

IN THE MATTER OF * BEFORE THE MARYLAND
 CHINGCHAI WANIDWORANUN, M.D. * STATE BOARD OF
 Respondent * PHYSICIANS
 License Number: D40461 * Case Number: 2220-0041

* * * * *

CONSENT ORDER

BACKGROUND

The Maryland Board of Physicians (the “Maryland Board”) received information that Chingchai Wanidoranun, M.D., (the “Respondent”), License Number D40461, was disciplined by the Virginia Board of Medicine (the “Virginia Board”). In a Consent Order entered June 6, 2019, the Virginia Board reprimanded the Respondent.

Based on the above referenced Virginia Board sanction, the Maryland Board has grounds to charge the Respondent with violating the following provisions of the Maryland Medical Practice Act (the “Act”), under H. O. § 14-404(a):

- (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:
 - (21) Is disciplined by a licensing or disciplinary authority or convicted or disciplined by a court of any state or country or disciplined by any branch of the United States uniformed services or the Veteran’s Administration for an act that would be grounds for disciplinary action under this section,

The Maryland Board has determined that the acts for which the Respondent was disciplined in Virginia would be grounds for disciplinary action under H.O. § 14-404(a).

The grounds for disciplinary action under H.O. § 14-404(a) are as follows:

- (3) Is guilty of:
 - (ii) Unprofessional conduct in the practice of medicine;
- (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;

Based on the action taken by the Virginia Board, the Respondent agrees to enter into this Consent Order with the Maryland Board of Physicians, consisting of Procedural Background, Findings of Fact, Conclusions of Law, and Order of reciprocal action.

I. FINDINGS OF FACT

The Board finds the following:

1. At all times relevant hereto, the Respondent was a physician licensed to practice medicine in the State of Maryland. The Respondent was initially licensed in Maryland on or about July 25, 1990 and was reinstated on October 3, 2013.
2. By Consent Order entered June 6, 2019, the Virginia Board reprimanded the Respondent. The Virginia Board found that the Respondent failed to obtain records from or consult with any of Patient A's prior treatment providers before prescribing Xanax and Adderall to the patient. In addition, the Virginia Board found that the Respondent increased Patient A's dosage on multiple occasions without noting adequate medical justification for the increase and without ordering urine drug screens. The Virginia Board further found that the Respondent breached confidentiality by sharing Patient A's Adult ADHD Self-Report Scale and print-outs of Patient A's Prescription Monitoring Program data to the patient's parents without the consent of the patient. A copy of the Virginia Board Consent Order is attached hereto.

II. CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Maryland Board concludes as a matter of law that the disciplinary action taken by the Virginia Board against the Respondent was for an act or acts that would be grounds for disciplinary action under Health Occ. §14-404(a)(3)(ii) and (22) had those offenses been committed in this state.

III. ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby:

ORDERED that the Respondent be and is hereby **REPRIMANDED**, subject to the following terms and conditions:

- a. The Respondent shall comply with the terms and conditions of the June 6, 2019 Virginia Board Consent Order;
- b. If the Respondent fails to comply with any term or condition of this Consent Order, a Board panel, after notice and an opportunity to be heard, may take any action prescribed under Section 14-404(a) of the Maryland Medical Practice Act which includes a reprimand, probation or the suspension or revocation of the Respondent's medical license; and be it further

ORDERED that this **CONSENT ORDER** is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov. §§4-101 through 4-601 (2014).

02/24/2020
Date

Signature on File

Christine A. Farrelly
Executive Director
Maryland Board of Physicians

CONSENT

I, Chingchai Wanidworanun, M.D., acknowledge that I have had the opportunity to consult with counsel before signing this document. By this Consent, I admit to the Findings of Fact and Conclusions of Law, and I agree and accept to be bound by this Consent Order and its conditions and restrictions. I waive any rights I may have had to contest the Findings of Fact and Conclusions of Law.

I acknowledge the validity of this Consent Order as if entered into 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 acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I also affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed any such hearing.

I sign this Consent Order after having had an opportunity to consult with counsel, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order. I voluntarily sign this Consent Order, and understand its meaning and effect.

2.14.20
Date

Signature on File

Chingchai Winadworanun, M.D.
Respondent

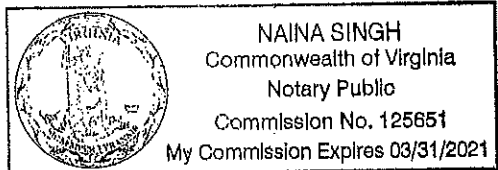
STATE OF Virginia
CITY/COUNTY OF Arlington

I HEREBY CERTIFY that on this 14th day of February, 2020¹⁹ before me, the subscriber, a Notary Public for the State and City/County aforesaid, personally appeared Chinghai Winadworanun, M.D., and made oath in due form of law that the execution of the foregoing Consent Agreement was his voluntary act and deed.

AS WITNESSETH my hand and my notarial seal

Naina Singh
Notary Public

MY COMMISSION EXPIRES: 3-31-2021



BEFORE THE VIRGINIA BOARD OF MEDICINE

IN RE: CHINGCHAI WANIDWORANUN, M.D.
License Number: 0101-058666
Case Number: 187371

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Medicine ("Board") and Chingchai Wanidworanun, M.D., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Dr. Wanidworanun's license to practice medicine and surgery in the Commonwealth of Virginia.

NOTICE

By letter dated March 15, 2019, the Board sent a Notice of Informal Conference ("Notice") to Dr. Wanidworanun notifying him that an informal conference would be held on May 2, 2019. The Notice was sent by UPS overnight to the legal address of record on file with the Board at the time of the mailing.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Chingchai Wanidworanun, M.D., was issued License Number 0101-058666 to practice medicine and surgery on October 28, 1998, which is scheduled to expire on May 31, 2020.
2. Dr. Wanidworanun violated Virginia Code § 54.1-2915(A)(3) and (13) in his care and treatment of Patient A for his anxiety and attention deficit disorder ("ADD"). Specifically:
 - a. Dr. Wanidworanun first saw Patient A on February 24, 2016, when he complained of anxiety and ADD, stating that he had been treated for both for the past four years. Based upon his answers to the Adult ADHD Self-Report Scale, Dr. Wanidworanun prescribed to Patient A Xanax 1mg three times a day #50 and Adderall 15mg twice a day #60. Dr. Wanidworanun failed to obtain records

from or consult with any of Patient A's prior treatment providers. Dr. Wanidworanun made note in Patient A's treatment record that he had, "concern that [Patient A] takes strong opiates, but he has pain management MD, and reason for the medication."

b. Patient A did not return to Dr. Wanidworanun's office again until December 20, 2016. At this visit, Dr. Wanidworanun increased Patient A's Xanax dose to 2mg #50, and increased his Adderall dose to 20mg twice a day #60, noting only that prior doses were "partially effective". Dr. Wanidworanun noted no further medical justification for the increase, did not order a urine drug screen, and did not address Patient A's absence from the practice.

c. Dr. Wanidworanun increased Patient A's Adderall dose again on April 11, 2017, to 20mg once a day #30 and 30mg once a day #30, based upon Patient A's concern that he needed to be motivated to find a new job and needed more focus. As noted in his medical record, Patient A's mother called Dr. Wanidworanun in May 2017 stating that Patient A had a history of drug abuse and was abusing the medications prescribed by Dr. Wanidworanun.

d. Dr. Wanidworanun increased Patient A's Aderrall dose again on July 6, 2017, to 30mg twice a day #60, based upon Patient A finding a job. Patient A's mother called Dr. Wanidworanun again on August 11, 2017, as noted in the medical record, to "beg" Dr. Wanidworanun not to prescribe Xanax or Adderall to Patient A. She claimed that Patient A was injecting medicines intravenously. Despite this information, Dr. Wanidworanun took no action regarding Patient A's possible abuse of his medication until he was contacted by the Board's investigator, after which Dr. Wanidworanun asked Patient A to submit to a urine drug screen on October 25, 2017. Dr. Wanidworanun continued to prescribe Adderall to Patient A through October 2017, and Xanax to Patient A through December 2017.

e. On January 25, 2017, Patient A was found unresponsive with a syringe near him, and was treated in the emergency room. Patient A was alert during his transport by ambulance, and he was noted to have track marks, which Patient A stated were chronic scars.

f. Patient A was treated in the emergency room again on June 13, 2017, for a seizure related to sedative, hypnotic, or anxiolytic abuse. Patient A admitted to taking benzodiazepines and injecting hydroxyzine.

3. Dr. Wanidworanun violated Virginia Code § 54.1-2915(A)(12) and (18) and 18 VAC 85-20-27(A) of the Regulations Governing the Practice of Medicine, Osteopathic Medicine, Podiatry, and Chiropractic in that he breached confidentiality on November 19, 2017, when he shared Patient A's Adult ADHD Self-Report Scale and print-outs of Patient A's Prescription Monitoring Program data to Patient A's parents without the patient's consent.

CONSENT

Chingchai Wanidworanun, M.D., by affixing his signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document and am represented by Michael Goodman, Esq.;

2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;

3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; and the right to representation by counsel;

4. I waive my right to an informal conference;

5. I neither admit nor deny the Findings of Fact and Conclusions of Law contained herein but waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;

6. I consent to the entry of the following Order affecting my license to practice medicine and surgery in the Commonwealth of Virginia.

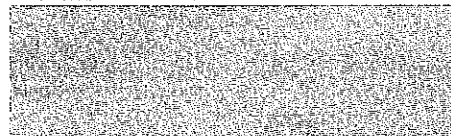
ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Medicine hereby ORDERS as follows:

1. Chingchai Wanidworanun, M.D., is REPRIMANDED.
2. Within six (6) months of the date of entry of this Order, Dr. Wanidworanun shall submit proof satisfactory to the Board of completion of fifteen (15) hours of Board-approved continuing medical education ("CME") in the subject of proper prescribing. Such CME shall be approved in advance of registration by the Executive Director of the Board, and shall be completed through face-to-face, interactive sessions (i.e., no home study, journal, or internet courses). Any CME hours obtained in compliance with this term shall not be used toward compliance with the Board's continuing education requirements for license renewal.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD



Jennifer Deschenes, J.D., M.S.
Deputy Executive Director
Virginia Board of Medicine

Order Entered: 6/6/19

ENTERED: 05/24/19

SEEN AND AGREED TO:



Chingchai Wanidworanun, M.D.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Arlington TO WIT:

Subscribed and sworn to before me, a notary public in and for the Commonwealth of Virginia at large,
on this 24th day of May 2019 .

HOUSNA HORRAT
Notary Public

My commission expires: 03/31/2022

Registration No.: 7774766

