

IN THE MATTER OF	*	BEFORE THE
THOMAS J. KRISANDA, M.D.	*	MARYLAND STATE
Respondent	*	BOARD OF PHYSICIANS
License Number: D53345	*	Case Number: 2218-0288A

* * * * *

CONSENT ORDER

Based on an investigation conducted by the Maryland State Board of Physicians (the “Board”), Disciplinary Panel A of the Board has grounds to charged **THOMAS J. KRISANDA, M.D.**, (the “Respondent”), License Number D53345, with violating the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) §§ 14-101 *et seq.* (2014 Repl. Vol. and 2019 Supp.). Prior to the issuance of disciplinary charges, the Respondent agrees to enter into this public Consent Order, which consists of Findings of Fact, Conclusions of Law and Order.

Specifically, Disciplinary Panel A has grounds to charge the Respondent with violating the following provisions of the Act under Health Occ. § 14-404:

(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:

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

FINDINGS OF FACT

Disciplinary Panel A makes the following Findings of Fact:

I. LICENSING BACKGROUND

1. At all times relevant, the Respondent was and is licensed to practice medicine in the State of Maryland. The Respondent was originally licensed to practice medicine in Maryland on May 12, 1998, under License Number D53345. The Respondent's license expires on September 30, 2020.

2. The Respondent is Board-certified in Emergency Medicine and holds an active license in the Commonwealth of Pennsylvania.

3. At all times relevant to the events giving rise to these charges, the Respondent was employed by a medical group (the "Medical Group")¹ as an emergency physician to provide emergency care at a health care facility (the "Facility") located in Baltimore, Maryland. The Medical Group terminated the Respondent's employment on June 19, 2018.

II. COMPLAINT

4. On June 27, 2018, the Board received a Mandated 10-Day Report from the Medical Group reporting that it had terminated the Respondent's employment based on his violation of the Facility's health privacy and information security policies. The Medical Group reported that the Respondent inappropriately accessed the medical record of a high-profile patient (the "Patient") to whom he did not provide care.

¹ In order to maintain confidentiality, the names of patients and facilities will not be used in this document.

5. After receiving the Medical Group's report, the Board initiated an investigation of the Respondent.

III. BOARD INVESTIGATION

6. The Board's investigation revealed that on May 21, 2018, the Patient was admitted to the Facility's emergency department at approximately 2:40 p.m. At the time of the Patient's admittance, an emergency physician attended to the Patient assisted by another emergency physician.

7. The Respondent arrived at the Facility at approximately 4:40 p.m. for his shift, which began at 5:00 p.m. The Respondent was not assigned to provide care to the Patient. The Patient was a police officer who had been killed in the line of duty.

8. The Patient was transported from the Facility to another location at approximately 6:30 p.m.

9. Board investigation determined that the Respondent accessed the Patient's electronic medical record ("EMR") through a Facility computer terminal without authorization at 7:12 p.m. for approximately six seconds.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Disciplinary Panel A concludes as a matter of law that the Respondent's unauthorized access of the Patient's electronic medical record on May 21, 2018, constitutes unprofessional conduct in the practice of medicine, in violation of Health Occ. § 14-404(a)(3)(ii).

ORDER

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

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

02/25/2020

Signature on File

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians

CONSENT

I, Thomas J. Krisanda, 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.

2/21/2020
Date

Signature on File

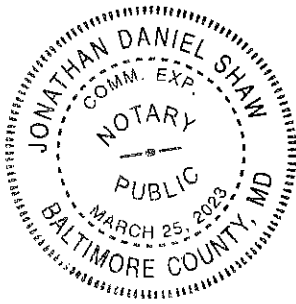
Thomas J. Krisanda, M.D.
Respondent

NOTARY

STATE OF MARYLAND
CITY/COUNTY OF Baltimore

I HEREBY CERTIFY that on this 21 day of February, 2020, before me, a Notary Public of the foregoing State and City/County personally appear Thomas J. Krisanda, 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 notary seal.



A handwritten signature in black ink, appearing to be "JD Shaw", written over a horizontal line.

Notary Public

My commission expires: 03/25/2023