

IN THE MATTER OF  
CAROLYN J. PASS, M.D.

Respondent

License Number: D10952

\* BEFORE THE  
\* MARYLAND STATE  
\* BOARD OF PHYSICIANS  
\* Case Number: 2223-0028B

\* \* \* \* \*

**ORDER FOR SUMMARY SUSPENSION OF LICENSE  
TO PRACTICE MEDICINE**

Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) hereby **SUMMARILY SUSPENDS** the license to practice medicine of **CAROLYN J. PASS, M.D.** (the “Respondent”), License Number D10952, in the State of Maryland.

Panel B takes such action pursuant to its authority under Md. Code Ann., State Gov’t (“State Gov’t”) 10-226(c)(2) (2021 Repl. Vol.) and Md. Code Regs. (“COMAR”) 10.32.02.08B(7), concluding that the public health, safety or welfare imperatively requires emergency action.

**INVESTIGATIVE FINDINGS**

Based on information received by, and made known to Panel B, and the investigatory information obtained by, received by and made known to and available to Panel B, including the instances described below, Panel B has reason to believe that the following facts are true:<sup>1</sup>

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<sup>1</sup> The statements regarding the Respondent’s conduct are intended to provide the Respondent with reasonable notice of the basis of Panel B’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.

## **Introduction**

1. Panel B is summarily suspending the Respondent's license to practice medicine after a Board investigation revealed that she has a health condition that affects her ability to practice medicine safely.

## **Background/Licensing Information**

2. The Respondent was originally issued a license to practice medicine in Maryland on May 4, 1971, under License Number D10952. The Respondent has retained continuous licensure in Maryland since that time. The Respondent's license expires on September 30, 2023, subject to renewal.

3. The Respondent is board-certified in dermatology.

4. At all relevant times, the Respondent practiced at a private medical office<sup>2</sup> in Maryland.

## **The Complaint**

5. The Board initiated an investigation of the Respondent after reviewing a complaint (the "Complaint") from one of her patients (the "Complainant"), received by the Board on October 28, 2022. The Complainant reported that during an office visit on or about October 3, 2022, the Respondent appeared to be experiencing memory issues and difficulty understanding her. The Complainant stated that she noticed a marked change in the Respondent's attention and memory compared to prior visits.

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<sup>2</sup> For confidentiality reasons, the name of the health care facility, or any other individuals referenced herein, will not be disclosed in this document. The Respondent may obtain this information from the Board.

## Board Investigation

6. By letter dated November 9, 2022, the Board notified the Respondent of the Complaint and requested that she address the allegations in a written response. By letter dated December 2, 2022, the Respondent's counsel denied that the Respondent had any history of cognitive impairment.

7. On or about December 15, 2022, the Board, as part of its investigation, obtained the Respondent's medical records from her primary care physician ("PCP"). The Board reviewed the medical records in which the PCP made an assessment and diagnosis of the Respondent's medical condition.<sup>3</sup>

8. By letter dated December 21, 2022, the Board, pursuant to Health Occ. § 14-402(a),<sup>4</sup> referred the Respondent to a Board-approved program (the "Program") for an independent examination to determine her present competency to practice medicine.

9. On or about December 28, 2022, the Board obtained the Respondent's medical records from a health care facility, which included an assessment of the Respondent's medical condition.<sup>5</sup>

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<sup>3</sup> For confidentiality reasons, the specific information contained in the Respondent's medical records will not be disclosed in this document. This information will be disclosed to the Respondent upon request. The Panel reviewed this information prior to the issuance of this Order for Summary Suspension of License to Practice Medicine.

<sup>4</sup> Health Occ. § 14-402(a) states: "In reviewing an application for licensure or in investigating an allegation brought against a licensed physician or any allied health professional regulated by the Board under this title, the Physician Rehabilitation Program may request the Board to direct, or the Board or a disciplinary panel on its own initiative may direct, the licensed physician or any allied health professional regulated by the Board under this title to submit to an appropriate examination."

10. By email dated January 3, 2023, the Respondent's counsel advised the Board that the Respondent was unable to attend the examination due to a medical condition. The Respondent also submitted a letter to the Board dated December 30, 2022, from the Respondent's PCP, which stated that the Respondent was unable to participate due to a medical condition.

11. On or about January 4, 2023, the Board received additional medical records from the Respondent's PCP, which included an assessment and diagnosis of the Respondent's medical condition, made on or about December 20, 2022.<sup>6</sup>

12. On or about January 4, 2023, Board staff conducted a telephonic interview with the Respondent's PCP who provided an updated assessment of the Respondent's condition.<sup>7</sup>

13. The Board rescheduled the Respondent's examination to another date. By letter dated January 6, 2023, the Respondent's counsel advised that the Respondent was unable to attend the examination on the rescheduled date or at any other time due to her medical condition, which had not improved.

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<sup>5</sup> For confidentiality reasons, the name of the health care facility will not be disclosed in this document. The Respondent may obtain this information from the Board. For confidentiality reasons, the specific information contained in the Respondent's medical records will not be disclosed in this document. This information will be disclosed to the Respondent upon request. The Panel reviewed this information prior to the issuance of this Order for Summary Suspension of License to Practice Medicine.

<sup>6</sup> For confidentiality reasons, the specific information contained in the Respondent's medical records will not be disclosed in this document. This information will be disclosed to the Respondent upon request. The Panel reviewed this information prior to the issuance of this Order for Summary Suspension of License to Practice Medicine.

<sup>7</sup> For confidentiality reasons, the specific information provided by the Respondent's PCP will not be disclosed in this document. This information will be disclosed to the Respondent upon request. The Panel reviewed this information prior to the issuance of this Order for Summary Suspension of License to Practice Medicine.

14. Pursuant to Health Occ. § 14-402(c), the unreasonable failure or refusal of the licensed individual to submit to an examination is *prima facie* evidence of the licensed individual's inability to practice medicine.

### CONCLUSIONS OF LAW

Based upon the foregoing Investigative Findings, Panel B 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 Respondent's license is summarily suspended.

### ORDER

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

**ORDERED** that pursuant to the authority vested in Panel B by State Gov't § 10-226(c)(2)(2021 Repl. Vol.) 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, February 22, 2023, at 12:30 p.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 B, the Respondent, if 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 B immediately in accordance with Health Occ. § 14-407(a)(2021 Repl. Vol.); and it is further

**ORDERED** that this is a disciplinary Order of Panel B, 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).

02/07/2023  
Date

***Signature On File***

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