

**IN THE MATTER OF**  
**NASIMA N. JAFFERY, M.D.**  
**Respondent**

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**BEFORE THE**  
**MARYLAND STATE**  
**BOARD OF PHYSICIANS**  
**Case Number: 2222-0156B**

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**CONSENT ORDER**

On July 24, 2023, Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) charged **NASIMA N. JAFFERY, M.D.** (the “Respondent”), License Number **D64352**, with violating the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. §§ 14-101 *et seq.* Panel B charged the Respondent with violating the following provision of the Act:

**Health Occ. § 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:

.....

(22) Fails to meet appropriate standards as determined by appropriate peer review for the delivery of quality medical and surgical care performed in an outpatient surgical facility, office, hospital, or any other location in this State;

On September 27, 2023, 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:

### **Introduction**

1. In or around March 2020, the Respondent closed her pain management practice due to the Covid-19 pandemic. At that time, the Respondent began conducting audio and/or video telehealth appointments with prior established patients. The Respondent continued to prescribe high-dose opioids and other pain medications to those patients without conducting a physical examination for a year or longer.

### **Licensing Information**

2. At all relevant times, 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 April 10, 2006, under License Number D64352. The Respondent's current license is active through September 30, 2024.

3. The Respondent is board-certified in Physical Medicine and Rehabilitation as well as in Pain Medicine.

4. At all relevant times, the Respondent practiced at a medical office (the "Office") in Wicomico County, Maryland.

### **Complaint**

5. The Board initiated an investigation of the Respondent after receiving an anonymous complaint (the "Complaint") dated June 17, 2022. The Complaint stated that

the Respondent's Office had been closed since March 2020 and that the Respondent conducted evaluations by telephone during the pandemic. The Complaint further stated that as of June 12, 2020, the Respondent had not returned to the office to see patients but continued to prescribe narcotics without any examinations and that patients visited the office on specific days to pick up their prescriptions.

**Board's request to Respondent for written response to the Complaint**

6. By letter dated July 12, 2022, the Board notified the Respondent that it had received a complaint alleging that the Respondent was prescribing controlled dangerous substances without performing an evaluation. The Board provided the Respondent with a copy of the Complaint and requested that she address it in a written response within ten business days. The Board also enclosed a *subpoena duces tecum* ("SDT"), dated July 12, 2022, for ten named patient records, requiring production within ten business days. The letter also directed the Respondent, within ten business days, to provide summaries of the care she provided to the patients whose charts were subpoenaed and records certification forms.

7. By letter dated July 19, 2022, the Respondent provided a response to the Complaint along with the requested patient records and corresponding summaries of care. The Respondent stated that she closed her office due to the Covid-19 pandemic emergency and because of her own health condition at the time. She conducted telehealth appointments with prior established patients and provided narcotic prescriptions for up to four weeks. The Respondent also stated that she planned to begin seeing patients in her office when the Covid-19 pandemic emergency is over.

10. The reviewers independently concluded that in all ten cases reviewed, the Respondent failed to meet appropriate standards for the delivery of quality medical care. Examples of deficiencies include but are not limited to the following:<sup>3</sup>

- (a) The Respondent inappropriately prescribed high-dose opioid medications without appropriate justification or adequately documenting such justification (Patients 2, 3, 6, 7, 8, 9, 10);
- (b) The Respondent made little or no attempts at weaning or tapering high dose opioid medications (Patients 1, 5, 7, 9, 10);
- (c) The Respondent inappropriately prescribed high-dose opioid medications in conjunction with benzodiazepines that were either prescribed by the Respondent or another provider (Patients 3, 4, 8);
- (d) The Respondent failed to evaluate the risk of cardiac rhythm complications associated with chronic high dose methadone use by periodically monitoring electrocardiograms (Patients 2, 3); and
- (e) The Respondent failed to address inconsistent or abnormal drug toxicology results (Patients 2, 5).

### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, Panel B concludes as a matter of law that the Respondent failed to meet the appropriate standards as determined by appropriate peer

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<sup>3</sup> The deficiencies pertain to Patients 1 through 10 unless otherwise specifically indicated.

review for the delivery of quality medical care performed in this State, in violation of Health Occ. § 14-404(a)(22).

### **ORDER**

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

**ORDERED** that Respondent Nasima N. Jaffery, M.D., is **REPRIMANDED**; and it is further

**ORDERED** that the Respondent is permanently prohibited from prescribing, dispensing, and administering all Controlled Dangerous Substances (CDS). CDS are identified under Md. Code Ann., Crim. Law §§ 5-401 *et seq.*; and it is further

**ORDERED** that the Respondent is permanently prohibited from certifying patients for the medical use of cannabis; and it is further

**ORDERED** that the prohibitions on prescribing, dispensing, and administering CDS and certifying patients for medical cannabis go into effect in **SIXTY (60) calendar days** after this Consent Order goes into effect; and it is further

**ORDERED** that the Respondent agrees to surrender her CDS Registration to the Office of Controlled Substances Administration; and it further

**ORDERED** that any delegation agreement with a physician assistant entered into by the Respondent shall not include the Respondent's delegation to, or supervision of, a physician assistant for the prescribing, dispensing, or administering of CDS; and it is further

**ORDERED** that on every January 31st thereafter if the Respondent holds a Maryland medical license, the Respondent shall provide the Board with an affidavit verifying that the Respondent has not prescribed, dispensed, or administered any CDS in

the past year and has not certified any patients for the medical use of cannabis; and it is further

**ORDERED** that if the Respondent fails to provide the required annual verification of compliance with the permanent prohibitions on prescribing, administering, and dispensing CDS and certifying patients for the medical use of cannabis:

- (1) there is a presumption that the Respondent has violated the permanent condition; and
- (2) the alleged violation will be adjudicated pursuant to the procedures of a Show Cause Hearing; and it is further

**ORDERED** that the disciplinary panel may issue administrative subpoenas to the Maryland Prescription Drug Monitoring Program on a quarterly basis to determine whether the Respondent has prescribed CDS. The administrative subpoenas will request the Respondent's CDS prescriptions from the beginning of each quarter; and it is further

**ORDERED** that the Respondent is placed on **PROBATION** for a minimum period of **TWO YEARS**.<sup>4</sup> During probation, the Respondent shall comply with the following terms and conditions of probation:

**Within six (6) months**, the Respondent is required to take and successfully complete courses in (1) **prescribing CDS**, and (2) **medical record-keeping**. The following terms apply:

- (a) it is the Respondent's responsibility to locate, enroll in and obtain the disciplinary panel's approval of the courses before the courses begin;
- (b) the Respondent must provide documentation to the disciplinary panel that the Respondent has successfully completed the courses;
- (c) the courses may not be used to fulfill the continuing medical education credits required for license renewal; and

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<sup>4</sup> If the Respondent's license expires during the period of probation, the probation and all probationary conditions will be tolled.

(d) the Respondent is responsible for the cost of the courses; and it is further

**ORDERED** that, after two years and after the Respondent has complied with all terms and conditions imposed by this Consent Order, the Respondent may submit a written petition for termination of probation. After consideration of the petition, the Respondent's probation may be administratively terminated through an order of the disciplinary panel if the Respondent has complied with all terms and conditions and there are no pending complaints relating to the charges; and it is further

**ORDERED** that the Consent Order goes into effect on 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 a violation of probation or any other condition of this order constitutes a violation of this Consent Order; 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 the Respondent's license 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 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*

10/18/2023  
Date

Ellen Douglas Smith, Deputy Director  
Maryland State Board of Physicians

### CONSENT

I, Nasima N. Jaffery, 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***

10/13/23  
Date

Nasima N. Jaffery, M.D.

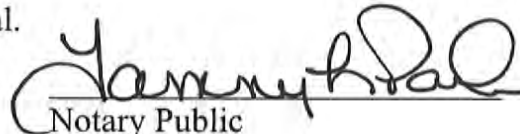
**NOTARY**

STATE OF Maryland

CITY / COUNTY OF Salisbury/Wicomico

I HEREBY CERTIFY that on this 13 day of October 2023, before me, a Notary Public of the foregoing State and City/County, personally appeared Nasima N. Jaffery, 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 notarial seal.

  
Notary Public

My Commission expires: 06/07/2027