

IN THE MATTER OF
BERNHARD BIRNBAUM, M.D.

Respondent

License Number: D33088

* BEFORE THE
* MARYLAND STATE
* BOARD OF PHYSICIANS
* Case Number: 7720-0052

* * * * *

ORDER

On November 26, 2019, Disciplinary Panel B (the “Panel”) of the Maryland State Board of Physicians (the “Board”) and Bernhard Birnbaum, M.D., entered into a Consent Order wherein the Panel concluded, as a matter of law, that Dr. Birnbaum had failed to meet the appropriate standards for the delivery of quality medical care and failed to keep adequate medical records as determined by appropriate peer review.¹ The Consent Order reprimanded Dr. Birnbaum, permanently prohibited him from prescribing and dispensing all Schedule II and III Controlled Dangerous Substances (CDS) and from certifying patients for the medical use of cannabis, and placed him on probation for a minimum of three (3) years with certain terms and conditions. Dr. Birnbaum has complied with the terms and conditions of the probation and three (3) years have passed. It is thus hereby

ORDERED that the probation imposed by the November 26, 2019 Consent Order is **TERMINATED**; and it is further

ORDERED that the permanent prohibition on prescribing Schedule II and III CDS and certifying patients for the medical use of cannabis remains in effect; and it is further

ORDERED that on every January 31st hereafter if Dr. Birnbaum holds an active Maryland medical license, he shall provide the Board with an affidavit verifying that he has not prescribed

¹ The November 26, 2019 Consent Order is incorporated by reference and available upon request.

Schedule II or III CDS in the past year and has not certified patients for the medical use of cannabis in the past year; and it is further

ORDERED that Dr. Birnbaum fails to provide the required annual verification of compliance with this condition:

1. There is a presumption that he has violated the permanent condition; and
2. The alleged violation will be adjudicated pursuant to the procedures of a Show Cause Hearing; and it is further

ORDERED that the reprimand remains in effect; and it is further

ORDERED that this is a public document.

11/29/2022
Date

Signature On File

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians