

IN THE MATTER OF

MAGANBHAI PANSURIYA, M.D.

Respondent

License Number: D51705

* BEFORE THE
* MARYLAND STATE
* BOARD OF PHYSICIANS
* Case Number: 7721-0139

* * * * *

ORDER FOR SUMMARY SUSPENSION
OF LICENSE TO PRACTICE MEDICINE

Disciplinary Panel A ("Panel A") of the Maryland State Board of Physicians (the "Board") hereby **SUMMARILY SUSPENDS** the license of **MAGANBHAI PANSURIYA, M.D.** (the "Respondent"), License Number D51705, to practice medicine in the State of Maryland.

Panel A takes such action pursuant to its authority under Md. Code Ann., State Gov't § 10-226(c) (2021 Repl. Vol.), concluding that the public health, safety or welfare imperatively requires emergency action.

I. BACKGROUND

Based on information received by, and made known to Panel A, and the investigatory information obtained by, received by and made known to and available to Panel A, including the instances described below, Panel A has reason to believe that the following facts are true:¹

¹ The statements regarding Panel A's investigative findings are intended to provide the Respondent with notice of the basis of the suspension. They are not intended as, and do not necessarily represent, a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with this matter.

1. At all times relevant hereto, the Respondent was and is licensed to practice medicine in the State of Maryland. The Respondent originally was licensed to practice medicine in Maryland on February 28, 1997, under License Number D51705. The Respondent's license is current through September 30, 2023.

2. The Respondent is board-certified in internal medicine.

3. At all times relevant hereto, the Respondent owns and practices medicine at a medical practice (the "Practice") that has offices in Carroll County, Maryland.

4. On January 16, 2018, Panel A issued the Respondent an Advisory Letter based on an investigation into allegations that the Respondent had engaged in a sexual relationship with a patient-employee. The Respondent denied that he had a sexual relationship with the patient-employee, but described himself as a "friend and mentor" to the patient-employee, and defined the relationship as "more than a doctor/patient relationship."

5. On March 3, 2021, in Case No. 2220-0100A, Panel A charged the Respondent based on an investigation into allegations that the Respondent continued to engage in an inappropriate sexual relationship with the patient-employee from the previous investigation that resulted in the January 16, 2018 Advisory Letter. The Respondent was charged with being guilty of immoral conduct in the practice of medicine in violation of Health Occ. § 14-404(a)(3)(i), being guilty of unprofessional conduct in the practice of medicine in violation of Health Occ. § 14-404(a)(3)(ii), and engaging in sexual misconduct in violation of Health Occ. § 1-212 and COMAR 10.32.17.03.

6. On June 16, 2021, the Respondent entered into a Public Consent Order in Case No. 2220-0100A that resolved the charges. The Consent Order contains Findings of Fact and Conclusions of Law that the Respondent is guilty of immoral conduct in the practice of medicine in violation of Health Occ. § 14-404(a)(3)(i), is guilty of unprofessional conduct in the practice of medicine in violation of Health Occ. § 14-404(a)(3)(ii), and engaged in sexual misconduct in violation of Health Occ. § 1-212 and COMAR 10.32.17.03.

7. Through the Consent Order, Panel A ordered that the Respondent: be reprimanded; be placed on probation for a minimum of two (2) years; be required to take and complete a Panel-approved course in ethics with a focus on physician/patient boundaries; be required to pay a \$7,500 fine; and be required to enroll in and comply with the Maryland Professional Rehabilitation Program ("MPRP").

II. MPRP PRELIMINARY EVALUATION

8. On August 4, 2021, the Respondent enrolled in MPRP and entered into a Participant Rehabilitation Agreement and Participant Rehabilitation Plan.

9. On December 29, 2021, the Respondent met with a MPRP-affiliated program for a preliminary evaluation. On January 4, 2022, MPRP provided the Board with the results of the evaluation. The evaluator concluded that the Respondent is not "fit to practice medicine with reasonable skill and safety at this time." The evaluator had "significant concerns" and concluded that the Respondent "demonstrated a lack of understanding of foundational concepts regarding professional boundaries." The evaluator concluded that the Respondent "continues to demonstrate difficulty

acknowledging his problematic boundaries, examine problematic relational dynamics, and identify appropriate professional boundaries.” The evaluator concluded “this leaves both him and his patients significantly vulnerable to future boundary violations.” Additionally, the evaluator opined that during a polygraph examination, the Respondent “demonstrated significant reactions” to boundary questions and “his answers were deemed untruthful.”

10. Accordingly, the evaluator concludes that based on the preliminary evaluation, the Respondent “is not fit to practice with reasonable skill and safety” until additional terms and conditions of the Participant Rehabilitation Agreement and Participant Rehabilitation Plan are fulfilled.²

CONCLUSIONS OF LAW

Based upon the foregoing, Panel A concludes as a matter of law that the public health, safety, or welfare imperatively requires emergency action, pursuant to Md. Code Ann., State Gov’t § 10-226(c)(2) (2021 Repl. Vol.) and Md. Code Regs. (“COMAR”) 10.32.02.08B(7)(a).

ORDER

It is, by a majority of the quorum of Panel A, hereby:

ORDERED that pursuant to the authority vested in Panel A by Md. Code Ann., State Gov’t § 10-226(c)(2) and COMAR 10.32.02.08B(7)(a), the Respondent’s license to practice medicine in the State of Maryland is hereby **SUMMARILY SUSPENDED**; and

² For confidentiality purposes, the complete results and recommendations of the evaluation are not disclosed herein, but were available to the Respondent and considered by Panel A prior to issuance of this Order for Summary Suspension.

it is further

ORDERED that a post-deprivation hearing in accordance with COMAR 10.32.02.05B(7) on the summary suspension will be held on **Wednesday, February 9, 2022, at 10:30 a.m.** before Panel A at the Maryland State Board of Physicians, 4201 Patterson Avenue, Baltimore, Maryland 21215-0095; and it is further

ORDERED that at the conclusion of the post-deprivation hearing before Panel A, the Respondent, if dissatisfied with the result of the hearing, may request within ten (10) days an evidentiary hearing, such hearing to be set within thirty (30) days of the request, before an Administrative Law Judge at the Office of Administrative Hearings, Administrative Law Building, 11101 Gilroy Road, Hunt Valley, Maryland 21031-1301; and it is further

ORDERED that a copy of this Order for Summary Suspension shall be filed with the Board in accordance with Health Occ. § 14-407 (2021 Repl. Vol.); and it is further

ORDERED that this is an Order of Disciplinary Panel A, and as such, is a **PUBLIC DOCUMENT**. See Md. Code Ann., Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Provisions § 4-333(b)(6).

01/28/2022
Date

Signature on File

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians