

IN THE MATTER OF

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BEFORE THE

KRISHAN M. MATHUR, M.D.,

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MARYLAND STATE BOARD

Petitioner.

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OF PHYSICIANS

License No.: D28352

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Case No.: 8819-0003

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ORDER OF REINSTATEMENT

Krishan M. Mathur, M.D. was originally licensed to practice medicine in Maryland on August 30, 1982. On April 8, 2014, in the United States District Court for the District of Maryland (“U.S. District Court”), Dr. Mathur pled guilty to filing a false tax return, in violation of 26 U.S.C § 7206(1). (Criminal Case No. 8:14-CR-00103-PWG-1). On September 29, 2014, the U.S. District Court judge sentenced Dr. Mathur to three years of probation, twelve months of home detention, and 400 hours of community service. The Court also ordered Dr. Mathur to pay a special assessment of \$100.00, a \$50,000.00 fine, and restitution in the amount of \$750,249.00.

On October 14, 2015, Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (“Board”) issued a final decision and order wherein Panel A found that Dr. Mathur’s conviction for filing a false tax return was a crime involving moral turpitude and revoked Dr. Mathur’s license to practice, as mandated by Md. Code Ann., Health Occ. § 14-404 (b)(2).¹

On September 27, 2018, Dr. Mathur filed an application for reinstatement of his medical license with the Board. On March 13, 2019, Dr. Mathur appeared before Panel A for consideration of his reinstatement application. Dr. Mathur has satisfied the requirements for reinstatement and has acknowledged and exhibited remorse for his actions that led to the revocation of his license. Panel A, however, believes that supervision of Dr. Mathur’s medical

¹ Dr. Mathur did not appeal his conviction within the time prescribed by law and the guilty plea and conviction have not been set aside.

practice and additional continuing medical education courses are necessary given the length of time since Dr. Mathur last practiced medicine. Panel A will, therefore, reinstate Dr. Mathur's medical license subject to certain conditions.

ORDER

It is, on the affirmative vote of a majority of the quorum of Board Disciplinary Panel A, hereby

ORDERED that Dr. Mathur's September 27, 2018 application for reinstatement is **GRANTED**; and it is further

ORDERED that Dr. Mathur's license to practice medicine (license number D28352) in Maryland is **REINSTATED**; and it is further

ORDERED that Dr. Mathur is placed on **PROBATION** for a minimum period of **ONE (1) YEAR**.² During probation, Dr. Mathur shall comply with the following terms and conditions of probation:

1. Dr. Mathur shall be supervised for a minimum of one (1) year by a disciplinary panel-approved supervisor, who is board certified in oncology, as follows:

(a) within 30 calendar days of the effective date of this Order, Dr. Mathur shall provide the disciplinary panel with the name, pertinent professional background information of the supervisor whom Dr. Mathur is offering for approval, and written notice to the disciplinary panel from the supervisor confirming his or her acceptance of the supervisory role of Dr. Mathur and that there is no personal or professional relationship with the supervisor;

(b) Dr. Mathur's proposed supervisor, to the best of his knowledge, should not be an individual who is currently under investigation, and has not been disciplined by the Board within the past five years;

(c) if Dr. Mathur fails to provide a proposed supervisor's name within 30 days from the effective date of the order, Dr. Mathur's license shall be automatically suspended from the 31st day until Dr. Mathur provides the name and background of a supervisor;

² If Dr. Mathur's license expires during the period of probation, the probation and any conditions will be tolled.

(d) the disciplinary panel, in its discretion, may accept the proposed supervisor or request that Dr. Mathur submit a name and professional background, and written notice of confirmation from a different supervisor;

(e) the supervision begins after the disciplinary panel approves the proposed supervisor and after Dr. Mathur has returned to the practice of medicine;

(f) the disciplinary panel will provide the supervisor with a copy of this Order and any other documents the disciplinary panel deems relevant;

(g) Dr. Mathur shall grant the supervisor access to ten patient records selected by the supervisor, of patients undergoing active cancer treatment, including chemotherapy and/or radiation;

(h) if the supervisor for any reason ceases to provide supervision, Dr. Mathur shall immediately notify the Board and shall not practice medicine beyond the 30th day after the supervisor has ceased to provide supervision and until Dr. Mathur has submitted the name and professional background, and written notice of confirmation from a proposed replacement supervisor to the disciplinary panel;

(i) it shall be Dr. Mathur's responsibility to ensure that the supervisor:

(i) reviews the records of 10 patients each month, such patient records to be chosen by the supervisor and not Dr. Mathur;

(ii) meets in-person with Dr. Mathur at least once each month and discusses in-person with Dr. Mathur the care Dr. Mathur has provided for these specific patients;

(iii) is available to Dr. Mathur for consultations on any patient;

(iv) maintains the confidentiality of all medical records and patient information;

(v) provides the Board with quarterly reports which detail the quality of Dr. Mathur's practice, any deficiencies, concerns, or needed improvements, as well as any measures that have been taken to improve patient care; and

(vi) immediately report to the Board any indication that Dr. Mathur may pose a substantial risk to patients;

(j) if the disciplinary panel, upon consideration of the supervisory reports and Dr. Mathur's response, if any, has a reasonable basis to believe that Dr. Mathur is not

meeting the standard of quality care or is failing to keep adequate medical records in his practice, the disciplinary panel may find a violation of probation;

2. Dr. Mathur shall obtain 50 CME Category I credits, all to be earned and documented prior to the termination of probation. The 50 CME Category I credits shall be panel-approved courses in oncology and/or hematology, completed in-person. The 50 CME Category I credits may not be used to fulfill the continuing medical education credits required for license renewal. Dr. Mathur must provide documentation to the disciplinary panel that he has successfully completed the CME credits; and it is further **ORDERED** that Dr. Mathur shall not apply for early termination of probation; and it is further

ORDERED that, after the minimum probationary period of one (1) year has passed and after Dr. Mathur has successfully complied with all terms and conditions of probation, Dr. Mathur may submit a written petition for termination of probation. After consideration of the petition, the probation may be terminated through an order of the disciplinary panel. Dr. Mathur may be required to appear before the disciplinary panel to discuss his petition for termination. The disciplinary panel may grant the petition to terminate the probation, through an order of the disciplinary panel, if Dr. Mathur has successfully complied with all probationary terms and conditions and there are no pending complaints relating to the charges; and it is further

ORDERED that if Dr. Mathur allegedly fails to comply with any term or condition imposed by this Order, Dr. Mathur shall be given notice and an opportunity for a hearing. If there is a genuine dispute as to a material fact, the hearing shall be before an Administrative Law Judge of the Office of Administrative Hearings followed by an exceptions process before a disciplinary panel; and if there is no genuine dispute as to a material fact, Dr. Mathur shall be given a show cause hearing before a disciplinary panel; and it is further

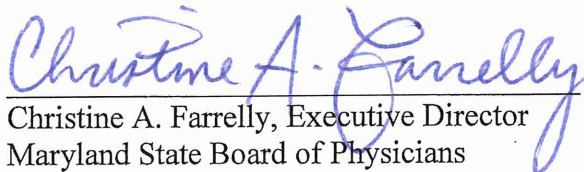
ORDERED that after the appropriate hearing, if the disciplinary panel determines that Dr. Mathur has failed to comply with any term or condition imposed by this Consent Order, the disciplinary panel may reprimand Dr. Mathur, place Dr. Mathur on probation with appropriate terms and conditions or suspend or revoke Dr. Mathur's license to practice medicine in Maryland. The disciplinary panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine on Dr. Mathur; and it is further

ORDERED that Dr. Mathur is responsible for all costs incurred in fulfilling the terms and conditions of probation and this Order of Reinstatement; 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 this Order on behalf of Panel A; and it is further

ORDERED that this Order of Reinstatement is a **PUBLIC DOCUMENT**. See Md. Code Ann., Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

04/23/2019
Date


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