

IN THE MATTER OF
KAMAL BANGORIA, M.D.

Respondent

License Number: D65641

BEFORE THE
MARYLAND STATE
BOARD OF PHYSICIANS
Case Number: 7717-0021

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ORDER AFTER SHOW CAUSE HEARING

On September 2, 2016, Kamal G. Bangoria, M.D. entered into a Disposition Agreement with the Maryland State Board of Physicians (“Board”) wherein he agreed to remain in the Maryland Professional Rehabilitation Program (“MPRP”), comply with all of MPRP’s recommendations, and fulfill all conditions of any Participant Rehabilitation Agreements and Plans entered into with MPRP. On April 10, 2019, Disciplinary Panel B (“Panel B”) of the Board issued a Violation of Disposition Agreement and Notice to Show Cause, charging Dr. Bangoria with violating the terms and conditions of the Disposition Agreement based on his failure to comply with the terms of his MPRP Participant Rehabilitation Agreement. On May 22, 2019, Panel B held a show cause hearing where Dr. Bangoria was represented by counsel. At the show cause hearing, Dr. Bangoria admitted that he violated the Disposition Agreement. The main issue for Panel B, therefore, is what sanction should be imposed.

FINDINGS OF FACT

Background

Dr. Bangoria was initially licensed to practice medicine in Maryland on February 15, 2007. On April 10, 2014, the Board summarily suspended Dr. Bangoria’s license based on concerns articulated in an emergency evaluation. The summary suspension was continued until June 1, 2015, when the Board issued an Order terminating the summary suspension and placed Dr. Bangoria on probation with conditions that included continued enrollment in MPRP. On

September 2, 2016, the Board terminated Dr. Bangoria's probation, and he entered into a non-public Disposition Agreement with Panel B which required him to continue to comply with the terms and conditions of his MPRP Participant Rehabilitation Agreement.

Violation of Disposition Agreement

On February 4, 2019, MPRP notified the Board that Dr. Bangoria had become noncompliant with his Participant Rehabilitation Agreement. Thereafter, the Board initiated an investigation, which included requesting a response from Dr. Bangoria. In his response, Dr. Bangoria acknowledged that he had violated his Participant Rehabilitation Agreement. On April 10, 2019, Panel B issued a Violation of Disposition Agreement and Notice to Show Cause, charging Dr. Bangoria with violating the terms and conditions of the September 2, 2016 Disposition Agreement by failing to comply with his MPRP Participant Rehabilitation Agreement.

Show Cause Hearing

On May 22, 2019, Dr. Bangoria appeared with counsel at a Show Cause hearing before Panel B. Dr. Bangoria admitted that he violated his Disposition Agreement. He assured the panel that he was being appropriately monitored through MPRP and asked the panel to extend his monitoring in MPRP through the non-public Disposition Agreement. The State argued that Dr. Bangoria should be on probation for a minimum of three years with continued monitoring through MPRP and a Board-approved supervisor, who would meet with Dr. Bangoria and submit reports directly to the Board.

There is no dispute that Dr. Bangoria violated his Disposition Agreement with the Board and both parties are in agreement that Dr. Bangoria should remain enrolled in MPRP. Panel B agrees that continued monitoring and enrollment in MPRP is necessary and consistent with public protection. Given the history of this case and the nature of the current violation, the panel

believes that close monitoring of Dr. Bangoria and his practice is essential. Accordingly, Panel B will impose a period of probation and require that Dr. Bangoria remain enrolled in MPRP and submit a plan that describes his proposed supervision and monitoring to the panel for approval within thirty days of this Order.

CONCLUSION OF LAW

Panel B finds that Dr. Bangoria violated the terms of the Disposition Agreement he entered into with the Board by failing to comply with the terms and conditions of his MPRP Participant Rehabilitation Agreement.

ORDER

It is, thus, by Disciplinary Panel B hereby

ORDERED that the September 2, 2016 Disposition Agreement is terminated; and it is further

ORDERED that Dr. Bangoria is **REPRIMANDED**; and it is further

ORDERED that Dr. Bangoria is placed on **PROBATION** for a minimum of **THREE (3) YEARS**.¹ During probation, Dr. Bangoria shall comply with the following terms and conditions of probation:

(1) Dr. Bangoria shall continue his enrollment in MPRP under his Participant Rehabilitation Agreement and Participant Rehabilitation Plan, as follows:

(a) Dr. Bangoria shall fully and timely cooperate and comply with all of MPRP's referrals, rules, and requirements, including, but not limited to, the terms and conditions of the Participant Rehabilitation Agreement(s) and Participant Rehabilitation Plan(s) entered with MPRP, and shall fully participate and comply with all therapy, treatment, evaluations, and screenings as directed by MPRP.

(b) Dr. Bangoria's failure to comply with any term or condition of the Participant Rehabilitation Agreement(s) or Participant Rehabilitation Plan(s) will constitute a violation of this Order.

¹ If Dr. Bangoria's license expires during the period of probation, the probation and any conditions will be tolled.

(c) Dr. Bangoria shall sign and update the written release/consent forms requested by the Board and MPRP, including release/consent forms to authorize MPRP to make verbal and written disclosures to the Board and to authorize the Board to disclose relevant information from MPRP records and files in a public order. Dr. Bangoria shall not withdraw his release/consent.

(d) Dr. Bangoria shall also sign any written release/consent forms to authorize MPRP to exchange with (i.e., disclose to and receive from) outside entities (including all of Dr. Bangoria's current therapists and treatment providers) verbal and written information concerning Dr. Bangoria and to ensure that MPRP is authorized to receive the medical records of Dr. Bangoria, including, but not limited to, mental health and drug or alcohol evaluation and treatment records. Dr. Bangoria shall not withdraw his release/consent;

(2) Within **THIRTY (30) DAYS**, Dr. Bangoria shall submit a supervisory plan to Panel B for approval. The supervisory plan shall include the manner, method, and frequency of supervision, the name of any individuals who will be supervising or working with Dr. Bangoria, and the mechanism for reporting to the Board. Panel B, in its discretion, may accept the proposed supervisory plan or direct Dr. Bangoria to make changes to the proposed supervisory plan. If the supervisory plan changes for any reason, Dr. Bangoria shall immediately notify the panel and shall submit a new supervisory plan for approval within thirty (30) days; and it is further

ORDERED that Panel B will consider a petition for early termination of probation after **ONE (1) YEAR** if, at that time, Dr. Bangoria has maintained compliance with this Order and Dr. Bangoria enters into a Disposition Agreement with the Board or Panel B that requires him to remain enrolled in monitoring through MPRP for the duration that he possesses an active license to practice medicine in the State of Maryland; and it is further

ORDERED that, if Dr. Bangoria has not been granted early termination of probation through the provision above, after a minimum of three (3) years, if Dr. Bangoria has complied with all terms and conditions of probation, he may submit to the disciplinary panel a written petition for termination of probation. After consideration of the petition, the probation may be terminated through an order of the disciplinary panel. Dr. Bangoria may be required to appear before the disciplinary panel to discuss his petition for termination. The disciplinary panel may grant the petition to terminate the probation, through an order of the disciplinary panel, if Dr.

Bangoria has complied with all probationary terms and conditions and there are no pending complaints relating to the charges; and it is further

ORDERED that, if Dr. Bangoria allegedly fails to comply with any term or condition imposed by this Order, Dr. Bangoria shall be given notice and an opportunity for a hearing. If the 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 Panel determines there is no genuine dispute as to a material fact, Dr. Bangoria 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 Dr. Bangoria has failed to comply with any term or condition imposed by this Order, the disciplinary panel may reprimand Dr. Bangoria, place Dr. Bangoria on probation with appropriate terms and conditions, or suspend with appropriate terms and conditions, or revoke Dr. Bangoria'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 Dr. Bangoria; and it is further

ORDERED that Dr. Bangoria is responsible for all costs incurred in fulfilling the terms and conditions of this Order; and it is further

ORDERED that the effective date of the Order is the date the Order is signed by the Executive Director of the Board or her designee. The Executive Director or her designee signs the Order on behalf of the disciplinary panel which has imposed the terms and conditions of this Order; and it is further

ORDERED that this 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).

06/19/2019
Date

Signature on File

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