

IN THE MATTER OF * BEFORE THE MARYLAND
IHOR ANDREW ZAKALUZNY, M.D. * STATE BOARD OF
Respondent * PHYSICIANS
License Number: D51564 * Case Number: 2218-0255

* * * * *

CONSENT ORDER

BACKGROUND

The Maryland Board of Physicians (the “Maryland Board”) received information that Ihor Andrew Zakaluzny, M.D., (the “Respondent”), License Number D51564, was disciplined by the Maine Board of Licensure in Medicine (the “Maine Board”). In an Order dated April 10, 2018, the Maine Board disciplined the Respondent by reprimand.

Based on the above referenced Maine 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 Maine 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:

(3ii) Is guilty of unprofessional conduct in the practice of medicine

Based on the action taken by the Maine 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 Surgery in the State of Maryland. The Respondent was initially licensed in Maryland on or about January 14, 1997.

2. By Order dated April 10, 2018, the Maine Board disciplined the Respondent by reprimand based upon the Respondent urinating just outside of an office building within sight of an examination room and was seen by a patient. The Order further states that in his response, the Respondent explained that he thought he could void without being seen and that he accepts full responsibility for his “momentary lapse of judgment.”

A copy of the Maine 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 Maine Board against the Respondent was for an act or acts that would be grounds for disciplinary action under Health Occ. § 14-404(a)(3ii) had those offenses been committed in this state.

III. ORDER

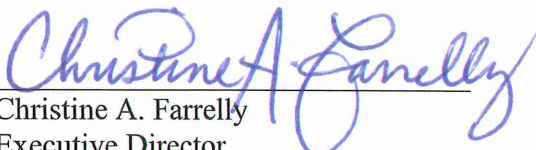
Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby:

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

06/13/2018
Date


Christine A. Farrelly
Executive Director
Maryland Board of Physicians

CONSENT

I, Ihor Andrew Zakaluzny, 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.

Signature on File


June 7, 2018
Date

Ihor Andrew Zakaluzny, M.D.
Respondent

STATE OF LOUISIANA
CITY/COUNTY OF PINOCILLE

I HEREBY CERTIFY that on this 7th day of June, 2018, before me, the subscriber, a Notary Public for the State and City/County aforesaid, personally appeared Ihor Andrew Zakaluzny, 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


Notary Public

MY COMMISSION EXPIRES:

at death

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