

IN THE MATTER OF	*	BEFORE THE
ERIC C. GREENBERG, M.D.	*	MARYLAND STATE BOARD
Applicant for Reinstatement After Revocation	*	OF PHYSICIANS
	*	Board Case Number 8815-0003
* * * * *	*	* * * * *

DECISION AND ORDER ON APPLICATION FOR REINSTATEMENT

On May 19, 2011, the Maryland State Board of Physicians (the “Board”) revoked Eric C. Greenberg’s license to practice medicine in Maryland. Under the terms of the revocation order, Dr. Greenberg was precluded from applying for reinstatement for three years. On November 25, 2014, the Board received Dr. Greenberg’s application for the reinstatement of his medical license, and, on March 17, 2015, the Board received Dr. Greenberg’s answers to the Board’s reinstatement questions. On April 6, 2016, the administrative prosecutor from the Office of the Attorney General’s Health Occupations and Prosecution and Litigation Division responded, recommending the denial of his application. On April 27, 2016, Board Disciplinary Panel B (the “Panel”), met with Dr. Greenberg, Dr. Greenberg’s counsel, and the administrative prosecutor on Dr. Greenberg’s reinstatement application.

Prior to the revocation, Dr. Greenberg already had a disciplinary history with the Board. Dr. Greenberg had entered into two previous Consent Orders, in 2006 and 2007. In 2009, Dr. Greenberg’s license was summarily suspended.¹

The Board revoked Dr. Greenberg’s medical license based upon his prescribing of excessive amounts of controlled dangerous substances (opioids) for illegitimate medical purposes, in violation of Md. Code Ann., Health Occ. § 14-404(a)(3)(ii) (unprofessional

¹ The summary suspension was based upon the same conduct as the charges resulting in the revocation.

conduct), Health Occ. § 14-404(a)(4) (professional incompetence), and Health Occ. § 14-404(a)(27) (illegitimate prescribing). The revocation was also based upon Dr. Greenberg's prescribing of medications to family members and his use of a mood altering substance (cocaine), both of which were in violation of specific conditions in the 2007 Consent Order. The Board explained its decision to revoke his license:

Based upon his excessive prescribing of CDS and his prescribing to family members, Dr. Greenberg, on June 27, 2007, entered into a Consent Order with the Board. He agreed in the Consent Order that he would not prescribe to his family members and that he would abstain from mood altering substances and from CDS. Dr. Greenberg, however, disregarded the 2007 Consent Order and continued to prescribe excessive amounts of CDS and continued to prescribe to his family. Dr. Greenberg did not rein in the improper practices after being charged by the Board in 2006 and 2007. His misconduct, in fact, became more brazen. He took cocaine. He prescribed medication to two family members. He illegitimately prescribed excessive CDS without a medical basis. His practice and behavior reflect a disregard for the legitimate use of his medical license and for the safety of his patients.

Since the revocation, Dr. Greenberg has made many improvements. He works as a personal trainer, and he has taken some steps to address his prior behavior. He has also obtained more than the requisite continuing medical education credits and has kept up with the literature in his field. He took and passed the Special Purpose Examination ("SPEX"). But Dr. Greenberg has not addressed the willfulness of his conduct. He has not explained why he violated the Consent Order or why he engaged in the illegitimate prescribing of opioids. He simply attributes his conduct to "poor judgment."

His actions involved more than just "poor judgment." His actions were deliberate, knowing, and insidious and continued for years. He had no intent to comply with the 2007 Consent Order or to practice within the bounds of acceptable medical standards. He violated the 2007 Consent Order by prescribing to a family member immediately after the Consent Order went into effect. And, until he surrendered his DEA Certificate of Registration two years later,

he continued to prescribe to family members. Even if he had not expressly agreed in the Consent Order to cease prescribing to family members, his prescribing to them would still have been improper and disturbing. Concerning the patients who visited his office, he prescribed opioids with no legitimate medical justification. And this illegitimate prescribing comprised a significant portion of his medical practice.

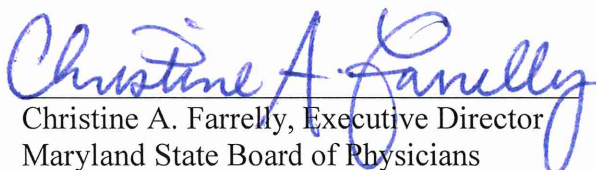
Dr. Greenberg has not shown that he appreciates or understands the nature or gravity of his past conduct. Without an indication that he possesses sufficient insight into his prior actions, the Panel does not have adequate assurance that he will not repeat the flagrant behavior that led to the revocation. The Panel has determined, in its discretion, that reinstatement is not in the interest of the health and welfare of the general public nor consistent with the best interest of the profession.

It is thus, by Board Disciplinary Panel B, hereby

ORDERED that Eric C. Greenberg, M.D.'s Application for the Reinstatement of Medical License is **DENIED**; and it is further

ORDERED that Dr. Greenberg may not reapply for the reinstatement of his medical license for **TWO YEARS** from the date of this order.

05/18/2016
Date


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