

IN THE MATTER OF	*	BEFORE THE
LISA R. GINN, M.D.	*	MARYLAND STATE
Respondent	*	BOARD OF PHYSICIANS
License Number: D61809	*	Case Number: 2016-1023A

* * * * *

CONSENT ORDER

PROCEDURAL BACKGROUND

On December 7, 2016, Disciplinary Panel A ("Panel A") of the Maryland State Board of Physicians (the "Board") voted to charge **LISA R. GINN, M.D.** (the "Respondent"), License Number D61809, with violating the Maryland Medical Practice Act (the "Act"), Md. Code Ann., Health Occ. II ("Health Occ. II") §§ 14-101 *et seq.* (2014 Repl. Vol.).

Specifically, Panel A voted to charge the Respondent with violating the following provision of the Act under Health Occ. II § 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 suspended or revoke a license if the licensee:

(28) Fails to comply with the provisions of § 12-102 of this article[.]

Md. Health Occ. II § 12-102 provides:

(c) *Preparing of prescriptions by licensed dentist, veterinarian, physician, etc.; exception:*

...

(2) This title does not prohibit:

...

- (ii) A licensed dentist, physician, or podiatrist from personally preparing and dispensing the dentist's, physician's, or podiatrist's prescriptions when:
 - 1. The dentist, physician, or podiatrist:
 - A. Has applied to the board of licensure in this State which licensed the dentist, physician, or podiatrist;
 - ...
 - C. Has received a written permit from that board to dispense prescription drugs or devices except that a written permit is not required in order to dispense starter dosages or samples with charge[.]

Prior to the issuance of charges, the Respondent agreed to enter into this public Consent Order, consisting of Procedural Background, Findings of Fact, Conclusions of Law, Order, Consent and Notary.

FINDINGS OF FACT

Panel A of the Board makes the following Findings of Fact:

- 1. At all times relevant hereto, the Respondent was and is licensed to practice medicine in the State of Maryland. The Respondent was initially licensed to practice medicine in Maryland on or about May 28, 2004, under License Number D61809. The Respondent's license is active and current through September 30, 2018.
- 2. The Respondent is board-certified in dermatology and at all times relevant hereto, maintained a medical office in Chevy Chase, Maryland.
- 3. On or about June 18, 2010, the Board issued the Respondent a dispensing permit under permit # 2293. On or about June 17, 2015, the Respondent's dispensing permit expired. The Respondent did not submit a renewal application for her dispensing permit at that time.

4. On or about May 17, 2016, the Respondent submitted an application to the Board to renew her dispensing permit, which the Board issued, effective June 17, 2016.

5. The Board initiated an investigation of the Respondent after reviewing her May 17, 2016, dispensing permit renewal application, in which it noted that her dispensing permit had expired in 2015. In a letter to the Respondent dated July 25, 2016, Board staff requested that she explain why she filed a late renewal application.

6. In a letter to the Board dated August 1, 2016, the Respondent acknowledged that she failed to renew her dispensing permit when it expired on June 17, 2015, stating that she mistakenly thought that her permit expired in June 2016. The Respondent stated that her dispensing was confined to the drug tretinoin, a non-controlled, non-narcotic prescription medication, which she dispensed as a topical cream in standard strengths on a limited basis to patients for dermatologic purposes. The Respondent acknowledged that after her permit expired, she continued to dispense tretinoin until on or about May 23, 2016. The Respondent stated that after she realized that her permit had expired, she ceased dispensing all prescription medications from her office until the Board renewed her dispensing permit.

7. The Board's investigation determined that the Respondent dispensed prescription medications from her office after her dispensing permit expired on June 17, 2015, and that she continued to do so until on or about May 23, 2016, in violation of Health Occ. II §§ 14-404(a)(28).

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Panel A concludes as a matter of law that the Respondent violated the following provision of the Act: Health Occ. II § 14-404(a)(28), Fails to comply with the provisions of § 12-102 of this article.

ORDER

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

ORDERED that the Respondent is **REPRIMANDED**; and it is further

ORDERED that within **SIX (6) MONTHS**, the Respondent shall pay a civil fine in the amount of **ONE THOUSAND AND FIFTY DOLLARS (\$1,050.00)**, by money order or bank certified check, made payable to the Maryland Board of Physicians, P.O. Box 37217, Baltimore, Maryland 21297; and it is further

ORDERED that the Consent Order goes into effect upon the signature of the Board's Executive Director, who signs on behalf of Panel A; and it is further

ORDERED that if the Board or Panel A determines, after notice and an opportunity for a hearing before an Administrative Law Judge of the Office of Administrative Hearings if there is a genuine dispute as to a material fact or a show cause hearing before the Board or Panel A if there is no genuine dispute as to a material fact, that the Respondent has failed to comply with any term or condition of this Consent Order, the Board or Panel A 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 Panel A 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 this Consent Order is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Provisions §§ 4-101 *et seq.* (2014).

02/03/2017
Date

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

CONSENT

I, Lisa R. Ginn, M.D., acknowledge that I have been apprised of my right to counsel and have knowingly and voluntarily agreed to proceed without counsel before entering into this Consent Order. By this Consent and for the 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 the 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 might have followed after any such hearing.

I sign this Consent Order, voluntarily and without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

1/24/17
Date

Lisa R. Ginn, M.D.
Lisa R. Ginn, M.D.
Respondent

NOTARY

STATE OF MARYLAND

CITY/COUNTY OF Montgomery

I HEREBY CERTIFY that on this 24th day of January,
2017, before me, a Notary Public of the foregoing State and City/County personally
appear Lisa R. Ginn, M.D. and made oath in due form of law that signing the foregoing
Consent Order was her voluntary act and deed.

AS WITNESSETH my hand and notary seal.

Andrew F. Howard

Notary Public

My commission expires:

ANDREW F. HOWARD
Notary Public-Maryland
Montgomery County
My Commission Expires
October 01, 2019