IN THE MATTER OF	*	**BEFORE THE**
ALAN M. GERINGER, M.D.	*	**MARYLAND STATE**
Respondent	*	**BOARD OF PHYSICIANS**
License Number: D29143	*	**Case Number: 2221-0106B**

* * * * * * * * * * * * *

CONSENT ORDER

On December 27, 2022, Disciplinary Panel B of the Maryland State Board of Physicians (the "Board") charged **ALAN M. GERINGER, M.D.** (the "Respondent"), License Number D29143, under the Maryland Medical Practice Act (the "Act"), codified at Md. Code Ann., Health Occ. ("Health Occ.") §§ 14-101 *et seq.* (2021 Repl. Vol. & 2022 Supp.).

Specifically, Disciplinary Panel B charged the Respondent with violating the following provisions of the Act under Health Occ. § 14-404:

> (a) *In general.* -- 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:
>
> (22) Fails to meet appropriate standards as determined by appropriate peer review for the delivery of quality medical and surgical care performed in an outpatient surgical facility, office, hospital, or any other location in this State, [and]
>
> (40) Fails to keep adequate medical records as determined by appropriate peer review[.]

On February 22, 2023, Panel B was convened as a Disciplinary Committee for Case Resolution ("DCCR") in this matter. Based on negotiations occurring as a result of the

DCCR, the Respondent agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

Disciplinary Panel B finds:

I. BACKGROUND

1. At all times relevant, the Respondent was, and is, licensed to practice medicine in the State of Maryland. The Respondent was originally licensed to practice medicine in Maryland on March 7, 1983, under License Number D29143. The Respondent's license is current through September 30, 2024.

2. The Respondent is board-certified in urology, and at all times, practiced general urology and addiction medicine in Maryland.

3. The Board initiated an investigation of the Respondent after receiving a Mandated 10-Day Report from a health care facility (the "Facility")[1] in Baltimore reporting that it suspended the Respondent's surgical privileges on January 19, 2022, based on a series of surgical complications over a short period of time, which occurred during the Respondent's surgical procedures. On February 18, 2022, the Facility further suspended the Respondent's consultative privileges.

[1] To ensure confidentiality, the names of individuals, hospitals and healthcare facilities involved in this case are not disclosed in this document. The Respondent may obtain the identity of the referenced individuals or entities in this document by contacting the administrative prosecutor.

II. PRIOR DISCIPLINARY ACTION

4. On September 4, 2020, Panel B of the Board charged the Respondent under Board Case Number 2219-0134 with failing to meet appropriate standards for the delivery of quality medical care, in violation of Health Occ. § 14-404(a)(22) based on its investigation of a complaint the Board received on or about December 4, 2018, from a physician from a local government health agency expressing concerns regarding the Respondent's prescribing of controlled dangerous substances.

5. The Board's investigation entailed having two licensed physicians board-certified in Addiction Medicine review a series of medical records of the Respondent's patients. The reviewers concurred that the Respondent failed to meet quality medical standards in four patient records reviewed.

6. The Respondent resolved Panel B's charges by entering into a Consent Order, dated November 18, 2020, in which Panel B concluded as a matter of law that the Respondent failed to meet quality medical care in his treatment of the four patients. Panel B reprimanded the Respondent and placed him on probation for a minimum period of one year with terms and conditions that included coursework and clinical supervision. The Respondent successfully completed his probation on December 20, 2021.

III. BOARD INVESTIGATION

7. In furtherance of its investigation, the Board obtained three patient medical records and written summaries of care from the Respondent. The Board forwarded the medical records of patients the Respondent treated to an independent reviewing agency for a peer review. After reviewing the records, two licensed physicians Board-Certified in

Urology concurred that the Respondent failed to meet appropriate standards of care for quality medical and surgical care in one patient (the "Patient") he treated.

8. The Patient, then a 52-year-old female, was admitted to the Facility on October 15, 2021, with complaints of chest pain. The Patient's medical history included hypertension, diabetes mellitus, hyperlipidemia, obesity and focal segmental glomerulosclerosis. At the time of admission, the Patient was diagnosed with a 3.5 cm left renal mass via imaging studies. Subsequent biopsy confirmed the diagnosis of renal cell carcinoma of the left kidney.

9. On or about December 9, 2021, the Patient was readmitted to the Facility where the Respondent performed an open radical nephrectomy. The remainder of the Patient's stay at the Facility was unremarkable, and she was discharged on or about December 12, 2021.

10. On or about December 15, 2021, the Respondent received a pathology report, which identified a kidney with no neoplasm.

11. On or about December 31, 2021, the Patient underwent a computed tomography, which showed that the right kidney was removed, while the left kidney with the known renal mass was still present.

12. During the December 9, 2021, open radical nephrectomy, the Respondent mistakenly removed the Patient's healthy right kidney instead of the left kidney with the confirmed renal mass.

13. The reviewers further opined that the Respondent's operative report failed to describe the actions leading to a wrong site surgery.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Panel B concludes as a matter of law that the Respondent failed to meet quality medical and surgical standards, in violation of Health Occ. § 14-404(a)(22); and failed to keep adequate medical records, in violation of Health Occ. § 14-404(a)(40).

ORDER

It is thus by Disciplinary Panel B of the Board, hereby:

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

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

04/17/2023
Date

Signature On File

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians

CONSENT

I, Alan Geringer, M.D. acknowledge that I have consulted with counsel before signing this document.

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.

4/4/2023
Date

Signature On File

Alan Geringer, M.D.
Respondent

NOTARY

STATE OF Maryland

CITY/COUNTY OF Baltimore

I HEREBY CERTIFY that on this 4th day of April 2023, before me, a Notary Public of the foregoing State and City/County, personally appeared Alan Geringer, M.D. and made oath in due form of law that signing the foregoing Consent Order was his voluntary act and deed.

AS WITNESSETH my hand and notarial seal.

Notary Public

My Commission expires: Sept 14 2024

SHAUN M GREENWALD
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND
My Commission Expires Sept. 14, 2024