

IN THE MATTER OF
DONOVAN B. PARKES, M.D.

Respondent

License Number: D34730

*** BEFORE THE**
*** MARYLAND STATE**
*** BOARD OF PHYSICIANS**
*** Case Number: 7721-0077**

* * * * *

TERMINATION ORDER

On December 22, 2020, Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) and Donovan B. Parkes, M.D. (the “Respondent”), entered into a Consent Order.¹ Under the terms of the Consent Order, the Respondent was reprimanded and placed on probation for a minimum of two (2) years with terms and conditions, including being required to take and successfully complete a course in the appropriate prescribing of opioid medications and a prohibition from prescribing or dispensing all opioids until the Board is provided with evidence of his completion of a Board-approved opioid prescribing course. On January 12, 2021, the Board received confirmation that the Respondent completed an approved opioid prescribing course on January 9, 2021. It is thus hereby

ORDERED that the prohibition on the Respondent’s ability to prescribe and dispense opioids is **TERMINATED**; and it is further

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

ORDERED that the **PROBATION**¹ imposed by the December 22, 2020 Consent Order, for a minimum period of **TWO (2) YEARS**, remains in effect, subject to the following conditions:

- (1) Within **SIX (6) MONTHS** of the December 22, 2020 Consent Order, the Respondent is required to take and successfully complete a course in record keeping. The following terms apply:

¹ If the Respondent’s license expires while he is on probation, the probation period and any probationary conditions will be tolled.

- a. it is the Respondent's responsibility to locate, enroll in, and obtain the disciplinary panel's approval of the course before the course has begun;
- b. the disciplinary panel will accept a course taken in-person or over the internet during the state of emergency;
- c. the Respondent must provide documentation to the disciplinary panel that he has successfully completed the course;
- d. the course may not be used to fulfill the continuing medical education credits required for licensure renewal; and
- e. the Respondent is responsible for the course of the courses.

(2) The Respondent shall be subject to supervision for opioid prescribing by a disciplinary panel-approved supervisor who is board-certified in pain medicine as follows:

- a. within **30 CALENDAR DAYS** of the December 22, 2020 Consent Order, the Respondent shall provide the disciplinary panel with the name, pertinent professional background information of the supervisor whom the Respondent is offering for approval, and written notice to the disciplinary panel from the supervisor confirming their acceptance of the supervisory role of the Respondent and that there is no personal or professional relationship with the supervisor;
- b. the Respondent's proposed supervisor, to the best of the Respondent's knowledge, should not be an individual who is currently under investigation and has not been disciplined by the Board with the past five (5) years;
- c. if the Respondent fails to provide a proposed supervisor's name within 30 calendar days from the effective date of the December 22, 2020 Consent Order, the Respondent's license shall be automatically suspended from the 31st day until the Respondent provides the name and background of a supervisor;
- d. the disciplinary panel, in its discretion, may accept the proposed supervisor or request that the Respondent 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;
- f. the disciplinary panel will provide the supervisor with copies of the December 22, 2020 Consent Order and this Termination Order and any other documents the disciplinary panel deems relevant;
- g. the Respondent shall grant the supervisor access to patient records selected by the supervisor from a list of all patients, which shall, to the extent practicable, focus on the type of treatment at issue in the Respondent's charges;
- h. if the supervisor for any reason ceases to provide supervision, the Respondent shall immediately notify the Board and shall not practice medicine beyond the 30th day after the supervisor has ceased to provide supervision and until the Respondent

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 the Respondent's responsibility to ensure that the supervisor:
 1. reviews the records of seven (7) patients each month, such patient records to be chosen by the supervisor and not the Respondent;
 2. meets in-person with the Respondent at least once each month and discusses in-person with the Respondent the care the Respondent has provided for these specific patients;
 3. be available to the Respondent for consultations on any patient;
 4. maintains the confidentiality of all medical records and patient information;
 5. provides the Board with quarterly reports which detail the quality of the Respondent's practice, any deficiencies, concerns, or needed improvements, as well as any measures that have been taken to improve patient care; and
 6. immediately reports to the Board any indication that the Respondent may pose a substantial risk to patients;
- j. the Respondent shall follow any recommendations of the supervisor;
- k. if the disciplinary panel, upon consideration of the supervisory report and the Respondent's response, if any, has a reasonable basis to believe that the Respondent is not meeting the standard of quality care or failing to keep adequate medical records in his practice, the disciplinary panel may find a violation of probation after a hearing; and it is further

ORDERED that the Respondent shall not apply for early termination of probation; and it is further

ORDERED that after the Respondent has complied with all terms and conditions of probation and the minimum period of probation imposed by the December 22, 2020 Consent Order has passed, the Respondent 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. The Respondent 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 there are no pending complaints relating to the charges; and it is further

ORDERED that if the Respondent allegedly fails to comply with any term or condition imposed by this Termination Order, the Respondent 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, the Respondent 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 the Respondent has failed to comply with any term or condition imposed by this Consent Order, the disciplinary panel may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, or suspend or revoke the Respondent'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 the Respondent; and it is further

ORDERED that the Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this Termination Order; and it is further

ORDERED that the effective date of this Termination Order is the date the Termination Order is signed by the Executive Director of the Board or her designee. The Executive Director signs the Termination Order on behalf of the disciplinary panel which has imposed the terms and conditions of the December 22, 2020 Consent Order; and it is further

ORDERED that this is a public document.

01/13/2021
Date

Signature on File

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians