

Date: 09/10/2020

Damean W. E. Freas, D.O., Chair
Disciplinary Panel B
Maryland State Board of Physicians
4201 Patterson Avenue, 4th Floor
Baltimore, MD 21215-2299

Re: Surrender of License to Practice Medicine
Adela A. Navarro, M.D. License Number: D36991
Case Number: 2219-0074B

Dear Freas and Members of Disciplinary Panel B,

Please be advised that, pursuant to Md. Code Ann., Health Occ. ("Health Occ.") §14-403 (2014 Repl. Vol. & 2019 Supp.), I have decided to **SURRENDER** my license to practice medicine in the State of Maryland, License Number D36991, effective immediately. I understand that upon surrender of my license, I may not give medical advice or treatment to any individual, with or without compensation, and cannot prescribe medications or otherwise engage in the practice of medicine in the State of Maryland as it is defined in the Maryland Medical Practice Act (the "Act"), Health Occ. §§ 14-101 *et seq.* and other applicable laws. In other words, as of the effective date of this Letter of Surrender, I understand that the surrender of my license means that I am in the same position as an unlicensed individual in the State of Maryland.

I understand that this Letter of Surrender is a **PUBLIC DOCUMENT**, and upon Disciplinary Panel B's ("Panel B") acceptance, becomes a **FINAL ORDER** of Panel B of the Maryland State Board of Physicians (the "Board").

I acknowledge that the Board initiated an investigation of my practice and on May 13, 2020, Panel B issued disciplinary charges against me under Health Occ. § 14-404(a)(22) and (40). Specifically, Panel B alleged that I failed to meet the standard of quality care in one gynecological surgical case and failed to maintain adequate medical records in a separate gynecological surgical case. A copy of the charges is attached as Attachment 1. I have decided to surrender my license to practice medicine in the State of Maryland because I have retired from the practice of medicine as of March 2019 and to avoid further investigation and prosecution of these disciplinary charges.

I wish to make it clear that I have voluntarily, knowingly and freely chosen to submit this Letter of Surrender to avoid further prosecution of the disciplinary charges. I acknowledge that for all purposes related to medical licensure, the charges will be treated as if proven.

I understand that by executing this Letter of Surrender I am waiving my right to a hearing to contest the disciplinary charges. In waiving my right to contest the charges, I

Damean W. E. , Freas, D.O. and Members of Disciplinary Panel B

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am also waiving the right to be represented by counsel at the hearing, to confront witnesses, to give testimony, to call witnesses on my own behalf, and all other substantive and procedural protections provided by law, including the right to appeal to circuit court.

I understand that the Board will advise the Federation of State Medical Boards, and the National Practitioner Data Bank of this Letter of Surrender. I also understand that in the event I would apply for licensure in any form in any other state or jurisdiction that this Letter of Surrender may be released or published by the Board to the same extent as a final order that would result from disciplinary action, pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014), and that this Letter of Surrender constitutes a disciplinary action by Panel B.

I affirm that I will provide access to and copies of medical records to my patients in compliance with Title 4, subtitle 3 of the Health General Article. I also agree to surrender my Controlled Dangerous Substances Registration to the Office of Controlled Substances Administration.

I further recognize and agree that by submitting this Letter of Surrender, my license will remain surrendered unless and until the Board grants reinstatement. In the event that I apply for reinstatement of my Maryland License, I understand that Panel B or its successor is not required to grant reinstatement; and, if it does grant reinstatement, may impose any terms and conditions the disciplinary panel considers appropriate for public safety and the protection of the integrity and reputation of the profession. I further understand that if I file a petition for reinstatement, I will approach Panel B or its successor in the same position as an individual whose license has been revoked.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. Finally, I wish to make clear that I have been advised of my right to be represented by an attorney of my choice throughout proceedings before Panel B, including the right to consult with an attorney prior to signing this Letter of Surrender. I consulted with and was represented by an attorney prior to signing this letter surrendering my license to practice medicine in Maryland. I understand both the nature of Panel B's actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning and terms and effect of this Letter of Surrender. I make this decision knowingly and voluntarily.

Very truly yours,

Signature on File

Adela A. Navarro, M.D. /

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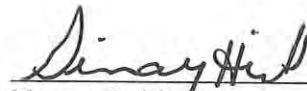
NOTARY

STATE OF Maryland

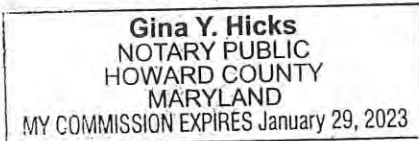
CITY/COUNTY OF Howard

I HEREBY CERTIFY that on this 4th day of September, 2020 before me, a Notary Public of the City/County aforesaid, personally appeared Adela A. Navarro, M.D., and declared and affirmed under the penalties of perjury that the signing of this Letter of Surrender was a voluntary act and deed.

AS WITNESS my hand and Notarial seal.


Notary Public

My commission expires:



ACCEPTANCE

On behalf of Disciplinary Panel B, on this 10th day of September, 2020, I, Christine A. Farrelly, accept the **PUBLIC SURRENDER** of Adela A. Navarro, M.D.'s license to practice medicine in the State of Maryland.

Signature on File

Christine A. Farrelly, Executive Director
Maryland Board of Physicians

IN THE MATTER OF
ADELA NAVARRO, M.D.

RESPONDENT

License Number: D36991

* BEFORE THE
* MARYLAND STATE
* BOARD OF PHYSICIANS
* Case Number: 2219-0074B

* * * * *

CHARGES UNDER THE MARYLAND MEDICAL PRACTICE ACT

Disciplinary Panel B ("Panel B") of the Maryland State Board of Physicians (the "Board") hereby charges ADELA NAVARRO, M.D. (the "Respondent"), License Number D36991, under the Maryland Medical Practice Act (the "Act"), Md. Code Ann., Health Occ. ("Health Occ.") §§ 14-101 *et seq.* (2014 Repl. Vol. and 2019 Supp.).

The pertinent provisions of the Act under Health Occ. § 14-404 provide the following:

- (a) 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;
- ...
- (40) Fails to maintain adequate medical records[.]

ALLEGATIONS OF FACT¹

Panel B bases its charges on the following facts that it has reason to believe are true:

¹ The allegations set forth in this document are intended to provide the Respondent with reasonable notice of this action. They are not intended as, and do not necessarily represent, a complete description of the

1. The Respondent was initially licensed to practice medicine in Maryland on July 1, 1988, under License Number D36991. The Respondent's license is scheduled to expire on September 30, 2021.
2. The Respondent is board-certified in obstetrics and gynecology.
3. The Respondent practiced at a hospital (the "Hospital") in Baltimore, Maryland.²
4. On or about October 18, 2018, the Board received a Mandated 10-Day Report from the Hospital that the Respondent's employment was suspended effective October 12, 2018, because of "reasonable grounds to believe that the health or safety of any patient or staff may be in imminent danger as a result of your continued provision of services."
5. The Board initiated an investigation that included subpoenaing the Respondent's Hospital personnel file and interviewing the chair of the Respondent's department ("Physician 1").
6. Review of the Respondent's personnel file revealed that in August 2018 concerns were raised regarding the Respondent's ability to perform gynecologic surgeries in a safe manner.
7. Specifically, on August 16, 2018, the Respondent began performing a pelviscopy and total laparoscopic hysterectomy on a patient.

evidence, either documentary or testimonial, to be offered against the Respondent in connection with this action.

² The identity of the Hospital, patients and other individuals is confidential. The Respondent may obtain this information upon request to the Administrative Prosecutor.

8. During the course of the surgery, the Respondent had difficulty placing the trocars³ and was unable to place a uterine manipulator after attempting to do so for approximately one-half hour. Another surgeon ("Physician 2") intervened and completed the surgery.
9. As a result of the concerns regarding the Respondent's judgment and skill, including those expressed subsequent to the August 16, 2018 surgery, the Respondent was placed on a three-month Focused Professional Practice Evaluation during which time she was required to have a second surgeon present during major gynecological surgeries she performed.
10. On October 2, 2018, the surgeon monitoring one of the Respondent's surgeries expressed concerns regarding her skill and judgment while performing a laparoscopic-assisted vaginal hysterectomy.
11. As a result of the continued concerns regarding the Respondent, the Hospital suspended the Respondent's privileges for one month.
12. In November 2018, the Respondent was reinstated.
13. In December 2018, the Respondent retired from the Hospital.
14. In furtherance of its investigation, the Board subpoenaed from the Hospital the records of the August 16, 2018 and October 2, 2018 surgeries performed by the Respondent.

³ A medical device that functions as a portal for the subsequent placement of other surgical instruments.

15. Upon receipt of the records Board staff submitted them to an independent peer review entity for review by two physicians board-certified in obstetrics and gynecology (the "Peer Reviewers").
16. The Peer Reviewers concurred that the Respondent failed to meet the standard of quality care in one (1) case and failed to keep adequate medical records in the other case.
17. The Peer Reviewers concurred that the Respondent failed to meet the standard of quality care in her performance of the August 16, 2018 surgery because of her apparent unfamiliarity with the surgical instruments and non-standard surgical techniques.
18. The Peer Reviewers did not concur that the Respondent failed to meet the standard of quality care during the October 2, 2018 surgical procedure; they concurred however that the Respondent failed to keep adequate medical records regarding the procedure. Specifically, the Peer Reviewers agreed that the Respondent's notes were scant and failed to include documentation of pathology or a discharge summary.
19. The Respondent's actions, as outlined above, constitute evidence that the Respondent failed to meet the standard of quality medical care in violation of Health Occ. § 14-404(a)(22) and/or failed to keep adequate medical records in violation of Health Occ. § 14-404(a)(40).

NOTICE OF POSSIBLE SANCTIONS

If, after a hearing, a disciplinary panel finds that there are grounds for action under Health Occ. § 14-404(a)(22) and/or (40), it may impose disciplinary sanctions against the Respondent's license in accordance with the Board's regulations under Md. Code Regs. 10.32.03.17 and 10.32.03.18, including revocation, suspension, or reprimand and may place the Respondent on probation. The Panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine upon the Respondent.

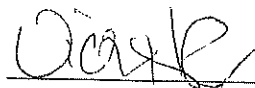
NOTICE OF DISCIPLINARY COMMITTEE FOR CASE RESOLUTION

A Disciplinary Committee for Case Resolution ("DCCR") Conference in this matter is scheduled for **Wednesday, August 26, 2020, at 9:00 a.m.** at the Board's office, 4201 Patterson Avenue, Baltimore, Maryland 21215. The nature and purpose of the DCCR is described in the attached letter to the Respondent. If this matter is not resolved on terms accepted by Panel A, an evidentiary hearing will be scheduled.

BRIAN E. FROSH
ATTORNEY GENERAL OF MARYLAND

May 13, 2020

Date



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Administrative Prosecutor
Maryland Office of the Attorney General
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