

IN THE MATTER OF	*	BEFORE THE
CHAMARA LANETTE HASAN, M. D.	*	MARYLAND STATE
Respondent	*	BOARD OF PHYSICIANS
License Number: D66421	*	Case Number: 2219-0170 A

.....

CONSENT ORDER

On November 27, 2019, Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the “Board”) charged Chamara Hasan, M.D. (the “Respondent”), License Number D66421, with violating the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) § 14-404(a) (2014 Repl. Vol. & 2019 Supp.).

The pertinent provisions of the Act provide:

(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

(43) Except for the licensure process described under Subtitle 3A of this title, violates any provision of this title, any rule or regulation adopted by the Board, or any State or federal law pertaining to the practice of medicine[.]

On February 12, 2020, Panel A was convened as a Disciplinary Committee for Case Resolution (“DCCR”) in this matter. Based on negotiations occurring as a result of the

DCCR, the Respondent agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

Panel A finds:

I. Background

1. At all times relevant to these charges, the Respondent was, and is, licensed as a physician in the State of Maryland. She was initially licensed in Maryland on or about July 17, 2007. The Respondent last renewed her license in or about September 2018. Her license will expire on September 30, 2020.

2. During all times relevant to these charges, the Respondent was a physician employed full time by a Maryland Hospital in an outpatient clinic which provides primary care and specialty services (“Hospital A¹”).

3. Prior to the subject of these charges, the Respondent has not acted as a supervising physician of a physician assistant pursuant to an approved delegation agreement.

II. Complaint

4. On November 21, 2018, the Board received a Termination of Employment (Delegation Agreement) Report from the Respondent at Hospital A, requesting that the delegation agreement between herself and a physician assistant (“Physician Assistant A”)

¹ In order to maintain confidentiality and privacy, names of facilities and employees are not identified in this Consent Order. The Respondent is aware of the identities of the facility and the individuals referenced herein.

be terminated effective August 16, 2018. The Respondent stated that the reason for termination was “resignation.”²

6. Board staff was unable to process this request because there was no record of the Board having approved a Delegation Agreement between the Respondent and Physician Assistant A.

7. On December 14, 2018, Board staff in the Allied Health Division contacted the Respondent by email, with a copy to Physician Assistant A, requesting that the Respondent submit an explanation why she submitted the Report. In addition, Board staff requested that if Physician Assistant A had been practicing as a physician assistant under the Respondent’s supervision, the Respondent should specify the inclusive dates of her practice as well as the name and address of each facility where Physician Assistant A practiced under the Respondent’s supervision.

8. On December 14, 2018, Physician A submitted a response by email stating:

I was asked by my supervisor to be the supervising physician for [Physician Assistant A] in December of 2016.³ I completed the paperwork and gave it to my supervisor with the impression that my supervisor would take care of sending off this paperwork. [Physician Assistant A] has been practicing under my supervision from 12/16⁴ until 8/18. She has only practiced under my supervision at [Hospital A]...If you have any other questions please don’t hesitate to email me back.

III. Investigation

² On or about November 13, 2018, Physician Assistant A resigned from her position at Hospital A for personal reasons.

³ The Respondent subsequently stated that she was asked to be a supervising physician in October 2017. (See, paragraph 13)

⁴ The Respondent subsequently clarified that she began supervising Physician Assistant A in October 2017. (See, paragraph 13)

9. Based on the above information, the Board opened the case for preliminary investigation.

10. On January 2, 2019, the Board sent a subpoena to Hospital A requesting the complete personnel/human resources/quality assurance-risk management file of Physician Assistant A from December 2016 to January 2, 2019.

11. On February 19, 2019, Board staff in the Intake Division notified the Respondent of its investigation of an allegation that she served as the primary supervising physician for Physician Assistant A while employed at Hospital A without an approved Delegation Agreement and requested a response to the allegations.

12. On or February 26, 2019, the Respondent submitted a written response by email, stating:

I received the following email from [Board staff in Allied Health Division] on December 14, 02018 (sic) regarding [Physician Assistant A]. I responded to the email as requested, but I didn't hear anything back from you so I assumed everything was taken care of in regards to [Physician Assistant A]. I recently received a letter in the mail stating that their (sic) is an investigation being open (sic) in regards to this situation. Attached is a copy of the letter that was recently sent to me by the Maryland Department of Health. I am writing to find out if this situation was taken care of in December 2018 or do I still need to send a letter to the Board as requested in the attached letter. If this has been taken care of on your end can you please send information to [Board staff in the Intake Division] letting her know that this has already been addressed.

The Respondent attached a copy of the email correspondence of December 14, 2018 between Board staff in the Allied Health Division and the Respondent. (See paragraphs 7 and 8 above.)

13. On March 12, 2019, the Respondent submitted additional information to the Board pertaining to her serving as the primary supervising physician for Physician Assistant A without a Delegation Agreement. The Respondent stated in pertinent part:

I submitted the signed delegation agreement to my practice's administrator. (See attached). As a point of clarification, I signed the delegation agreement on October 23, 2017. In reviewing the dates set forth in your February 19, 2019, correspondence, you referenced that I was [Physician Assistant A's] primary supervising physician from December 2016 to August 2018. To clarify, the timeframe in question was from October 2017 until August 2018, which also corresponds to the date listed in the attached delegation agreement.

In October 2017, I was requested by leadership within my practice at [Hospital A] to complete a delegation agreement to my practice leadership and did not receive further communication(s) related to the delegation agreement until I received your February 19, 2019 correspondence.

At the time I provided my portion of the delegation agreement to practice leadership in October 2017, it was my understanding that my role in the process was completed. While I am unable to answer why there is no approved delegation agreement on file between [Physician Assistant A], and myself I did not have any reason to believe that the agreement had not been finalized and submitted to the Board.

It is my understanding through my recent discussion with the practice administrator in preparing this response, that additional information was requested in February 2018 by the Board, related to the delegation agreement.⁵ However, at that time, I was not made aware that I needed to follow-up, nor was the additional request for information provided to me by either the Board or my practice administrator. As I stated previously, I believed my practice administration was responsible in handling the submission (sic) the delegation agreement when I submitted the signed form to them in October 2017.

⁵ The Respondent subsequently submitted to the Board a copy of this email correspondence. See paragraph 18.

The Respondent attached a copy of a Delegation Agreement signed by the Respondent and Physician Assistant A, dated October 23, 2017.

14. Personnel Records of the Respondent from Hospital A contain a copy of a Physician Assistant/Primary Supervising Physician Delegation Agreement for Core Duties, signed by the Respondent and Physician A on October 23, 2017.

15. The Board's Delegation Agreement form states in pertinent part:

A physician assistant (PA) may begin working after the Board receives the completed delegation agreement and acknowledges receipt of the delegation agreement. Unless otherwise specified, acknowledgements will be sent to the physician assistant and supervising physician by email. The email will be sent once Board staff reviews the delegation for completeness and verifies that the agreement meets all requirements. (emphasis in original).

16. On May 13, 2019, the Board issued a subpoena to Hospital A for the complete medical records of six patients. The medical records confirm that Physician Assistant A provided medical care to patients from December 2017 to August 2018 while the Respondent was serving as the primary supervising physician of Physician Assistant A but without a Delegation Agreement approved by the Board.

17. On May 14, 2019, the Board sent correspondence to the Respondent affirming receipt of her March 12, 2019 response and stating that if there is any further information she would like to provide the Board, she may do so.

18. On May 29, 2019, the Respondent sent correspondence to the Board, stating in pertinent part:

I would like to reiterate that I served as [Physician Assistant A's] primary supervising physician from October 23, 2017 – the date on which I signed her delegation agreement and believed it to have been filed with the board-through the date of termination of that agreement.

On October 23, 2017, I filled out and signed my portion of the delegation agreement in accordance with [my supervisor's] instructions. I handed the agreement directly to [my supervisor] It was my understanding that [my supervisor], [an administrative operations manager ("the Manager")] at Hospital A, and [the Manager's supervisor] would submit the completed delegation agreement to the Maryland State Board of Physicians to have on file, as they have done on other occasions for other physician assistants and physicians. The delegation agreement I filled out apparently was never submitted to the Board. I was never notified of that fact, and I did not receive any other information relating to the delegation agreement until I received the letter from [Intake Unit Board staff] dated March 12, 2019.

The delegation agreement was apparently filed with the board sometime in February 2018....Had I known the delegation agreement was not submitted in October 2017, and that two revisions needed to be made, I would have made the necessary revision immediately and provided the agreement to administration for filing with the board. It is important to note that I was not copied on the email from [Board staff in Allied Health Unit] to [the Manager at Hospital A], and also that no one from Hospital A ever made me aware of the need to revise the delegation agreement.

The Respondent attached copies of email correspondence in February 2018 between the Manager at Hospital A and Allied Health Board Staff.⁶

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Panel A concludes as a matter of law that the Respondent violated Health Occ. §14-404(a)(43) by serving as a primary supervising physician at Hospital A without a Board-approved delegation agreement from October,

⁶ The email shows that on February 8, 2018, the Manager at Hospital A sent an email to Allied Health Board staff, attaching a delegation agreement form for Physician Assistant A, and requesting assurance that "the change in delegation" from the prior supervisor to the Respondent will occur. On February 9, 2018, Allied Health Board staff responded, describing two revisions that were required and instructing that the Manager send the original delegation agreement and fee to a post-office box. The Board never received the revised delegation agreement and/or the fee.

2017 through August, 2018. Panel A dismisses the remaining ground under Health Occ. §14-404(a)(3)(ii).

ORDER

It is hereby:

ORDERED that the Respondent is **REPRIMANDED**; 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. The Executive Director signs the Consent Order on behalf of the disciplinary panel which has imposed the sanction in this Consent Order; 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) (2014 & 2019 Supp.)

03/10/2020
Date

Signature on File

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

CONSENT

I, Chamara Lanette Hasan, 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.

3/4/2020

Date

Signature on File

Chamara Lanette Hasan, M.D.
Respondent

NOTARY

STATE OF Maryland

CITY/COUNTY OF Anne Arundel

I HEREBY CERTIFY that on this 03 day of 04 2020, before me,
a Notary Public of the foregoing State and City/County, personally appeared
Chamara Lanette Hasan, 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.

Xiobanie Mendez Mercado, Notary Public
Notary Public

My Commission expires: August 28, 2022

