

IN THE MATTER OF \* BEFORE THE MARYLAND  
 SUNDAY C. UCHELLA, M.D. \* STATE BOARD OF  
 Respondent \* PHYSICIANS  
 License Number: D47415 \* Case Number: 2221-0048

\* \* \* \* \*

**CONSENT ORDER**

**PROCEDURAL BACKGROUND**

The Maryland Board of Physicians (the “Maryland Board”) received information that Sunday C. Uchella, M.D., (the “Respondent”) License Number D47415, was disciplined by the Virginia Board of Medicine (the “Virginia Board”). In an Order dated September 17, 2020; 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.

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 May 26, 1995.

2. On or about April 25, 2020, while on duty as a contract physician in a pediatric unit of a Virginia hospital, the Respondent practiced intubation four times on a stillborn infant without parental consent.

3. By Order dated September 17, 2020, the Virginia Board reprimanded the Respondent.

A copy of the Virginia 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) had those offenses been committed in this state, and would thus subject him to discipline under Health Occ. § 14-404(a)(21).

**III. ORDER**

It is hereby:

**ORDERED** that the Respondent be and is hereby **REPRIMANDED**; 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).

11/04/2020  
Date

*Signature on File*

Christine A. Farrelly  
Executive Director  
Maryland Board of Physicians

**CONSENT**

I, Sunday A. Uchella, MD, assert that I am aware of my right to consult with and be represented by counsel in considering this Consent Order and in any proceedings that would otherwise result from the charges currently pending. I have chosen to proceed without counsel and I acknowledge that the decision to proceed without counsel is freely and voluntarily made.

By this Consent, I agree to be bound by this Consent Order and all its terms and conditions and understand that the disciplinary panel will not entertain any request for amendments or modifications to any condition.

I assert that I am aware of my right to a formal evidentiary hearing, pursuant to Md. Code Ann., Health Occ. § 14-405 and Md. Code Ann., State Gov't §§ 10-201 et seq. concerning the pending charges. I waive this right and have elected to sign this Consent Order instead.

I acknowledge the validity and enforceability of this Consent Order as if entered 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 waive those procedural and substantive protections. I acknowledge the legal authority and the jurisdiction of the disciplinary panel to initiate these proceedings and to issue and enforce this Consent Order.

I voluntarily enter into and agree to comply with the terms and conditions set forth in the Consent Order as a resolution of the charges. I waive any right to contest the Findings of Fact and Conclusions of Law and Order set out in the Consent Order. I waive all rights to appeal this Consent Order.

I sign this Consent Order, without reservation, and fully understand the language and meaning of its terms.

## *Signature on File*

10-31-2020  
Date

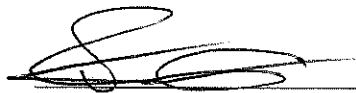
Sunday C. Uchella, MD  
Respondent

### NOTARY

STATE OF Virginia  
CITY/COUNTY OF Fairfax

I HEREBY CERTIFY that on this 31<sup>st</sup> day of October, 2020, before me, a Notary Public of the State and City/County aforesaid, personally appeared Sunday C. Uchella, MD, and made oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

  
\_\_\_\_\_  
Notary Public



**GIAN-CARLO REYES**  
**NOTARY PUBLIC**  
Commonwealth of Virginia  
ID# 7766062  
My Commission Expires  
July 31, 2022

My Commission expires: 07/31/2022

BEFORE THE VIRGINIA BOARD OF MEDICINE

IN RE: SUNDAY CHINASAOKWU UCHELLA, M.D.  
 License Number: 0101-052828  
 Case Number: 204370

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Sunday Chinasaokwu Uchella, M.D., was issued License Number 0101-052828 to practice medicine and surgery on August 1, 1995, which is scheduled to expire on September 30, 2020.
2. Dr. Uchella violated Virginia Code § 54.1-2915(A)(3), (13), and (16) and 18 VAC 85-20-28(A)(3)(a) of the Regulations Governing the Practice of Medicine, Osteopathy, Podiatry and Chiropractic in that on April 25, 2020, while on duty as a contract physician in the pediatric unit of a Virginia hospital, he practiced intubation four times on a stillborn infant without parental consent.
3. In a written statement to the Board, Dr. Uchella acknowledged practicing intubation on the infant in order to enhance his skill in this area.

CONSENT

Sunday Chinasaokwu Uchella, 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;


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 admit to the Findings of Fact and Conclusions of Law contained herein and 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 that Sunday Chinasaokwu Uchulla, M.D., is REPRIMANDED.

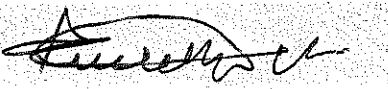
Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD

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

ENTERED: 9/17/2020

SEEN AND AGREED TO:

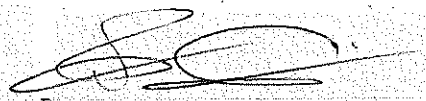
  
\_\_\_\_\_  
Sunday Chinasaokwu Uchella, M.D.

COMMONWEALTH OF VIRGINIA  
COUNTY/CITY OF FAIRFAX, TO WIT:

Subscribed and sworn to before me, a notary public in and for the Commonwealth of Virginia at large,  
on this 31<sup>st</sup> day of Sept ~~Sept~~ October, 2020.  
G.C.R. G.C.R.



**GIAN-CARLO REYES**  
**NOTARY PUBLIC**  
Commonwealth of Virginia  
ID# 7786062  
My Commission Expires  
July 31, 2022

  
\_\_\_\_\_  
Notary Public

My commission expires:

G.C.R.  
~~10/30/2023~~ 07/31/2022

Registration No.:

G.C.R.  
~~7786062~~ 7786062