



Board of Physicians

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

January 14, 2021

John Vitarello, Jr., M.D.

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Department of Health and Mental Hygiene
300 West Preston Street, Suite 302
Baltimore, Maryland 21201

Re: John Vitarello, Jr., M.D.
Case No.: 2220-0243
License No.: D27544

Dear Dr. Vitarello, Ms. Witherup, Ms. Wesker, Ms. Janofsky, Mr. Silvestri, and Ms. Vehar-Kenyon:

On December 29, 2020, Disciplinary Panel A of the Maryland State Board of Physicians issued an **ORDER FOR SUMMARY SUSPENSION** in this case, pursuant to Md. Code Ann., State Gov't, § 10-226(c)(2)(i) (2014 Repl. Vol. & 2019 Supp.).

Pursuant to the Order, on January 13, 2021, Disciplinary Panel A held a postdeprivation hearing to show cause why that suspension should not be continued. Dr. Vitarello, and his counsel, Ms. Witherup and Ms. Wesker attended the hearing on that date. The State was represented by Katherine Vehar-Kenyon, Assistant Attorney General, Administrative Prosecutor. Both parties presented oral arguments at the hearing.

After considering these arguments at the hearing and documents in the investigative file, Disciplinary Panel A determined that it would continue the summary suspension imposed on December 29, 2020. Disciplinary Panel A thus will not lift the summary suspension order. Disciplinary Panel A finds that the public health, safety or welfare imperatively requires the suspension of Dr. Vitarello's license. *See* State Gov't, § 10-226(c)(2)(i). The order of summary suspension is thus reaffirmed and continues. *See* COMAR 10.32.02.08H(1).

NOTICE OF RIGHT TO APPEAL

Under the Board regulations, Dr. Vitarello has the right to request a full evidentiary hearing before an Administrative Law Judge at the Office of Administrative Hearings. To receive the evidentiary hearing, Dr. Vitarello or his counsel must file the request for the hearing within **TEN (10)** days of the date of this letter. The request for a hearing should be sent to Christine Farrelly, Executive Director, at the Board's address. If the hearing is timely requested, the regulations require that an Administrative Law Judge set the hearing to begin within 30 days of the request, *see* COMAR 10.32.02.08I, though that 30-day time period may be waived.

This letter constitutes an order of the Board through Disciplinary Panel A resulting from formal disciplinary action and is therefore a public document.

Sincerely yours.

Signature on File

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