

IN THE MATTER OF

ALICE O. ADAMS, M.D.

Respondent

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*
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BEFORE THE MARYLAND

STATE BOARD OF

PHYSICIANS

License Number: D52085

*

Case Number: 2218-0042B

CONSENT ORDER

On March 13, 2018, Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) summarily suspended the medical license of **ALICE O. ADAMS, M.D.** (the “Respondent”), **License Number D52085**, pursuant to Md. Code Ann., State Gov’t § 10-226(c)(2)(i) (2014 Repl. Vol. & 2017 Supp.), concluding that the public health, safety, or welfare imperatively required emergency action.

On April 6, 2018, Panel B voted to charge the Respondent under the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. § 14-404(a) (2014 Repl. Vol. & 2017 Supp.).

The pertinent provision of the Act provides:

- (a) *In general.* -- 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 June 27, 2018, Panel B 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.

I. FINDINGS OF FACT

Panel B finds:

1. At all times relevant, the Respondent was a physician licensed to practice medicine in the State of Maryland. The Respondent was initially licensed in Maryland on or about May 30, 1997, and her license is scheduled to be renewed on September 30, 2018.
2. On or about March 13, 2018, based on investigative findings as set forth below, Panel B summarily suspended the Respondent's license to practice medicine concluding that based on the Respondent's mental status, the public health, safety or welfare imperatively required emergency action, pursuant to Md. Code Ann., State Gov't § 10-226(c)(2).¹
3. The Respondent was trained as a neurologist but is not board-certified in any specialty. At all times relevant, prior to the summary suspension of her medical license, she was employed part-time at a facility in Temple Hills, Maryland ("Facility A"), and part-time at a rehabilitation facility in the District of Columbia.
4. On or about September 20, 2017, the Board received a complaint from the wife of a former patient ("Patient A") alleging that during her husband's appointment the

¹ On May 23, 2018, Panel B provided the Respondent with a post-deprivation hearing on the Order for Summary Suspension. Panel B continued the Order for Summary Suspension.

Respondent appeared to be impaired by exhibiting slurred speech and repetitive questioning. The complainant further alleged that the Respondent's office was "dirty."

5. After receiving the complaint, the Board initiated an investigation, and on November 1, 2017, Board staff conducted an on-site visit of Facility A.²

6. During the November 1, 2017 on-site visit, Board staff hand-delivered a copy of the complaint to the Respondent and issued to her subpoenas for appointment logs and employee lists.

7. On or about November 3, 2017, and again on December 1, 2017, the Respondent filed with the Board written responses to the complaint denying the allegations as set forth in the complaint.

8. Board staff interviewed the complainant, Patient A and the Respondent, and subpoenaed the Respondent's Prescription Drug Monitoring Program ("PDMP") records and pharmacy records which reflected prescriptions issued to the Respondent for controlled dangerous substances ("CDS") including opioids and benzodiazepines.

9. Following a review of the investigative documents and after interviewing the Respondent regarding the allegations, in furtherance of its investigation, on or about January 24, 2018, the Board ordered that the Respondent be evaluated by the Maryland Professional Rehabilitation Program ("MPRP").

² Board staff had conducted a prior on-site visit in October 2017; however, the Respondent was not present. During that visit, Board staff took photographs of Facility A.

10. On or about February 8, 2018, the Respondent presented to MPRP for the Board-ordered evaluation. As part of its evaluation, the MPRP referred the Respondent to a psychiatrist specializing in addiction (“Dr. F”). On or about February 22, 2018, Dr. F conducted an evaluation of the Respondent.

11. On or about February 26, 2018, Dr. F sent to Board staff a PDMP printout of multiple CDS prescriptions that had been issued to the Respondent by several different providers between January 2014 and November 2017. The prescriptions had been issued to the Respondent for Schedule II and III opioids and Schedule IV benzodiazepines.

12. On or about February 26, 2018, Dr. F sent an email to Board staff stating that in his professional opinion, based on his evaluation of the Respondent, the Respondent’s personal and professional judgment is impaired and that “she poses a risk to her patients in the practice of medicine...I feel it is prudent to act immediately for reasons of public safety.”

13. On or about March 5, 2018, Dr. F submitted a written report to Board staff summarizing his evaluation of the Respondent that stated in part:

In my professional opinion, [the Respondent] is in need of immediate addiction treatment as she is in complete denial of her dependency on opiates and benzodiazepines.

...

I see significant evidence that [the Respondent’s] personal and professional judgment is impaired and I feel she poses a risk to her patients in the practice of medicine at this time...

14. The Respondent voluntarily enrolled in treatment.

CONCLUSION OF LAW

Based on the foregoing facts, Panel B concludes that the Respondent was professionally, physically or mentally incompetent, in violation of Health Occ. § 14-404(a)(4).

ORDER

It is, on the affirmative vote of a majority of the quorum of Board Disciplinary Panel B, hereby:

ORDERED that the Summary Suspension imposed on March 13, 2018, is terminated as moot; and it is further

ORDERED that the Respondent's license to practice medicine is **SUSPENDED**, and the Respondent shall comply with the following terms and conditions:

1. The Respondent shall enroll in the Maryland Professional Rehabilitation Program ("MPRP"). Within **5 business days**, the Respondent shall contact MPRP to schedule an initial consultation for enrollment. Within **15 business days**, the Respondent shall enter into a Participant Rehabilitation Agreement and Participant Rehabilitation Plan with MPRP. The Respondent shall fully and timely cooperate and comply with all of 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 into with MPRP, and shall fully participate and comply with all therapy, treatment, evaluations, and toxicology screenings as directed by MPRP;

2. The Respondent shall sign and update the written release/consent forms requested or required by the Board and MPRP. The Respondent shall sign the release/consent forms to authorize MPRP to make verbal and written disclosures to the Board, including disclosure of any and all MPRP records and files possessed by MPRP. 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 treatment records;

3. The Respondent shall be responsible for ensuring that any treatment provider(s) submit written reports to the MPRP and to the Board at least once every three (3) months regarding her attendance, progress, payment of fees, and recommendations as to the continuation, frequency, and/or termination of treatment. The Respondent shall sign any consent forms required to authorize Panel B and the MPRP to receive written reports from her treating mental health and health professionals or any treatment providers.

AND IT IS FURTHER ORDERED that if the MPRP finds that the Respondent is safe to return to the practice of medicine and if the Respondent has complied with the conditions above, the Respondent may submit a written petition to Panel B requesting the

termination of the suspension of the Respondent's license.³ If Panel B terminates the suspension, the disciplinary panel may order any conditions and additional terms on the Respondent it deems appropriate, including, but not limited to, probation; and it is further

ORDERED that if the Respondent allegedly fails to comply with any term or condition of 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. If there is no genuine dispute as to a material fact, the Respondent shall be given a show cause hearing before the Board or Panel B; and it is further

ORDERED that if, after the appropriate hearing, the Board or Disciplinary Panel determines that the Respondent has failed to comply with any term or condition of this Consent Order, the Board or 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 Board or Disciplinary Panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine upon the Respondent; and it is further

ORDERED that the Respondent shall comply with the Maryland Medical Practice Act, Md. Code Ann., Health Occ. §§ 14-101-14-702, and all laws and regulations governing the practice of medicine in Maryland; and it is further

³ The suspension will not be terminated if the Respondent's license expires, thus the Respondent shall renew her license in order for the suspension to be terminated.

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, unless stated otherwise in the order, any time period prescribed in this order begins when the Consent Order goes into effect. The Consent Order goes into effect upon the signature of the Board's Executive Director, who signs on behalf of Panel B; and it is further

ORDERED that this Consent Order is a public document pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014 & 2016 Supp.)

July 10, 2018
Date

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

CONSENT

I, Alice O. Adams, M.D., License No. D52085, by affixing my signature hereto, acknowledge that:

I am represented by counsel and have consulted with counsel before entering into this Consent Order. By this Consent and for the sole purpose of resolving the issues raised by the Board, I agree and accept to be bound by the foregoing Consent Order and its conditions.

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 own behalf, and to all other substantive and procedural protections provided by law. I agree to forego my opportunity to challenge these allegations. I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I affirm that I am waiving my right to appeal any adverse ruling of the Board that I might have filed after any such hearing.

I sign this Consent Order after having an opportunity to consult with counsel, voluntarily and without reservation, and I fully understand and comprehend the language, meaning and terms of the Consent Order.

Signature on File

7-5-18
Date


Alice O. Adams, M.D.

STATE/ DISTRICT OF Maryland

CITY/COUNTY OF:

I HEREBY CERTIFY that on this 7 day of July, 2018, before me, a Notary Public of the State/District and County aforesaid, personally appeared Alice O. Adams, M.D., and gave oath in due form of law that the foregoing Consent Order was her voluntary act and deed.

AS WITNESS, my hand and Notary Seal.



Notary Public

DONNA G MORTIMER
Notary Public-Maryland
Carroll County
My Commission Expires
4/27/19

My commission expires: 4/27/19