

IN THE MATTER OF
ANTHONY R. JOSEPH, M.D.

Respondent

License Number D47529

* BEFORE THE
* MARYLAND STATE
* BOARD OF PHYSICIANS
* Case Number 7720-0114

* * * * *

ORDER TERMINATING SUSPENSION AND IMPOSING TERMS AND CONDITIONS

On January 8, 2020, Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the “Board”) summarily suspended the medical license of Anthony R. Joseph, M.D., (the “Respondent”) after it was determined that the public health, safety, or welfare imperatively required emergency action. On January 17, 2020, Panel A issued charges.

As a resolution to the charges, the Respondent entered into a Consent Order with Panel A that concluded that he had failed to meet the standard of care for the delivery of quality medical services, in violation of Health Occ. § 14-404(a)(22), and failed to keep adequate medical records, in violation of Health Occ. § 14-404(a)(40). Pursuant to the Consent Order, the summary suspension of the Respondent’s medical license was terminated and his license was suspended for ninety (90) days, retroactive to January 8, 2020, with terms and conditions. The Consent Order also reprimanded the Respondent and provided that, if the suspension of his medical license was terminated, he would be required to comply with certain terms and conditions.

Ninety (90) days have passed from January 8, 2020; it is thus hereby:

ORDERED that the suspension imposed by the Consent Order, May 11, 2020, is **TERMINATED**; and it is further

ORDERED that the reprimand remains in effect; and it is further

ORDERED that the Respondent is permanently prohibited from prescribing and dispensing all opioids and benzodiazepines under Criminal Law § 5-401 *et seq.*; and is further

ORDERED that the Respondent is permanently prohibited from certifying patients for the medical use of cannabis; and it is further

ORDERED that on every January 31st thereafter if the Respondent holds a Maryland medical license, the Respondent shall provide the Board with an affidavit verifying that the Respondent has not prescribed or dispensed any opioids and/or benzodiazepines or certified patients for the medical use of cannabis in the past year; and it is further

ORDERED that if the Respondent fails to provide the required annual verification of compliance with these conditions:

- (1) There is a presumption that the Respondent has violated these permanent conditions; and
- (2) The alleged violation will be adjudicated pursuant to the procedures of a Show Cause Hearing; and it is further

ORDERED that the Respondent agrees that the Controlled Dangerous Substances (“CDS”) Registration issued by the Office of Controlled Substances Administration will be restricted to the same categories of CDS as limited by this Order; and it is further

ORDERED that the disciplinary panel may issue administrative subpoenas to the Maryland Prescription Drug Monitoring Program on a quarterly basis for the Respondent’s CDS prescriptions. The administrative subpoenas will request the Respondent’s CDS prescriptions from the beginning of each quarter; and it is further

ORDERED that within **SIX (6) MONTHS** of the May 11, 2020 Consent Order, the Respondent is required to take and successfully complete a panel-approved course in medical record keeping. The following terms apply:

- (a) It is the Respondent's responsibility to locate, enroll in and obtain the disciplinary panel's approval of the course before the course is begun;
- (b) The disciplinary panel will not accept a course taken over the internet;
- (c) The Respondent must provide documentation to the disciplinary panel that he has successfully completed the course;
- (d) The course may not be used fulfill the continuing medical education credits required for license renewal; and
- (e) The Respondent is responsible for the cost of the course; and it is further

ORDERED that within **TWO (2) YEARS** of the May 11, 2020 Consent Order, the Respondent shall pay a civil fine of **FIVE THOUSAND DOLLARS (\$5,000.00)**. The payment shall be by money order or bank certified check made payable to the Maryland Board of Physicians and mailed to P.O. Box 37217, Baltimore, Maryland 21297. The Board will not renew or reinstate the Respondent's license if the Respondent fails to timely pay the fine to the Board; and it is further

ORDERED that the Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this Order Terminating Suspension and Imposing Terms and Conditions; and it is further

ORDERED that, if the Respondent allegedly fails to comply with any term of condition imposed by this Order Terminating Suspension and Imposing Terms and Conditions, the Respondent 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, the Respondent 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 the Respondent has failed to comply with any term or condition imposed by this Consent Order, the disciplinary panel may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, or suspend with appropriate terms and conditions, or revoke the Respondent'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 the Respondent; and it is further

ORDERED that this Order Terminating Suspension and Imposing Terms and Conditions is a public document. *See* Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6) (2014 & 2019 Supp.).

05/15/2020
Date

Signature on File

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