation of any provision of Title 14. By violating these provisions, the Respondent is subject to disciplinary action. *See* Md. Code Ann. Health Occ. § 14-404(a) (Supp. 2024).

Sanction

The Board is authorized to seek sanctions against those under its supervision for a plethora of reasons. Md. Code Ann., Health Occ. § 14-404(a), (d) (Supp. 2024); COMAR 10.32.02.09. The sanctioning guidelines are set out in COMAR 10.32.02.10. "Any sanction may be accompanied by conditions reasonably related to the offense or to the rehabilitation of the offender." COMAR 10.32.02.09A(5). Further, [i]f a licensee has violated more than one ground for discipline as set out in the sanctioning guidelines . . . [t]he sanction with the highest severity ranking should be used to determine which ground will be used in developing a sanction[.]" COMAR 10.32.02.09A(6)(a). "Depending on the facts and circumstances of each case . . . the disciplinary panel may consider the aggravating and mitigating factors² set out in . . . [COMAR 10.32.02.09] and may in its discretion determine . . . that an exception should be made and that the sanction in a particular case should fall outside the range of sanctions listed in the sanctioning guidelines." COMAR 10.32.02.09B(1).

² COMAR 10.32.02.09 contains a list of aggravating and mitigating factors that can be considered, but the language of the regulation makes clear that these lists are non-exhaustive by including the language "may include, but are not limited to[.]"

The Respondent's conduct is sanctionable under both COMAR 10.32.02.10B(33) and (43), which corresponds to violations of section 14-404(a)(33) and (43), for which the Respondent has been found in violation. As set out in COMAR 10.32.02.09A(6)(a), the sanction with the highest severity ranking should be used to determine which ground will be used in developing a sanction. COMAR 10.32.02.10B(33) and (43) have a maximum sanction of revocation and a minimum sanction of reprimand; however, B(33) has a maximum fine of \$50,000.00, with a minimum fine of \$10,000.00, while B(43) has a maximum fine of \$25,000.00 and a minimum fine of \$10,000.00. As B(33) has the highest severity ranking, it should be used as the appropriate sanctionable guideline. *See* COMAR 10.32.02.09A(6)(a).

The State argued that mitigating circumstances warrant imposing the minimum sanction of a reprimand and that it would be appropriate to make an exception to go outside the minimum fine range (\$10,000.00) and impose a \$2,000.00 fine. The State also seeks an order that the Respondent is to complete the supplemental questions, create a practitioner profile, and update her information with the Board within fifteen days of a final order in this matter. The Respondent argued that she is unable to afford a \$2,000.00 fine due to her financial circumstances.

Considering that the Respondent was properly notified on three occasions – via a January 23, 2024 letter, a February 16, 2024 phone conversation, and a February 26, 2024 email – that she needed to provide the Board with answers to the supplemental questions, yet the Respondent never provided the answers thereafter, I agree with the Board that a reprimand is the appropriate sanction in this matter. This is the least severe sanction that can be imposed under COMAR 10.32.02.10B(33).

This is appropriate considering the following mitigating circumstances: there is no evidence that the Respondent has any prior disciplinary record; the Respondent was cooperative during the disciplinary panel's proceedings; the Respondent is willing to correct her misconduct; and there is no evidence that any patients or the public were harmed as a result of the Respondent's actions. *See* COMAR 10.32.02.09B(5).

I have taken into consideration that the Respondent did not receive the Board's early emails from December 7, 12, 19, 2023, and January 23, 2024, which were sent to her @medallion.co email address as she was unaware that the Board was sending email to this address prior to her telephone conversation with Mr. Eid. Therefore, the Respondent's conduct is less egregious since I cannot find that she ignored the Board's directives on these early dates. Therefore, I find that the fine should be further reduced to \$1,000.00. COMAR 10.32.02.09B(1).

Finally, the Respondent still seeks to be licensed in Maryland. Therefore, I agree with the Board that the Respondent should complete the supplemental questions, create a practitioner profile, and update her information with the Board within fifteen days of a final order in this matter.

PROPOSED CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact and Discussion, I conclude as a matter of law, as follows:

(1) The Respondent failed to cooperate with a lawful investigation of the Board or a disciplinary panel. Md. Code Ann. Health Occ. § 14-404(a)(33) (Supp. 2024).

(2) The Respondent, as a compact physician, within thirty days after receiving a request from the Board, failed to provide to the Board verification, on a form provided by the Board, that she satisfied the requirements for licensure. Md. Code Ann. Health Occ. § 14-313.1(a) (2021).

(3) The Respondent violated section 14-404(a)(43) of the Health Occupations Article by violating sections 14-404(a)(33) and 14-313.1(a) of the Health Occupations Article. Md. Code Ann. Health Occ. § 14-404(a)(43) (Supp. 2024).

PROPOSED DISPOSITION

I **PROPOSE** as follows:

- (1) That the charges filed by the Maryland State Board of Physicians against the Respondent, for violations of the Maryland Medical Practice Act, be **UPHELD**;
- (2) That the Respondent be sanctioned by the issuance of a reprimand;
- (3) That the Respondent be ordered to pay a fine of \$1,000.00; and
- (4) That the Respondent complete the supplemental questions, create a practitioner profile, and update her information with the Board within fifteen days of a final order in this matter.

Signature on file

May 13, 2025

Date Decision Issued

Leigh Walder
Administrative Law Judge

LW/sh
#218188

NOTICE OF RIGHT TO FILE EXCEPTIONS

Any party adversely affected by this proposed decision may file written exceptions with the disciplinary panel of the Maryland State Board of Physicians that delegated the captioned case to the Office of Administrative Hearings (OAH), and request a hearing on the exceptions. Md. Code Ann., State Gov't § 10-216(a) (2021); COMAR 10.32.02.05. Exceptions must be filed within fifteen (15) days of the date of issuance of this proposed order. COMAR 10.32.02.05B(1). The exceptions and request for hearing must be addressed to the Disciplinary Panel of the Board of Physicians, 4201 Patterson Avenue, Baltimore, MD, 21215-2299, Attn: Christine A. Farrelly, Executive Director.

A copy of the exceptions should be mailed to the opposing attorney, and the other party will have fifteen (15) days from the filing of exceptions to file a written response addressed as above. *Id.* The disciplinary panel will issue a final order following the exceptions hearing or other formal panel proceedings. Md. Code Ann., State Gov't §§ 10-216, 10-221 (2021); COMAR 10.32.02.05C. The OAH is not a party to any review process.

Copies Mailed To:

Marie Beauvoir
3448 North Preston Lakes Drive
Celina, TX 75009

Karen Malinowski, Assistant Attorney General
Administrative Prosecutor
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