

IN THE MATTER OF
JEFFREY BRIGGS, M.D.

Respondent

License Number: D28640

*** BEFORE THE**
*** MARYLAND STATE**
*** BOARD OF PHYSICIANS**
*** Case Number: 2219-0185**

* * * * *

CONSENT ORDER

On February 24, 2020, Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the “Board”) charged Jeffrey Briggs, M.D. (the “Respondent”) under the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. §§ 14-101 *et seq.* (2014 Repl. Vol. & 2019 Supp.).

Specifically, the Respondent was charged with violating the following:

§ 14-404. Denials, reprimands, probations, suspensions, and revocations – Grounds.

(a) *In general.* Subject to the hearing provisions of § 14-405 of this subtitle, a disciplinary panel of the Board, 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:

- (3) Is guilty of: (ii) Unprofessional conduct in the practice of medicine.

On June 10, 2020, Panel A was convened as a Disciplinary Committee for Case Resolution (“DCCR”) in this matter. Based on negotiations occurring as a result of this DCCR, the Respondent agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law, Order and Consent.

FINDINGS OF FACT

Panel A finds the following:

I. Background

1. At all times relevant to these charges, the Respondent was and is licensed to practice medicine in the State of Maryland. The Respondent was initially licensed to practice on October 18, 1982, under License Number D28640. The Respondent's license is presently active and expires on September 30, 2020.
2. The Respondent currently operates an opioid treatment center in Hagerstown, Maryland. The Respondent was previously employed as the Medical Director at a pain treatment facility (the "Clinic")¹ in Frederick, Maryland, from approximately 2013 through June 2019.
3. In or around November 2015, the Respondent began acting as the supervising physician of a physician assistant (the "Physician Assistant"), which continued until February 16, 2018 when the Clinic terminated the Physician Assistant's employment.
4. At all times relevant to these charges, the Respondent was the Physician Assistant's primary supervising physician.
5. Pursuant to the Maryland Physician Assistants Act, a "supervising physician" is responsible to ensure that a physician assistant practices medicine in

¹ To ensure confidentiality and privacy, the names of individuals and entities involved in this case, other than the Respondent, are not disclosed in this document.

accordance with the Maryland Physician Assistants Act and regulations adopted under the Act. Health Occ. § 15-101(r)(2).

6. On or about April 2, 2019, Disciplinary Panel B (“Panel B”) of the Board issued disciplinary charges against the Physician Assistant based on the Physician Assistant’s failure to meet quality medical standards in violation of Health Occ. §15-314(a)(22), and failure to maintain adequate medical records in violation of Health Occ. §15-314(a)(40).² Panel B based its charges on a complaint that alleged that the Physician Assistant was overprescribing controlled dangerous substances (“CDS”) and prescribing CDS to individuals after they tested positive for illegal CDS.
7. The Board’s investigation of the Physician Assistant included conducting a peer review of ten records from patients of the Physician Assistant. The peer reviewer concluded that the Physician Assistant had failed to meet the standard for quality medical care in ten of the ten patient records reviewed.
8. On or about May 6, 2019, the Board opened an investigation into whether the Respondent properly supervised the Physician Assistant.

II. Board Investigation

9. On or about May 23, 2019, Board staff sent an initial contact letter to the Respondent notifying him of the investigation and requesting a written response within ten days.

² Panel B’s charges against the Physician Assistant were resolved via a Consent Order on July 29, 2019, under Case Number 2218-0111B. Under this Consent Order, Panel B placed the Physician Assistant on probation for a period of two years.

10. On or about June 7, 2019, the Respondent provided a written response to the Board, acknowledging his supervisory responsibilities of oversight over the Physician Assistant
11. The Respondent stated that despite the clinic policies and procedures being repeatedly stressed at staff meetings and in individual follow-up sessions, it became clear that the Physician Assistant was not complying with supervisory interventions, therefore her employment at the Clinic was terminated in 2018.
12. On or about September 3, 2019, Board staff conducted an interview with the Respondent under oath. During the interview, the Respondent stated that he did not personally treat any patients at the Clinic but worked there approximately two-or-three days per month. He stated that in his role as Medical Director for the Clinic he established the policies and tried to enforce them and was on-call for questions regarding patient care. The Respondent stated that there was never a physician on-site and any consultations would usually take place via phone call.
13. The Respondent stated that when supervising of the Physician Assistant, he would get questions about urine screen results and/or diversion of a patient at which point he would give his recommendation. The Respondent said that he expected that his recommendations would be followed, and in order to confirm this he would stop by the clinic on a monthly basis and discuss matters with the clinic manager as well as the Physician Assistant.

14. Disciplinary Panel B's finding that the Physician Assistant violated the standard of quality medical case is evidence that the Respondent failed to adequately supervise the practice of the Physician Assistant and ensure that the Physician Assistant practiced medicine in accordance with the Maryland Physician Assistants Act and applicable regulations.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Disciplinary Panel A of the Board concludes as a matter of law that the Respondent is guilty of unprofessional conduct in the practice of medicine, in violation of Health Occ. § 14-404(a)(3)(ii).

ORDER

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

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

ORDERED that this Consent Order is a public document. *See* Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

Signature on File

07/02/2020
Date

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

CONSENT

I, Jeffrey Briggs, M.D., assert that I am aware of my right to consult with and be represented by counsel in considering this Consent Order and in any proceedings that would otherwise result from the charges currently pending. I have chosen to proceed without counsel, and I acknowledge that the decision to proceed without counsel is freely and voluntarily made.

By this Consent, I agree to be bound by this Consent Order and all its terms and conditions and understand that the disciplinary panel will not entertain any request for amendments or modifications to any condition.

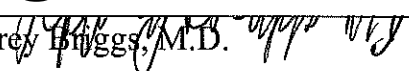
I assert that I am aware of my right to a formal evidentiary hearing, pursuant to Md. Code Ann., Health Occ. § 14-405 and Md. Code Ann., State Gov't §§ 10-201 *et seq.* concerning the pending charges. I waive this right and have elected to sign this Consent Order instead.

I acknowledge the validity and enforceability of this Consent Order as if entered 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 waive those procedural and substantive protections. I acknowledge the legal authority and the jurisdiction of the disciplinary panel to initiate these proceedings and to issue and enforce this Consent Order. I voluntarily enter into and agree to comply with the terms and conditions set forth in the Consent Order as a resolution of the charges. I waive any right to contest the Findings of Fact and Conclusions of Law and Order set out in the Consent Order. I waive all rights to appeal this Consent Order.

I sign this Consent Order, without reservation, and fully understand the language and meaning of its terms.

Date 6/26/20

Signature on File

Jeffrey Briggs, M.D. 

NOTARY

STATE OF: SC

CITY/COUNTY OF: Horry

I HEREBY CERTIFY that on this 26 day of June, 2020, before me, a Notary Public of the State and City/County aforesaid, personally appeared Jeffrey Briggs, M.D. and made oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS, my hand and Notary Seal.



Notary Public

My commission expires: 12/3/29

CHRISTINE QUARTY
Notary Public - State of South Carolina
My Commission Expires December 03, 2029