

IN THE MATTER OF

*

BEFORE THE

JACKIE A. SYME, JR., M.D.

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MARYLAND STATE

Respondent

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BOARD OF PHYSICIANS

License Number: D44476

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Case Number: 7722-0096

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**ORDER ON PETITION TO TERMINATE SUSPENSION OF MEDICAL
LICENSE**

PROCEDURAL BACKGROUND

On June 22, 2022, **JACKIE A. SYME, JR., M.D.**, License Number D44476, entered into a Consent Order with Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the “Board”). In the Consent Order, Panel A concluded that Dr. Syme was guilty of unprofessional conduct in the practice of medicine; was professionally, physically, or mentally incompetent; was habitually intoxicated; and provided professional services while under the influence of alcohol, in violation of Health Occ. §§ 14-404(a)(3)(ii), (4), (7), and (9)(i) respectively.¹

Under the terms of the Consent Order, Panel A reprimanded Dr. Syme, suspended Dr. Syme’s Maryland medical license for a minimum period of one year, and required him to comply with certain conditions of suspension, which included: enrolling in the Maryland

¹ The June 22, 2022 Consent Order terminated the summary suspension of Dr. Syme’s license imposed by Panel A on March 29, 2022, is incorporated by reference and is available upon request. Background information in the June 22, 2022 Consent Order listed Dr. Syme’s prior disciplinary history with the Board including a Consent Order dated April 29, 2014, and an Order dated September 29, 2017. In the April 29, 2014 Consent Order, the Board found, *inter alia*, that Dr. Syme failed to comply with applicable standards of quality medical and surgical care and imposed permanent prohibitions on certain aspects of his medical and prescribing practices, including a prohibition on treating any patients on an ongoing basis with controlled dangerous substances (“CDS”) for pain management or detoxification from CDS. The September 29, 2017 Order required Dr. Syme to submit an annual letter to the Board attesting to his compliance with the permanent restrictions on his license.

Professional Rehabilitation Program (“MPRP”) and participating in all therapy, treatment, evaluations, and screenings as directed by MPRP. The Consent Order also provided that after the minimum period of a one-year suspension had passed, Dr. Syme could submit a written petition to terminate the suspension, upon the Board’s receipt of a report from MPRP that Dr. Syme had complied with all of MPRP’s requirements and was safe to return to the practice of medicine. In addition, the Consent Order provided that if the Panel determined that Dr. Syme could safely return to the practice of medicine, the suspension may be terminated through an order of the Panel, and the Panel may impose any terms and conditions it deemed appropriate on Dr. Syme’s return to practice, including, but not limited to, probation and/or continuation of Dr. Syme’s enrollment in MPRP. On June 21, 2023, Dr. Syme filed a petition to terminate his suspension.

On June 23, 2023, MPRP provided a written update on Dr. Syme’s ongoing participation in and compliance with MPRP, which noted that Dr. Syme had adhered to the program’s requirements. In endorsing Dr. Syme’s return to the clinical practice of medicine, MPRP recommended: Dr. Syme’s continued documented abstinence and engagement in activities of recovery; and that Dr. Syme have appropriate oversight and vocational monitoring that is approved in any setting in which he may practice.

On September 13, 2023, Dr. Syme appeared before Panel A for consideration of his petition. Panel A reviewed Dr. Syme’s file and heard oral presentations from Dr. Syme and the administrative prosecutor for the State, who acknowledged Dr. Syme’s compliance with MPRP’s directives. The State’s recommendations included: termination of Dr. Syme’s suspension; the imposition of probation for a minimum for five years; continued

enrollment in and compliance with MPRP's oversight, recommendations, and vocational monitoring; a prohibition on practicing as a solo practitioner; and obtaining Panel A's approval of any practice setting in which Dr. Syme intends to practice.

ORDER

Disciplinary Panel A finds that Dr. Syme has complied with the terms of the June 22, 2022 Consent Order and is safe to return to the practice of medicine if specific terms and conditions are in place. It is, thus, by Disciplinary Panel A hereby:

ORDERED that the suspension imposed by the June 22, 2022 Consent Order is **TERMINATED**; and it is further

ORDERED that the following permanent conditions set forth in Dr. Syme's Consent Order dated April 29, 2014, and in the Board's Order dated September 29, 2017, remain in effect. As required by the April 29, 2014 Consent Order:

1. [Dr. Syme] shall terminate his practice of physical medicine and rehabilitation or pain medicine, and shall not treat any patients on an ongoing basis with controlled dangerous substances ("CDS") for pain management or for detoxification from CDS; and
2. [Dr. Syme] may prescribe Schedule II CDS and or other opioids, subject to the following limitations:

Such prescriptions shall (i) be non-renewable and non-fillable; and (ii) be restricted to a duration of not more than seven (7) days of treatment, for example, if a patient is already receiving Schedule II CDS and/or other opioids from a pain management specialist, the patient is also being seen by [Dr. Syme], and the patient has missed an appointment with the specialist.

If Dr. Syme is treating patients with back pain, neck pain, or migraine headaches who he believes will require Schedule II CDS and/or other opioids

for longer than seven (7) days, Dr. Syme shall refer the patients to a pain specialist.

As required by the September 29, 2017 Order:

Dr. Syme shall submit an annual letter to the Board attesting that he is in compliance with the permanent restrictions placed on his license. This annual letter will be due no later than October 1, of every year for the duration that Dr. Syme possesses an active license to practice medicine in Maryland; and it is further

ORDERED that Dr. Syme is placed on **PROBATION**² for a minimum period of **FIVE (5) YEAR(S)** from the effective date of this Order. During the probationary period, Dr. Syme shall comply with the following terms and conditions of probation:

1. Dr. Syme shall obtain Panel A's approval of any practice setting in which he intends to practice medicine. Upon his return to the practice of medicine, Dr. Syme shall inform the Board in writing of his current employer or employers, the employer's or employers' address or addresses, and of all locations, including hospitals, at which Dr. Syme provides health care services. Dr. Syme shall keep the Board informed of any subsequent employment changes within five business days of the change.
3. Dr. Syme shall not practice medicine as a solo practitioner.
4. Dr. Syme shall remain enrolled in MPRP as follows:
 - (a) Dr. Syme shall continue his Participant Rehabilitation Agreement and Participant Rehabilitation Plan with MPRP, or be entered into an amended Participant Rehabilitation Agreement and Participant Rehabilitation Plan, as determined by MPRP;

² If Dr. Syme's license expires during the period of probation, the probation and any conditions will be tolled.

- (b) Dr. Syme shall fully and timely cooperate and comply with all MPRP's referrals, rules, and requirements, including, but not limited to, the terms and conditions of the Participant Rehabilitation Agreement(s) and Participant Rehabilitation Plan(s) entered with MPRP, and shall fully participate and comply with all therapy, treatment, evaluations, and screenings as directed by MPRP;
- (c) Dr. Syme shall sign and update the written release/consent forms requested by the Board and MPRP, including release/consent forms to authorize MPRP to make verbal and written disclosures to the Board and to authorize the Board to disclose relevant information from MPRP records and files in a public order. Dr. Syme shall not withdraw his release/consent;
- (d) Dr. Syme shall also sign any written release/consent forms to authorize MPRP to exchange with (i.e., disclose to and receive from) outside entities (including all of Dr. Syme's current therapists and treatment providers) verbal and written information concerning Dr. Syme and to ensure that MPRP is authorized to receive the medical records of Dr. Syme, including, but not limited to, mental health and drug or alcohol evaluation and treatment records. Dr. Syme shall not withdraw his release/consent; and
- (e) Dr. Syme's failure to comply with any of the above terms or conditions, including the terms or conditions of the Participant Rehabilitation Agreement(s) or Participant Rehabilitation Plan(s) constitutes a violation of this Order; and it is further

ORDERED that if, upon the authorization of MPRP, Dr. Syme transfers to a rehabilitation program in another state, Dr. Syme's failure to comply with any term or condition of that state's rehabilitation program constitutes a violation of this Order. Dr. Syme shall also sign any out-of-state written release/consent forms to authorize the Board to exchange with (i.e., disclose to and receive from) the out-of-state program verbal and written information concerning Dr. Syme, and to ensure that the Board is authorized to receive the medical records of Dr. Syme, including, but not limited to, mental health and

drug or alcohol evaluation and treatment records. Dr. Syme shall not withdraw the release/consent; and it is further

ORDERED that a violation of probation constitutes a violation of this Order; and it is further

ORDERED that Dr. Syme shall not apply for early termination of probation; and it is further

ORDERED that after Dr. Syme has fully and satisfactorily complied with all terms and conditions of probation, and the minimum period of probation imposed by this Order has passed, Dr. Syme may submit a written petition for termination of probation. After consideration of the petition, the probation may be terminated through an order of a disciplinary panel. Dr. Syme 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 Dr. Syme has successfully complied with all of the probationary terms and conditions and if there are no pending complaints related to the charges that led to the June 22, 2022 Consent Order; and it is further

ORDERED that, if Dr. Syme allegedly fails to comply with any term or condition imposed by this Order, Dr. Syme shall be given notice and an opportunity for a hearing. If the disciplinary panel determines 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 the disciplinary panel

determines there is no genuine dispute as to a material fact, Dr. Syme 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 Dr. Syme has failed to comply with any term or condition imposed by this Order, the disciplinary panel may reprimand Dr. Syme, place Dr. Syme on probation with appropriate terms and conditions, suspend Dr. Syme's license with appropriate terms and conditions, or revoke Dr. Syme'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 Dr. Syme; and it is further

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

ORDERED that the effective date of the Order is the date the Order is signed by the Executive Director of the Board or her designee. The Executive Director or her designee signs the Order on behalf of Disciplinary Panel A, which has imposed the terms and conditions of this Order; and it is further

ORDERED that this Order on Petition to Terminate Suspension is a public document. *See* Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6). (Repl. Vol. 2021).

09/28/2023
Date

Signature On File

Christine A. Farrelly
Executive Director
Maryland Board of Physicians