

<b>IN THE MATTER OF</b>	*	<b>BEFORE THE MARYLAND</b>
<b>RUDY JUBURI, M.D.</b>	*	<b>STATE BOARD OF</b>
<b>Respondent</b>	*	<b>PHYSICIANS</b>
<b>License Number: D52362</b>	*	<b>Case Number: 2223-0072</b>

\* \* \* \* \*

**CONSENT ORDER**

**PROCEDURAL BACKGROUND**

The Maryland Board of Physicians (the “Maryland Board”) received information that Rudy Juburi, M.D., (the “Respondent”) License Number D52362, was disciplined by the Virginia Board of Medicine (the “Virginia Board”). In an Order dated January 6, 2023 (nunc pro tunc December 27, 2022), the Virginia Board disciplined the Respondent by reprimand and assessment of a \$5,000 monetary penalty.

Based on the above referenced Virginia Board 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,

Disciplinary Panel B (“Panel B”) has determined that the acts for which the Respondent was disciplined in Virginia 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:

- (3) Is guilty of:
  - (ii) Unprofessional conduct in the practice of medicine[.]

Based on the action taken by the Virginia Board, the Respondent agrees to enter into this Consent Order with Panel B, consisting of Procedural Background, Findings of Fact, Conclusions of Law, Order and Consent.

### **FINDINGS OF FACT**

Panel B makes the following findings of fact:

1. At all times relevant hereto, the Respondent was a physician licensed to practice medicine in the State of Maryland. The Respondent was initially licensed in Maryland on or about July 11, 1997.
2. In its January 6, 2023 Modified Order (nunc pro tunc December 27, 2022), the Virginia Board found that the Respondent violated certain provisions of the Virginia Administrative Code regarding his care and treatment of a patient at his internal medicine practice as it relates to the frequency of follow-up visits for the refill of oral contraceptive medication.
3. The Virginia Board further found that the Respondent breached practitioner-patient confidentiality when he sent via facsimile a letter to the patient's employer, complaining about the patient's interactions with his staff and himself and referencing details about the patient's medical care.

4. By Order dated January 6, 2023 (nunc pro tunc December 27, 2022), the Virginia Board disciplined the Respondent by reprimand and assessment of a \$5,000 monetary penalty.

A copy of the Virginia Order is attached hereto.

### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, Panel B concludes as a matter of law that the Respondent is subject to discipline under Health Occ. § 14-404(a)(21) for the disciplinary action taken by the Virginia Board against the Respondent for an act or acts that would be grounds for disciplinary action under Health Occ. §14-404(a)(3)(ii).

### **ORDER**

It is, thus, by Panel B, hereby:

**ORDERED** that the Respondent be and is hereby **REPRIMANDED**; 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 or her designee 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* Health Occ. §§1-607, 14-411.1(b)(2) and Gen. Prov. §4-333(b)(6).

03/09/2023  
Date

## *Signature on File*

Christine A. Farrelly  
Executive Director  
Maryland Board of Physicians

### CONSENT

I, Rudy Juburi, MD, acknowledge that I have consulted with legal 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.* 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.

03/03/2023  
Date

## *Signature On File*

Rudy Juburi, MD  
Respondent

**NOTARY**

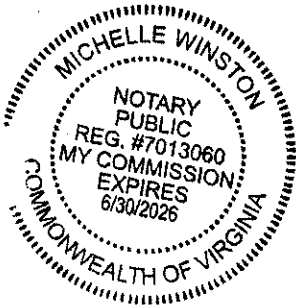
STATE OF Virginia  
CITY/COUNTY OF Alexandria

I HEREBY CERTIFY that on this 3<sup>rd</sup> day of March, 2023,  
before me, a Notary Public of the State and City/County aforesaid, personally Rudy  
Juburi, MD, and made oath in due form of law that the foregoing Consent Order was his  
voluntary act and deed.

AS WITNESS my hand and notarial seal.

Michelle Winston  
Notary Public

My Commission expires: 6/30/26



# Attachment 1

**BEFORE THE VIRGINIA BOARD OF MEDICINE**

**IN RE: RUDY HUSAM JUBURI, M.D.**  
**License Number: 0101-057764**  
**Case Number: 220986**

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**MODIFIED ORDER**

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**JURISDICTION AND PROCEDURAL HISTORY**

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), a Special Conference Committee (“Committee”) of the Virginia Board of Medicine (“Board”) held an informal conference on December 15, 2022, in Henrico County, Virginia, to inquire into evidence that Rudy Husam Juburi, M.D., may have violated certain laws and regulations governing the practice of medicine in the Commonwealth of Virginia.

Rudy Husam Juburi, M.D., appeared at this proceeding and was represented by Camille E. Shora, Esquire.

Following entry of the Board’s Order on December 27, 2022, by email dated January 3, 2023, counsel for Dr. Juburi filed a *Motion to Reconsider*, requesting reconsideration of the sanctions imposed on Dr. Juburi. The motion was granted in part and this Modified Order has been entered *nunc pro tunc* to reflect this decision.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. Rudy Husam Juburi, M.D., was issued License Number 0101-057764 to practice medicine on July 1, 1998, which is scheduled to expire on March 31, 2024.
2. Between approximately March 9 and June 9, 2022, Dr. Juburi violated Virginia § 54.1-2915(A)(12), (16), and (18) and 18 VAC 85-20-29(A)(2) of the Regulations Governing the Practice of Medicine, Osteopathic Medicine, Podiatry, and Chiropractic (“Regulations”) in his care and treatment of Patient A at his internal medicine practice in Alexandria, Virginia.

a. On March 9, 2022, Patient A presented for a virtual appointment with a physician assistant employed by Dr. Juburi's practice in order to obtain a prescription for a 91-day oral contraceptive medication (levonorgestrel-ethinyl estradiol 0.15-30mg-mcg)<sup>1</sup>, which Dr. Juburi prescribed two days later. On May 31, 2022, Patient A contacted Dr. Juburi's staff, requesting a prescription refill. Dr. Juburi's staff informed Patient A that she would need to be seen at an in-person or telehealth visit in order to refill the prescription; and that Dr. Juburi required such a visit approximately every 60 days for as long as the patient continued to take the medication. Patient A stated that she informed Dr. Juburi's staff that previous providers did not require this frequency of follow-up visits for each refill of this 91-day medication. Patient A further stated that she requested at that time one prescription refill from Dr. Juburi's staff, as she was unable to present for an appointment due to her work travel schedule, adding that she would make a follow-up appointment after she returned from her travel.

b. Patient A stated that on May 31, 2022, Dr. Juburi called her, stated that he was removing her from his practice, suggested that she request the medication from her prior treatment provider in another state, and further stated that he was in the process of calling and emailing her employer to have her "fired." On June 9, 2022, Dr. Juburi contacted Patient A's employer via facsimile communication, as detailed below.

c. On May 31, 2022, Patient A posted a negative review of Dr. Juburi's practice on the internet, citing facts about the incident described above. By his own admission in his June 23, 2022 interview with the Department of Health Professions' ("DHP") investigator, Dr. Juburi called Patient A's husband, who was also a patient of his, and said "look what [Patient A's] done," referencing the negative online review.

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<sup>1</sup>Ninety-one-day oral contraceptive pills providing a constant dose of estrogen and progestin for 84 days.



3. Patient A stated to the Committee that she had been receiving this medication for over 20 years, for menstrual regulation and migraine headaches, which previous providers prescribed for 12-month periods between annual visits. Patient A stated that, consequently, she was surprised when Dr. Juburi's office manager informed her that, despite the fact that she had recently been seen for a physical (February 19, 2022), office policy required the patient to have follow-up visits every two months before each refill of this (91-day) oral contraceptive. Patient A explained to the Committee that she questioned whether it was medically necessary to be seen that frequently for a routine medication; informed Dr. Juburi's office manager that she would have to report this policy to her health insurer, which would not likely cover (pay for) multiple 60-day visits for oral contraceptive prescription refills; and stated that this policy appeared to be fraudulent.

4. Patient A stated to the Committee that during their May 31<sup>st</sup> phone conversation, the office manager insisted that the patient be seen and offered to schedule her for a same-day in-office or telehealth appointment in order to prescribe the refill. Patient A stated to the Committee that she informed the office manager that she was unable to leave her place of employment that day during Dr. Juburi's office hours, and that she was unable to engage in a telehealth/virtual visit (via her laptop computer) while on site at work. Patient A stated to the Committee that the office manager informed her that Dr. Juburi would contact her via telephone call. As stated by Patient A to the Committee, she informed the office manager that she would not be able to receive Dr. Juburi's call later that day, as she was employed by a federal agency which restricted cell phone usage at her work site.

5. Patient A explained to the Committee that she works in a "SCIF" (sensitive compartmented information facility), which prohibits the use of any device accessing wi-fi or Bluetooth. Patient A further explained to the Committee that while in the SCIF, devices such as her cell phone must be secured in a locker outside of the SCIF area, and that she can only access/use her cell phone on

occasions such as bathroom and lunch breaks, or when she exits the building (i.e., when she is located outside of the SCIF).

6. Patient A stated to the Committee that she was ultimately able to accept Dr. Juburi's May 31<sup>st</sup> phone call, as she was still on lunch break and in possession of her cell phone. The Committee's review of office phone logs submitted by Dr. Juburi confirmed that Dr. Juburi called Patient A within minutes of the patient's conversation with the office manager.

7. The Committee noted that Dr. Juburi stated that Patient A called his office approximately five times on May 31, 2022, but a review of the office phone logs showed that the patient called Dr. Juburi's practice only twice on that day.

8. Dr. Juburi stated to the Committee that Patient A spoke in an aggressive tone to the office manager on May 31<sup>st</sup>. Dr. Juburi claimed that during his phone conversation with Patient A on that date, she stated she was a federal agent and threatened to open a fraud investigation on him.

9. Patient A stated to the Committee that she is not a federal agent, nor did she represent herself as such to Dr. Juburi or his staff. Patient A further stated to the Committee that she does not handle fraud claims for the federal agency. Patient A stated to the Committee that she did not get upset with the office manager, and that she only decided to write a Google review of her experience with Dr. Juburi's practice after Dr. Juburi called her to tell her that he was immediately discharging her, purportedly based on her interaction with his staff and misusing her federal agency employment position. Patient A informed the Committee that Dr. Juburi stated, "You told us you work for the [federal agency] and threatened us with fraud." Patient A stated to the Committee that Dr. Juburi misconstrued what she said about her employment with the federal agency (which she referenced in the context of her restricted ability to receive incoming phone calls, described above), and told her he was calling her employer to have her fired.

10. Dr. Juburi denied to the Committee that he terminated Patient A from his practice during his May 31, 2022 phone conversation with Patient A.

11. Dr. Juburi admitted to the Committee that he called Patient A's husband after seeing the bad Google review. The Committee noted that in his June 16, 2022 interview with the DHP investigator, Patient A's husband stated that during this phone conversation, Dr. Juburi informed him that he was going to report Patient A to her employer/the federal agency.

12. On June 9, 2022, Dr. Juburi violated Virginia Code § 54.1-2915(A)(3), (12), (16), and (18) and 18 VAC 85-20-26(A) (*which incorporates by reference Virginia Code § 32.1-127.1:03*) and 18 VAC 85-20-27(A) of the Regulations in that he sent via facsimile a letter to Patient A's employer, complaining about the patient's interactions with his staff and himself and referencing details about the patient's medical care, thereby breaching practitioner-patient confidentiality.

13. Dr. Juburi stated to the Committee that he reported Patient A to her employer because he felt threatened by the patient. Specifically, Dr. Juburi informed the Committee that he viewed Patient A's potential fraud report and the negative Google review as threats. Dr. Juburi further stated to the Committee that Patient A then "acted on her threat" by posting the negative Google review. In response to questioning by the Committee, Dr. Juburi stated that he has had disruptive or threatening patients in the past, and that other patients had posted bad online reviews, but reiterated that the combination of Patient A's federal agency employment and the bad Google review was what lead him to feel threatened.

14. The Committee noted that Dr. Juburi never saw or treated Patient A at his practice. Dr. Juburi stated to the Committee that his sole contact with Patient A, a four-minute-and-four-second phone conversation on May 31, 2022 (described above) was enough to cause him to fear for the safety of himself and his family.

15. Dr. Juburi stated to the Committee that on May 31<sup>st</sup>, he decided to protect himself, his staff and his family from the purported threats by placing a phone call to an 800 number he found for the federal agency. Dr. Juburi further stated to the Committee that he called the federal agency seeking assurance that he would not be harmed by Patient A, but that he was unable to reach someone at the agency via telephone on that date.

16. The Committee noted that despite his assertion that he felt he was in danger of imminent harm from Patient A as of May 31, 2022, it subsequently took Dr. Juburi nine days to reach out again to the federal agency, which he did via a letter he faxed to the agency on or about June 9, 2022. Dr. Juburi stated to the Committee that, subsequently, he was contacted by two federal agents and called a total of four to five times by the federal agency or the Department of Justice. The Committee noted that, between May 31<sup>st</sup> and the date he was contacted by the federal agents (on or after June 9<sup>th</sup>), Dr. Juburi failed to contact local law enforcement to address his purported imminent safety concerns.

17. In response to questioning by the Committee, Dr. Juburi acknowledged that, during this period, Patient A never threatened him with a firearm, nor made any verbal threats of harm against him, his staff, his practice, his patients or his family; and never presented to his home or presented again to his practice; he had no further contact with Patient A after May 31, 2022. In response to further questioning by the Committee, Dr. Juburi denied knowing whether or not Patient A carried a firearm, but stated he assumed she did, based on her employment with the federal agency.

18. Patient A informed the Committee that, as a non-law-enforcement federal agency employee (as described below), she does not carry a firearm, nor does she otherwise own or possess a firearm.

19. Patient A stated to the Committee that as a result of Dr. Juburi's report to the federal agency, she was notified that she was under investigation for misuse of her position and would be

subjected to an interview under oath, and to a polygraph test. Patient A further stated to the Committee that as a result of Dr. Juburi's breach of practitioner-patient confidentiality, during the federal agency investigation she was asked personal questions regarding sensitive medical information.

20. Patient A stated to the Committee that Dr. Juburi's representation to the federal agency that she claimed she was a federal "agent," which is a crime, has threatened her employment status with the agency, as well as her security clearance.

21. Patient A stated to the Committee that she has a PhD in sociology and previously worked, for approximately eight years, as a professor of peace studies and justice, specializing in conflict resolution and teaching at universities in Massachusetts and Ireland. Patient A stated to the Committee that subsequently, in May 2021, she obtained her juris doctorate; was admitted to the bar in Washington, D.C. in November 2021; and in March 2022, began employment as a lawyer for the federal agency described above. Patient A explained to the Committee that she interviewed with the federal agency over two years ago, while she was still a law student, and that between her interview and hire dates, the agency conducted an extensive background check on her.

22. The Committee noted that despite the fact that Dr. Juburi referenced incidences of mass shootings and his belief that Patient A was armed and made multiple threats in order to justify his actions, the only actual perceived threats he cited to the Committee were of a bad Google review, and a potential report to the Board of Medicine or to a health insurer for fraud, as described above. Dr. Juburi claimed to the Committee that the fact that Patient A threatened to review and/or report his conduct, and then did so, meant that the patient would take further (harmful) actions, even though he acknowledged no such threats of harm by Patient A. The Committee further noted that while Dr. Juburi claimed he was specifically threatened by imminent harm, he cited no such imminent threats made by Patient A.

23. As medical providers frequently encounter disgruntled patients who may complain about issues such as billing practices, or who may post negative online reviews, the Committee noted its concern regarding Dr. Juburi's inference of a threat of imminent danger from Patient A's questioning of his office policies and negative online review.

### ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Medicine hereby ORDERS as follows:


1. Rudy Husam Juburi, M.D., is REPRIMANDED.
2. Dr. Juburi is assessed a MONETARY PENALTY of \$5,000.00. This penalty shall be paid to the Board by certified check or money order made payable to the Treasurer of Virginia within 90 days from the date of entry of this Order. Failure to pay the full monetary penalty by the due date may cause the matter to be sent for collection and constitutes grounds for an administrative proceeding and further discipline.
3. Within ninety (90) days of the entry of this Order, Dr. Juburi shall provide proof satisfactory to the Board that he has completed five (5) hours of Board-approved continuing medical education ("CME") in the subject of patient privacy/confidentiality. The course shall be approved in advance of registration by the Executive Director of the Board.
4. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of medicine shall constitute grounds for further disciplinary action.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD

A TRUE COPY TESTE:

  
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VIRGINIA BOARD OF MEDICINE

  
\_\_\_\_\_  
Jennifer Deschenes, J.D., M.S.  
Deputy Executive Director  
Virginia Board of Medicine

ENTERED: 1/6/2023  
*Nunc Pro Tunc: December 27, 2022*

**NOTICE OF RIGHT TO APPEAL**

Pursuant to Virginia Code § 54.1-2400(10), Dr. Juburi may, not later than 5:00 p.m., on January 31, 2023, notify William L. Harp, M.D., Executive Director, Board of Medicine, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that he desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated. This Order shall become final on January 31, 2023, unless a request for a formal administrative hearing is received as described above.