

<b>IN THE MATTER OF</b>	*	<b>BEFORE THE MARYLAND</b>
<b>STEVEN A. SCHLOSSER, M.D.</b>	*	<b>STATE BOARD OF</b>
<b>Respondent</b>	*	<b>PHYSICIANS</b>
<b>License Number: D23706</b>	*	<b>Case Number: 2219-0191</b>

\* \* \* \* \*

**CONSENT ORDER**

**BACKGROUND**

The Maryland Board of Physicians (the "Maryland Board") received information that Steven A. Schlosser, M.D., (the "Respondent"), License Number D23706, was disciplined by the Medical Board of California (the "California Board") in a Public Letter of Reprimand dated April 29, 2019.

Based on the above referenced California Board sanction, the Maryland Board has grounds to charge the Respondent with violating the following provisions of the Maryland Medical Practice Act (the "Act"), under H. O. § 14-404(a):

- (a) 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:
  - (21) Is disciplined by a licensing or disciplinary authority or convicted or disciplined by a court of any state or country or disciplined by any branch of the United States uniformed services or the Veteran's Administration for an act that would be grounds for disciplinary action under this section,

The Maryland Board has determined that the acts for which the Respondent was disciplined in California would be grounds for disciplinary action under H.O. § 14-404(a). The grounds for disciplinary action under H.O. § 14-404(a) are as follows:

- (40) Fails to keep adequate medical records as determined by appropriate peer review;

Based on the action taken by the California Board, the Respondent agrees to enter into this Consent Order with the Maryland Board of Physicians, consisting of Procedural Background, Findings of Fact, Conclusions of Law, and Order of reciprocal action.

### **I. FINDINGS OF FACT**

The Board finds the following:

1. At all times relevant hereto, the Respondent was a physician licensed to practice medicine in the State of Maryland. The Respondent was initially licensed in Maryland on or about July 19, 1979.
2. By Public Letter of Reprimand dated April 29, 2019, the California Board reprimanded the Respondent. The California Board found that the Respondent failed to adequately document essential entries into a patient's medical record, including subjective and objective observations, assessment or plan with regard to the patient. A copy of the California Board Public Letter of Reprimand is attached hereto.

### **II. CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Maryland Board concludes as a matter of law that the disciplinary action taken by the California Board against the Respondent was for an act or acts that would be grounds for disciplinary action under Health Occ. §14-404(a)(40) had those offenses been committed in this state.

### **III. ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby:

**ORDERED** that the Respondent be and is hereby **REPRIMANDED**; and be it further

**ORDERED** that this **CONSENT ORDER** is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov. §§4-101 through 4-601 (2014).

06/18/2019  
Date

## ***Signature on File***

Christine A. Farrelly  
Executive Director  
Maryland Board of Physicians

### **CONSENT**

I, Steven A. Schlosser, M.D., acknowledge that I have had the opportunity to consult with counsel before signing this document. By this Consent, I admit to the Findings of Fact and Conclusions of Law, and I agree and accept to be bound by this Consent Order and its conditions and restrictions. I waive any rights I may have had to contest the Findings of Fact and Conclusions of Law.

I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural protections as provided by law. I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I also affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed any such hearing.

I sign this Consent Order after having had an opportunity to consult with counsel, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order. I voluntarily sign this Consent Order, and understand its meaning and effect.

# *Signature on File*

6/11/2019  
Date

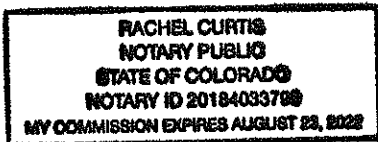
Steven A. Schlosser, M.D.  
Respondent

STATE OF Colorado

CITY/COUNTY OF Boulder

I HEREBY CERTIFY that on this 11<sup>th</sup> day of June, 2019, before me, the subscriber, a Notary Public for the State and City/County aforesaid, personally appeared Steven A. Schlosser, M.D., and made oath in due form of law that the execution of the foregoing Consent Agreement was his voluntary act and deed.

AS WITNESSETH my hand and my notarial seal



Rachel Curtis  
Notary Public

MY COMMISSION EXPIRES:  
August 23, 2022



# MEDICAL BOARD OF CALIFORNIA

Protecting consumers by advancing high quality, safe medical care.

## Enforcement Program

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Gavin Newsom, Governor, State of California | Business, Consumer Services and Housing Agency | Department of Consumer Affairs

April 29, 2019

Steven Allan Schlosser, M.D.  
3080 Pearl Pkwy., #D107  
Boulder, CO 80301-2461

RE: Physician's and Surgeon's Certificate No. G 50288  
Case No. 800-2018-051023

### Public Letter of Reprimand

On November 14, 2018, the Colorado Medical Board issued you a Letter of Admonition for failing to adequately document essential entries into a patient's medical record, including subjective and objective observations, assessment, or plan with regard to the patient. A copy of the Colorado Medical Board's Letter of Admonition is attached as Exhibit A.

These actions constitute a violation of California Business and Professions Code sections 141(a), 2234 and 2305.

Pursuant to the authority of the California Business and Professions Code section 2233, you are hereby issued this Public Letter of Reprimand by the Medical Board of California.

Kimberly Kirchmeyer  
Executive Director

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## **Exhibit A**



COLORADO

Department of  
Regulatory Agencies

Division of Professions and Occupations



VIA CERTIFIED MAIL

November 14, 2018

Case No. 2018-4066-A

Steven A. Schlosser, M.D.

Dear Dr. Schlosser:

Inquiry Panel A ("Panel") of the Colorado Medical Board ("Board") has concluded its inquiry regarding your care and treatment of patient L.N.G. It was the Panel's decision not to commence with formal proceedings against your license to practice medicine. However, the Panel did vote to administer disciplinary action to you in the form of this letter of admonition.

As you recall, in April, 2018, patient L.N.G., an 82-year-old female, presented for evaluation and treatment for pain relief by the telemedicine company by which you were employed. After the patient was prescreened by medical personnel, you approved a prescription for Naproxen 375 ER. The patient complained to the Board that she did not tolerate Naproxen, and was concerned about receiving a prescription from a physician she had not met personally. In your response to the Board, you stated that you acted appropriately and used sound medical judgment when prescribing for the patient.

After a review of all the information in this matter, the Panel found that your documentation of your care and treatment of the patient fell below the generally accepted standards of practice for a physician, constituting unprofessional conduct in violation of section 12-36-117 of the Colorado Revised Statutes. Specifically, you failed to adequately document essential entries into the medical record, including subjective observations, objective observations, assessment, or plan with regard to the patient. Additionally, pursuant to Colorado Medical Board Policy 40-27, "Guidelines for the Appropriate Use of Telehealth Technologies in the Practice of Medicine," a copy of which is enclosed,



Steven A. Schlosser, M.D.  
Case No. 2018-4066-A  
November 14, 2018  
Page Two.

an appropriate medical evaluation and review of relevant clinical history, commensurate with the presentation of the patient to establish diagnoses and identify underlying conditions and/or contraindications to the treatment recommended/provided, should be performed prior to providing treatment, including issuing prescriptions, electronically or otherwise.

By this letter, the Panel hereby admonishes you and cautions you that complaints disclosing any repetition of such practice may lead to the commencement of formal disciplinary proceedings against your license to practice medicine, wherein this letter of admonition may be entered into evidence as aggravation.

You are advised that it is your right to have this case reviewed in an administrative proceeding. To do so, you must submit a written request within twenty (20) days after receipt of this letter. In your request, you must clearly ask that formal disciplinary proceedings be initiated against you to adjudicate the propriety of the conduct upon which this letter of admonition is based. If such request is timely made, this letter of admonition will be deemed vacated, and the matter will be processed by means of a formal complaint and hearing in accordance with the provisions of the Medical Practice Act.

Sincerely,

FOR THE COLORADO MEDICAL BOARD  
INQUIRY PANEL A



Donna M. Baldwin, D.O.

Chair

DMB/ldj

Enclosure: CMB Policy 40-27