

IN THE MATTER OF
MICHAEL J. QUON, M.D.

Respondent

License Number: D40253

* BEFORE THE
* MARYLAND STATE
* BOARD OF PHYSICIANS
* Case Number: 2218-0298A

* * * * *

**ORDER FOR SUMMARY SUSPENSION
OF LICENSE TO PRACTICE MEDICINE**

Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the “Board”) hereby **SUMMARILY SUSPENDS** the license of Michael J. Quon, M.D., (the “Respondent”), license number D40253, to practice medicine in the State of Maryland. Disciplinary Panel A takes such action pursuant to its authority under Md. Code Ann., State Gov’t § 10-226(c)(2) (2014 Repl. Vol. & 2018 Supp.) concluding that the public health, safety or welfare imperatively requires emergency action.

INVESTIGATIVE FINDINGS

Based on information received by, and made known to Panel A and the investigatory information obtained by, received by and made known to and available to Panel A, including the instances described below, Panel A has reason to believe that the following facts are true:¹

BACKGROUND

1. At all times relevant hereto, the Respondent has been licensed to practice medicine in Maryland. The Respondent was initially licensed to practice medicine in

¹ The statements regarding the Respondent’s conduct are intended to provide the Respondent with notice of the basis of the suspension. They are not intended as, and do not necessarily represent a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with this matter.

Maryland on June 27, 1990. His license is scheduled to expire on September 30, 2019.

2. At all times relevant, the Respondent has practiced out of his home office, located at 6916 Rannoch Road, Bethesda, Maryland 20817, and focuses on research and consulting. He currently holds no hospital privileges. He is not currently board-certified in any specialty.
3. On or about July 24, 2018, the Board received a complaint alleging that the Respondent's ability to practice medicine may be impaired.
4. Based on the complaint, the Board began an investigation.

INVESTIGATION

5. In furtherance of the investigation, the Board solicited a response to the complaint from the Respondent. In his written response, the Respondent denied that he was impaired, but he admitted to self-prescribing non-opioid prescription medication. He indicated that his self-prescribing was for renewals and maintenance of medication initially prescribed by his treating physicians to address various health issues, and was done simply for convenience.
6. In furtherance of the investigation, the Board obtained medical records from a Maryland hospital (Hospital A) regarding the Respondent's hospitalization there in April, 2017.
7. In furtherance of the investigation, the Board issued a subpoena to the Prescription Drug Monitoring Program ("PDMP"). The Board also obtained and reviewed the Respondent's pharmacy records and prescriptions for Controlled Dangerous

Substances (“CDS”) for the period beginning on January 1, 2013 until August 24, 2018. The information obtained revealed that the Respondent was prescribing medication including opioid and benzodiazepine CDS to himself and eight (8) other individuals.

8. Specifically, the information obtained also revealed that during that period, the Respondent self-prescribed opioid and benzodiazepine CDS as well as other CDS and non-CDS prescription medication on numerous occasions.
9. On or about January 22, 2019, Board staff sent correspondence to Respondent informing him that he was directed to appear on January 28, 2019 at a Board-approved program (the “Program”) pursuant to § 14-402(a)² of the Health Occupations Article, for an intake evaluation and for the purpose of scheduling a follow-up examination.
10. In response, the Respondent’s attorney stated in correspondence to the Board that the Respondent had enrolled in a seven-day in-patient rehabilitation program.
11. On January 28, 2019, the Respondent was seen for an initial consultation at the Program, at which time the Respondent signed a voluntary cessation agreement, meaning that he voluntarily promised that he would not practice medicine in Maryland until permitted to do so by the Program.
12. A follow-up evaluation was scheduled for February 15, 2019.

² Health Occ. § 14-402(a) states:

In reviewing an application for licensure, certification, or registration or in investigating an allegation brought against a licensed physician or any allied health professional regulated by the Board under this title, the Physician Rehabilitation Program may request the Board to direct, or the Board on its own initiative may direct, the licensed physician or any allied health professional regulated by the Board under this title to submit to an appropriate examination.

13. However, on or about February 7, 2019, the Board received notice that the Respondent had been injured in an auto accident on February 6, 2019.
14. On or about February 13, 2019, the Respondent provided medical records substantiating that he had sustained significant injuries in the accident, and requested the follow-up evaluation, originally scheduled for February 15, 2019, be postponed until he recovered.

BOARD INTERVIEW

15. On or about February 14, 2019, the Board investigators conducted an in-person interview with the Respondent under oath. During the interview, the Respondent admitted that he misuses opioid CDS and has done so for several years. He indicated that during that period, he was able to “detox” or abstain from misusing opioids for three short periods but inevitably relapsed within days.
16. During the interview, the Respondent acknowledged that he self-prescribed opioid CDS to maintain his habitual misuse. He also acknowledged prescribing CDS ostensibly in the names of eight (8) individuals that he identified as friends and family members, who would fill the prescriptions, and then transfer the medication to the Respondent, who used it.
17. He stated that for two family members (“Family Member A” and “Family Member B”), the Respondent himself was able to fill the CDS prescriptions he wrote in their names. Therefore, they were not even aware he was prescribing in their names and using the CDS himself.

18. When asked at the interview why he had omitted mention of opioids in his initial written response to the complaint in which he acknowledged self-prescribing, he answered, “Because I knew that would put me in an unfavorable light.”
19. At the interview, the Board’s investigators requested medical records for eight (8) individuals, plus himself, to whom he had prescribed CDS, according to the PDMP records. However, the Respondent stated that he failed to create or maintain any medical records for these individuals.
20. At the interview, the Respondent acknowledged that he “had a problem” with opioid misuse and had completed the seven-day in-patient rehabilitation program in late January 2019.
21. At the end of the interview, the Respondent stated, “I’m very, very sorry for abusing [opioid CDS]...I’m trying to recover.”

CONCLUSION OF LAW

Based on the foregoing investigative findings, Panel A concludes that the public health, safety or welfare imperatively require emergency action in this case, pursuant to Md. Code Ann., State Gov’t § 10-226(c)(2) (2014 Repl. Vol. & 2018 Supp.), and Md. Code Regs. 10.32.02.08B(7)(a).

ORDER

Based on the foregoing investigative findings and conclusions of law, it is, by a majority of the quorum of Panel A, hereby:

ORDERED that pursuant to the authority vested by Md. Code Ann., State Gov’t § 10-226(c)(2) and Md. Code Regs 10.32.02.08B(7)(a), the Respondent’s license to

practice medicine in the State of Maryland be and is hereby **SUMMARILY SUSPENDED**; and be it further

ORDERED that a post-deprivation Summary Suspension Hearing in accordance with MD Code Regs. 10.32.02.08 B(7)(c) & E has been scheduled for **Wednesday, April 10, 2019, at 11:15 a.m.** before Panel A at the Maryland State Board of Physicians, 4201 Patterson Avenue, Baltimore, Maryland 21215-0095; and be it further

ORDERED that at the conclusion of the post-deprivation Summary Suspension Hearing held before Panel A, the Respondent, if dissatisfied with the result of the hearing, may request within ten (10) days an evidentiary hearing, such hearing to be held within thirty (30) days of the request, before an Administrative Law Judge at the Office of Administrative Hearings, Administrative Law Building, 11101 Gilroy Road, Hunt Valley, Maryland 21031-1301; and be it further

ORDERED that a copy of this Order of Summary Suspension shall be filed with the Board in accordance with Md. Code Ann., Health Occ. § 14-407 (2014 Repl. Vol. & 2018 Supp.); and be it further

ORDERED that this is an Order of the Board and, as such, is a **PUBLIC DOCUMENT**. *See* Health Occ. §§ 1-607, 14-411.1(b)(2), and Md. Code Ann., Gen. Prov. §§ 4-333(b)(6).

03/26/2019
Date

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