

IN THE MATTER OF
MAGANBHAI PANSURIYA, M.D.

Respondent

License Number: D51705

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

* * * * *

CONSENT ORDER

On February 22, 2022, Disciplinary Panel A of the Maryland State Board of Physicians (the “Board”) charged **MAGANBHAI PANSURIYA, M.D.** (the “Respondent”), License Number **D51705**, with violating the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. § 14-101 *et seq.* (2021 Repl. Vol.). Panel A charged the Respondent with violating the following provision of the Act:

Health Occ. § 14-404. Denials, reprimands, probations, suspensions, and revocations
-- Grounds.

(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:

(4) Is professionally, physically, or mentally incompetent[.]

On May 11, 2022, Panel A was convened as a Disciplinary Committee for Case Resolution (“DCCR”) in this matter. Based on negotiations occurring as a result of this DCCR, the Respondent agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

Disciplinary Panel A finds:

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”).

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 concluded 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.¹

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Panel A concludes as a matter of law that the Respondent was professionally, physically, or mentally incompetent, in violation of Health Occ. § 14-404(a)(4).

ORDER

It is thus by Disciplinary Panel A of the Board, hereby:

ORDERED that the Order of Summary Suspension pertaining to the Respondent, issued on January 28, 2022, pursuant to Md. Code Ann., State Gov’t § 10-226(c)(2) (2021 Repl. Vol.), is **TERMINATED**; and it is further

ORDERED that Respondent, Maganbhai Pansuriya, M.D., License No. D51705 is **REPRIMANDED**; and it is further

¹ For confidentiality purposes, the complete results and recommendations of the evaluation are not disclosed herein.

ORDERED that the Respondent is placed on **PROBATION** for a minimum of **FIVE YEARS**.² During probation, the Respondent shall comply with the following terms and conditions of probation:

1. The Respondent shall enroll in the Maryland Professional Rehabilitation Program (“MPRP”) as follows:

- (a) Within 5 business days, the Respondent shall contact MPRP to schedule an initial consultation for enrollment;
- (b) Within 15 business days, the Respondent shall enter into a Participant Rehabilitation Agreement and Participant Rehabilitation Plan with MPRP;
- (c) the Respondent shall fully and timely cooperate and comply with all MPRP’s referrals, rules, and requirements, including, but not limited to, the terms and conditions of the Participant Rehabilitation Agreement(s) and Participant Rehabilitation Plan(s) entered with MPRP, and shall fully participate and comply with all therapy, treatment, evaluations, and screenings as directed by MPRP;
- (d) the Respondent shall sign and update the written release/consent forms requested by the Board and MPRP, including release/consent forms to authorize MPRP to make verbal and written disclosures to the Board and to authorize the Board to disclose relevant information from MPRP records and files in a public order. The Respondent shall not withdraw his release/consent;
- (e) the Respondent shall also sign any written release/consent forms to authorize MPRP to exchange with (i.e., disclose to and receive from) outside entities (including all of the Respondent’s current therapists and treatment providers) verbal and written information concerning the Respondent and to ensure that MPRP is authorized to receive the medical records of the Respondent, including, but not limited to, mental health and drug or alcohol evaluation and treatment records. The Respondent shall not withdraw his release/consent; and
- (f) the Respondent’s failure to comply with any of the above terms or conditions including terms or conditions of the Participant

² If the Respondent’s license expires during the period of probation, the probation and any conditions will be tolled.

Rehabilitation Agreement(s) or Participant Rehabilitation Plan(s)
constitutes a violation of this Consent Order;

2. During probation, the Respondent will utilize a chaperone with all female patients and the following conditions apply:

(a) the Respondent shall on every January 31st, through the end of probation, provide the Board with:

(i) an affidavit verifying that he or she has had a chaperone present for every examination or treatment of any patient or type of patient for whom the requirement of a chaperone was imposed;

(ii) the names of those persons who have functioned as chaperones in the past year; and

(iii) the signatures of those persons who have functioned as a chaperone in the past month attesting that they have done so, together with the schedule of the chaperones for the past month;

(b) if the Respondent fails to provide the required annual verification of compliance with this condition:

(i) there is a presumption that the Respondent has violated the permanent condition of this Consent Order; and

(ii) the alleged violation will be adjudicated pursuant to the procedures of a show cause hearing;

3. The Respondent will not be alone with female staff;

4. The Respondent will not provide money or gifts to staff other than a standard paycheck;

5. The Respondent will not provide treatment or prescribe medications to himself, staff, co-workers, family or friends;

6. The Respondent will not provide his personal cell phone number to patients;

7. The Respondent will complete neuropsychological testing at the direction of MPRP;

8. The Respondent will identify and utilize a workplace monitor approved by the Panel who will provide regular feedback and reporting to MPRP concerning the Respondent's workplace behavior;

9. The Respondent will submit to a recheck with an MPRP-affiliated program six months after returning to practice; and

10. The Respondent will attend regular appointments with his health care providers; and it is further

ORDERED that after the Respondent has complied with all terms and conditions of probation and the minimum period of probation imposed by the Consent Order has passed, the Respondent may submit a written petition for termination of probation. After consideration of the petition, the probation may be terminated through an order of the disciplinary panel. The Respondent may be required to appear before the disciplinary panel to discuss his petition for termination. The disciplinary panel may grant the petition to terminate the probation through an order of the disciplinary panel if there are no pending complaints relating to the charges; and it is further

ORDERED that if the Respondent allegedly fails to comply with any term or condition imposed by this Consent Order, the Respondent shall be given notice and an opportunity for a hearing. If 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 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 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 the effective date of the Consent Order is the date the Consent Order is signed by the Executive Director of the Board or her designee. The Executive Director signs the Consent Order on behalf of the disciplinary panel which has imposed the terms and conditions of this Consent Order; and it is further

ORDERED that the Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and it is further

ORDERED that this Consent Order is a public document. *See* Md. Code Ann., Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

Signature On File

5/19/2022

Date

Ellen Douglas Smith
Deputy Director
Maryland State Board of Physicians

CONSENT

I, Maganbhai Pansuriya, M.D., acknowledge that I have consulted with counsel before signing this document.

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

5-17-22
Date

Maganbhai Pansuriya, M.D.
License No. D51705

NOTARY

STATE OF Maryland

CITY / COUNTY OF Baltimore

I HEREBY CERTIFY that on this 17th day of May 2022, before me, a Notary Public of the foregoing State and City/County, personally appeared Maganbhai Pansuriya, M.D., and made oath in due form of law that signing the foregoing Consent Order was his voluntary act and deed.

AS WITNESSETH my hand and notarial seal.



Deborah A. Estes
Notary Public

My Commission expires: 9/23/2025