

<b>IN THE MATTER OF</b>  <b>CHRISTOPHER MICHAEL SCIORTINO, M.D.</b>  <b>Respondent</b>  <b>License Number: D71158</b>	* * * * *	<b>BEFORE THE</b>  <b>MARYLAND STATE</b>  <b>BOARD OF PHYSICIANS</b>  <b>Case Number: 2218-0204A</b>
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**CONSENT ORDER**

On October 15, 2018, Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the “Board”) notified **CHRISTOPHER MICHAEL SCIORTINO, M.D.** (the “Respondent”), **License Number D71158**, of its **INTENT TO REVOKE** the Respondent’s license to practice medicine in the State of Maryland. The Notice informed the Respondent that unless the Respondent requested a hearing in writing within 30 days of the date of mailing of the Notice, Panel A intended to sign this Final Order, which was enclosed. On November 5, 2018, the Respondent submitted a request for a hearing.

The basis for Panel A’s action was pursuant to the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) §§ 14-401 *et seq.* (2014 Repl. Vol. and 2017 Supp.), and COMAR 10.32.02.14(A).

The pertinent provisions of the Act provide:

**Health Occ. § 14-404. License denial, suspension, or revocation.**

- (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:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;
- (3) Is guilty of:
  - (ii) Unprofessional conduct in the practice of medicine;
- (33) Fails to cooperate with a lawful investigation conducted by the Board or a disciplinary panel;
- (36) Willfully makes a false representation when seeking or making application for licensure or any other application related to the practice of medicine;
- (42) Fails to submit to a criminal history records check under § 14-308.1 of this title[.]

**Health Occ. § 14-308.1. Criminal history records check through Central Repository.**

- (a) In this section, “Central Repository” means the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services.
- (b) An applicant, a licensee, or a certificate holder shall apply to the Central Repository for a State and national criminal history records check.
- (c) As part of the application required under subsection (b) of this section, an individual shall submit to the Central Repository:
  - (1) Two complete sets of legible fingerprints taken on forms approved by the Director of the Central Repository and the Director of the Federal Bureau of Investigation;
  - (2) The fee authorized under § 10-221(b)(7) of the Criminal Procedure Article for access to State criminal history records; and
  - (3) The mandatory processing fee required by the Federal Bureau of Investigation for a national criminal history records check.

The pertinent provisions of the Board's regulations under COMAR 10.32.02 provide:

**.14 Proposed Orders; Show Cause Hearings.**

- A. Nothing in this chapter prohibits the issuance of a charging document with a proposed order which will go into effect if the respondent fails to request a hearing.

On January 16, 2019, Disciplinary 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 this Consent Order, consisting of Findings of Fact, Conclusions of Law, Order, and Consent.

**INVESTIGATIVE FINDINGS OF FACT**

Panel A finds the following:

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 July 13, 2010, under License Number D71158. The Respondent's license is active through September 30, 2019.
2. On or about September 12, 2017, the Respondent submitted an online application (the "Application") for the renewal of his license using the Board's online renewal application process.
3. When a licensee applies online to renew his or her license, a notice appears that informs the licensee that the Board may not renew a license if it has not received the licensee's Criminal History Record Check ("CHRC") information, which includes the

licensee's submission of his or her fingerprints to the Criminal Justice Information Services ("CJIS") before attempting to complete the renewal application.

4. The Respondent's signed Application states, "Failure to submit to a [CHRC] may result in disciplinary action." Prior to submitting the online Application, the Respondent checked a box attesting to completing the CHRC.

5. By email dated November 1, 2017, Board staff informed the Respondent that the Board had not received the CHRC. Board staff further informed the Respondent that he had ten business days to submit the CHRC.

6. The Respondent did not reply to the email.

7. On January 16, 2018, by letter to the Respondent's address of record, the Board informed the Respondent that it opened a preliminary investigation based upon his failure to obtain a CHRC for license renewal and the attestation that he submitted to a CHRC. The letter requested that, no later than ten business days after his receipt of the letter, the Respondent submit to the Board documentation to support that he obtained a CHRC.

8. The Respondent did not reply to the letter or notify the Board of a new mailing address.

9. On November 8, 2018, the Board received the completed CHRC. There were no reportable events on either the Maryland or Federal reports.

#### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, Panel A dismisses the charges under Health Occ. §§ 14-404(a)(1), (3)(ii), (33), and (36). Panel A concludes as a matter of law

that the Respondent violated Health Occ. § 14-404(a)(42).

**ORDER**

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

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

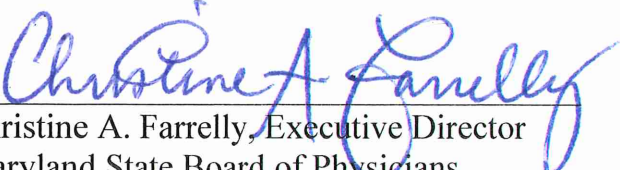
**ORDERED** that within sixty (60) days, the Respondent shall pay a civil fine of \$500. The Payment shall be by money order or bank certified check made payable to the Maryland Board of Physicians and mailed to P.O. Box 37217, Baltimore, Maryland 21297. The Board will not renew or reinstate the Respondent's license if the Respondent fails to timely pay the fine to the Board; and it is further

**ORDERED** that the Respondent shall comply with the Maryland Medical Practice Act, Md. Code Ann., Health Occ. §§ 14-401 *et seq.*, and all laws and regulations governing the practice of medicine in Maryland; and it is further;

**ORDERED** that the effective date of the Consent Order is the date the Consent Order is signed by Board's Executive Director, or her designee. The Executive Director 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 Md. Code Ann., Health Occ. §§ 1-607, 14-4111.1(b)(2) and Md. Code Ann., Gen. Prov. § 4-333(b)(6).

02/06/2019  
Date

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

## CONSENT

I, Christopher Michael Sciortino, 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 these rights 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 their 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 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

2/2/19  
Date

Christopher Michael Sciortino, M.D., Respondent

## NOTARY

STATE OF Pennsylvania

CITY/COUNTY OF Allegheny

I HEREBY CERTIFY that on this 2<sup>nd</sup> day of February, 2019 before me, a Notary Public of the State and County aforesaid, personally appeared Christopher Michael Sciortino, M.D., License Number D71158, and gave oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS, my hand and Notary Seal.

[Signature]  
Notary Public

My commission expires March 15, 2020

02/02/2019  
Date

