

IN THE MATTER OF	*	BEFORE THE
YASMIN HOLSEY, M.D.	*	MARYLAND STATE
Respondent	*	BOARD OF PHYSICIANS
License Number: D62402	*	Case Number: 2220-0170 B
* * * * *	*	* * * * *

CONSENT ORDER

On July 6, 2020, Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) charged YASMIN HOLSEY, M.D. (the “Respondent”), License Number D62402, under the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) §§ 14-101 *et seq.* (2014 Repl. Vol. & 2019 Supp.).

The pertinent provisions of the Act under Health Occ. provide the following:

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

(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;
[and]

...

(33) Fails to cooperate with a lawful investigation conducted by the Board or a disciplinary panel[.]

On September 23, 2020, 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, Order, and Consent.

FINDINGS OF FACT

Panel B finds:

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 October 27, 2004, under License Number D62402. The Respondent’s license is currently active through September 30, 2022.
2. The Respondent is board-certified in obstetrics and gynecology.
3. At the time of the facts in this case, the Respondent was a physician at an obstetrics and gynecology center (the “Center”)¹ and practiced at two of the Center’s locations in Columbia, Maryland and Eldersburg, Maryland. The Respondent also has privileges at one Maryland hospital.

I. The Complaint

4. On or about September 13, 2019, the Board received a complaint (the “Complaint”) from a patient of the Respondent who alleged the Respondent failed to provide her the results of her blood work.

¹ The names of facilities and individuals in this document are confidential. The Respondent may obtain the names upon request to the Administrative Prosecutor.

5. After receiving the Complaint, the Board initiated an investigation of the Respondent.

II. Board Investigation

6. By letter dated October 4, 2019, sent to the Respondent's address of record, the Board provided the Respondent the Complaint and informed the Respondent that the Board had opened a preliminary investigation based on the Complaint.² The Board requested that the Respondent submit a written response to the Complaint within ten (10) business days from the date of the letter.

7. The Respondent did not respond to the letter within ten days or any time thereafter, and the letter was not returned as undeliverable.

8. By emails dated October 30, 2019, sent to two different email addresses of record for the Respondent, the Board notified the Respondent of the Complaint and the Board's subsequent investigation.³ The Board requested that the Respondent submit a written response by November 5, 2019.

9. The Respondent did not respond to the emails by November 5, 2019, or any time thereafter, and the emails were not returned as undeliverable.

² The Board mailed the letter to the address the Respondent provided on her application to renew her license to practice medicine in Maryland that was submitted to the Board on September 29, 2018 (the "Application"). The Application indicated that the Board would use the address provided by the Respondent for official correspondence. The Board never received a change of address from the Respondent after she submitted the Application.

³ The Board emailed the Respondent at the two email addresses, an official email address and an alternate email address, provided by the Respondent on the Application. The Application indicated that the Board would use the official email address for official correspondence.

10. On or about December 11, 2019, the Board emailed the Respondent at both email addresses of record and attached a subpoena ad testificandum requiring the Respondent to report to the Board on December 27, 2019, and to provide a written response. The subpoena was also sent to the Respondent by certified and first-class mail. The subpoena notified the Respondent that failure to comply may result in disciplinary action.

11. The Respondent failed to comply with the subpoena to appear or otherwise respond to the subpoena, emails and letters sent by the Board.

12. The December 11, 2019 correspondence from the Board was not returned as undeliverable. The Board was notified that notice of the certified mail was left at the Respondent's address of record because an authorized recipient was not available.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Panel B concludes as a matter of law that the Respondent is guilty of unprofessional conduct in the practice of medicine, in violation of Health Occ. § 14-404(a)(3)(ii), and that the Respondent failed to cooperate with a lawful investigation conducted by the Board or a disciplinary panel, in violation of Health Occ. § 14-404(a)(33).

ORDER

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

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

ORDERED that within **SIX (6) MONTHS**, the Respondent is required to take and successfully complete a course in medical ethics. The following terms apply:

- (a) it is the Respondent's responsibility to locate, enroll in and obtain the disciplinary panel's approval of the course before the course is begun;
- (b) the disciplinary panel will not accept a course taken over the internet;
- (c) the Respondent must provide documentation to the disciplinary panel that the Respondent has successfully completed the course;
- (d) the course may not be used to fulfill the continuing medical education credits required for license renewal;
- (e) the Respondent is responsible for the cost of the course; and it is further

ORDERED that within **ONE (1) YEAR**, the Respondent shall pay a civil fine of \$5,000.00. The Payment shall be by money order or bank certified check made payable to the Maryland Board of Physicians and mailed to P.O. Box 37217, Baltimore, Maryland 21297. The Board will not renew or reinstate the Respondent's license if the Respondent fails to timely pay the fine to the Board; 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 the disciplinary panel determines 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 the disciplinary panel determines 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 with appropriate terms and conditions, 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 Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; 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 this Consent Order is a public document. *See* Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

Signature on File

11/04/2020
Date

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians

CONSENT

I, Yasmin Holsey, 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

10/21/2020
Date

Yasmin Holsey, M.D. 
Respondent

NOTARY

STATE OF MARYLAND

CITY/COUNTY OF HOWARD

I HEREBY CERTIFY that on this 21 day of OCTOBER, 2020, before me, a Notary Public of the foregoing State and City/County, did personally appear Yasmin Holsey, 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 seal.



Notary Public

DAVID A. MARKS

My commission expires: Notary Public State of Maryland
My Commission Expires 4/27/2023
16 (DM)