IN THE MATTER OF	*	**BEFORE THE**
HAROLD O. ALEXANDER, M.D.	*	**MARYLAND STATE**
Applicant for Reinstatement	*	**BOARD OF PHYSICIANS**
Former License No.: D22219	*	**Case No.: 8821-0001**

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ORDER ON APPLICATION FOR REINSTATEMENT OF MEDICAL LICENSURE

INTRODUCTION

On October 25, 2016, Disciplinary Panel B ("Panel B") of the Maryland State Board of Physicians (the "Board") issued a Final Decision and Order revoking the medical license of Harold Alexander, M.D. based on Panel B's findings that Dr. Alexander was guilty of unprofessional conduct in the practice of medicine and that he violated the standard of care. *See* Md. Code Ann., Health Occ. § 14-404(a)(3)(ii), (22). On June 4, 2020, the Board received Dr. Alexander's application for the reinstatement of his license. On November 18, 2020, Panel B met with Dr. Alexander to consider his application for the reinstatement of his medical license.

DISCIPLINARY HISTORY

August 22, 2012 Consent Order

On August 22, 2012, the Board found that Dr. Alexander was guilty of unprofessional conduct in the practice of medicine, failed to meet the appropriate standards for the delivery of quality medical care, and failed to keep adequate medical records. *See* Health Occ. § 14-404(a)(3)(ii), (22), (40). The Board suspended Dr. Alexander's license for a minimum of three months and imposed a period of probation for a minimum of two years with terms and conditions including evaluation by the Maryland Professional Rehabilitation Program and one-on-one tutorials in medical ethics and record-keeping. On April 4, 2013, the Board terminated the

suspension and placed Dr. Alexander on probation for a minimum of two years with terms and conditions.

April 16, 2014 Consent Order

On April 16, 2014, Dr. Alexander entered into another Consent Order with the Board to resolve allegations of unprofessional conduct surrounding his performance of surgical abortions at an unlicensed facility. The Board further found that Dr. Alexander violated the terms of the 2013 Consent Order. Dr. Alexander's license was suspended for three months and then he was placed on probation for a minimum period of three years with conditions that included completion of a course in medical record keeping.

October 25, 2016 Final Decision and Order

On October 25, 2016, the Board issued a Final Decision and Order revoking Dr. Alexander's license to practice medicine based on his care and treatment of a woman ("Patient A") in the third trimester of pregnancy at his private office with no trained medical staff present to assist. The Board found that Dr. Alexander violated the standard of care by performing an unnecessary procedure on Patient A (inducing fetal demise to an already deceased fetus) and by failing to refer the patient to a higher-level facility for the induction of labor and delivery of the stillborn fetus. The Board, in a separate analysis, also found that Dr. Alexander's care and treatment of Patient A constituted unprofessional conduct in the practice of medicine because his conduct was unbecoming a member in good standing of the profession. The Board considered Dr. Alexander's conduct and poor judgment in his treatment of Patient A, along with his extensive prior disciplinary history, and determined that the revocation of his medical license was the appropriate sanction. Dr. Alexander appealed the Board's October 25, 2017 Final Decision and Order to the Circuit Court for Prince George's County and the Court of Special

Appeals of Maryland. Both Courts affirmed the Board's Final Decision and Order. Dr. Alexander then filed a petition for writ of certiorari to the Court of Appeals of Maryland, which was denied.

APPLICATION FOR REINSTATEMENT

On June 4, 2020, the Board received Dr. Alexander's application for the reinstatement of his license after revocation. The Board sent Dr. Alexander a series of questions including the following:

1. What is your understanding of the nature and circumstances of your conduct, which resulted in the revocation of your Maryland license?

2. What is your understanding of the Board's concerns with respect to your conduct?

3. Have you accepted responsibility for the action(s) resulting in the revocation of your license?

4. What steps have you taken to lessen the likelihood of recurrence?

5. What efforts have you made to maintain your competency to practice medicine in your area of specialty (i.e. continuing education credits)?

The Board also asked Dr. Alexander about his employment during the time his license was revoked and about his plans for employment if his license was reinstated.

In his written response, Dr. Alexander responded that he had ongoing issues with medical record maintenance and documentation, which were addressed through a course and with ethical boundary issues, which were also addressed through a course. Dr. Alexander blamed anti-abortion groups and the Office of Health Care Quality for his disciplinary actions. He also blamed his lawyers and categorized the standard of care violation that led to the revocation of his license as "a judgment call" in which "the Court decided I was wrong." Dr.

Alexander stated that he has not been employed since the revocation of his license and that he had no immediate plans to return to the practice of medicine if his license was reinstated.

CONSIDERATION OF APPLICATION

The reinstatement of a physician's medical license after revocation is a discretionary decision by the Panel. Health Occ. § 14-409; *see Oltman v. Maryland State Board of Physicians*, 182 Md. App. 65, 78 (2008). The Panel must consider whether post-disciplinary reinstatement is in the interest of the health and welfare of the general public and consistent with the best interest of the profession. COMAR 10.32.02.06B(7). If a disciplinary panel chooses not to reinstate the petitioner's license, the "disciplinary panel decision denying reinstatement may set out when, *if ever*, a subsequent petition may be submitted." COMAR 10.32.02.06B(8) (emphasis added).

Dr. Alexander has a lengthy disciplinary history before the Board and the conduct that led to the revocation of his license was serious. Dr. Alexander's conduct and lengthy disciplinary history undermines the public trust regarding his fitness to practice medicine and harms the integrity of the medical profession. Dr. Alexander has not demonstrated any meaningful insight into the events that led to his revocation or remorse for his actions to give the Panel any confidence that his actions would not be repeated should his license be reinstated.

Having considered the entire record in this case, including Dr. Alexander's application for reinstatement, Dr. Alexander's responses to questions from the Board, the response from the administrative prosecutor recommending denial of Dr. Alexander's reinstatement, Dr. Alexander's prior disciplinary orders, and the presentations of the parties before the Reinstatement Inquiry Panel, the Panel concludes that reinstatement is not within the interests of the health and welfare of the general public and is not consistent with the best interests of the

profession. The Panel, therefore, denies Dr. Alexander's application for reinstatement and will not entertain any further applications for reinstatement.

ORDER

It is thus, by Disciplinary Panel B, hereby

ORDERED that the Application for Reinstatement of Medical Licensure of Harold O. Alexander, M.D., former license number D22219, is **DENIED**; and it is further

ORDERED that Dr. Alexander shall not reapply for reinstatement of his license to practice medicine in Maryland; and it is further

ORDERED that this Order is a public document.

Signature on File

01/19/2021
Date

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