

<p>IN THE MATTER OF</p> <p>CHRISTIAN MILLETT, M.D.</p> <p>Respondent</p> <p>License Number: D73060</p>	<p>*</p> <p>*</p> <p>*</p> <p>*</p>	<p>BEFORE THE MARYLAND</p> <p>STATE BOARD OF</p> <p>PHYSICIANS</p> <p>Case Number: 2221-0084</p>
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CONSENT ORDER

On June 30, 2021, Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the “Board”) summarily suspended the license of **CHRISTIAN MILLETT, M.D.**, (“the Respondent”), License Number D73060, which was upheld, on July 15, 2021, after a hearing. On July 12, 2021, Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the “Board”) charged Christian Millett, M.D. (the “Respondent”) with violating the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) §§ 14-101 *et seq.* (2014 Repl. Vol. 2020 Supp.).

The pertinent provisions of the Act provide:

- (a) 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;

...

- (4) Is professionally, physically, or mentally incompetent;

...

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

On October 6, 2021, Panel A 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

Disciplinary Panel A finds the following:

I. BACKGROUND

1. The Respondent was originally licensed to practice medicine in Maryland on September 20, 2011, under License Number D73060. The Respondent's most recent license stated that the license was valid through September 30, 2021.¹
2. The Respondent is board certified in dermatology.
3. On or about December 16, 2020, the Board received a notification from the Federation of State Medical Boards (“FSMB”) that the Respondent had agreed to a Consent Order (the “D.C. Consent Order”) with the Government of the District of Columbia Board of Medicine (the “D.C. Board”) on September 2, 2020. The D.C. Consent Order provided, in part, that the Respondent would not practice medicine in the District of Columbia during the remainder of his then-current license term which ended December 31, 2020. Furthermore, it

¹ Under Health Occ. 14-403(a), while the investigation or charges are pending, the Board maintains jurisdiction over an individual whose license expired.

provided that the Respondent would not attempt to renew his District of Columbia medical license when it expired and would not attempt to petition for reinstatement of his District of Columbia medical license in the future.

4. Based on the D.C. Consent Order, the Board opened an investigation.

II. BOARD INVESTIGATION

5. In furtherance of its investigation, Board staff subpoenaed the D.C. Board's investigative file.
6. On or about January 22, 2021, the Board received the investigative file from the D.C. Board. A review of the investigative file revealed that on or about January 22, 2016, the D.C. Board received a complaint from the father (the "Complainant") of an individual with whom the Respondent was romantically involved. In the complaint, the Complainant alleged that the Respondent was engaged in the use of an illicit substance.²
7. On or about March 11, 2021, Board staff contacted the Respondent requesting that he sign an authorization for release of medical information. On March 18, 2021, the Respondent informed Board staff that he was "not favorably inclined" to provide the information requested.
8. On or about April 14, 2021, Board staff sent the Respondent written correspondence notifying him that a full investigation had been opened. The Board also notified the Respondent that he was being directed to appear at the

² Additional relevant information included in the complaint has not been specifically referenced in this document for confidentiality and privacy purposes.

Maryland Professional Rehabilitation Program (“MPRP”) on April 19, 2021, for an examination pursuant to Health Occ. § 14-402(a)³.

9. On April 19, 2021, MPRP notified Board staff that the Respondent failed to confirm his appointment and did not appear as scheduled.
10. On or about April 19, 2021, Board staff sent the Respondent a letter providing him with another opportunity to comply with the examination requirement on April 26, 2021. The Respondent confirmed the appointment but notified MPRP that he would be running late for his appointment. MPRP staff informed the Respondent that they would allow him only a few additional minutes to begin participating in the evaluation. MPRP staff waited an additional twenty (20) minutes and the Respondent failed to appear for the evaluation.
11. On April 26, 2021, Board staff provided the Respondent a final opportunity to appear for the Health Occ. § 14-402(a) examination on May 4, 2021. The Respondent appeared as directed. MPRP staff subsequently informed the Board that the Respondent refused to sign releases for records of his prior medical history or provide MPRP with the names of other medical providers.
12. On or about May 5, 2021, the Respondent indicated to MPRP that he would provide the requested documents and information. MPRP staff gave the Respondent a final deadline of May 10, 2021, to comply with their request.

³ 14-402(a) In general - In reviewing an application for licensure or in investigating an allegation brought against a licensed physician or any allied health professional regulated by the Board under this title, the Physician Rehabilitation Program may request the Board to direct, or the Board or a disciplinary panel on its own initiative may direct, the licensed physician or any allied health professional regulated by the Board under this title to submit to an appropriate examination.

13. On May 6, 2021,⁴ the Respondent was directed by MPRP staff to report for urine toxicology screening⁵ later that day. The Respondent complied.
14. On May 10, 2021, the Respondent was directed by MPRP staff to complete hair toxicology screening on May 11, 2021. MPRP utilizes hair toxicology screening because of its broader window of detection.⁶
15. On May 12, 2021, MPRP staff was notified that the Respondent failed to complete the hair toxicology screening.
16. On May 12, 2021, the Respondent emailed MPRP staff and stated that he “[did] not wish to provide any names or sign any other consents at this time,” and that he was “not willing to continue to jump through hoops.”
17. As a result of the Respondent’s failure to complete the hair toxicology screening, as well as his failure to sign releases for his prior medical records or comply with MPRP’s previous requests for additional information, MPRP was unable to complete the Health Occ. § 14-402(a) examination.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, Disciplinary Panel A of the Board concludes as a matter of law that the Respondent is guilty of unprofessional conduct in the practice of medicine and failure to cooperate with a lawful investigation conducted by the Board or a disciplinary panel, in violation of Health

⁴ MPRP initially directed the Respondent to complete toxicology screening on May 5, 2021, but the facility was closed. The Respondent completed the initial toxicology screening on May 6, 2021.

⁵ The results of the toxicology screening are not disclosed in this document.

⁶ Hair drugs of abuse testing offers up to a 90-day window for detection of drug use prior to the test date, according to Labcorp, a diagnostics provider. The window of detection for urine toxicology tests generally ranges from 24-72 hours.

Occ. § 14-404(a)(3)(ii) and (33), respectively. The charge of professional, physical, or mental incompetence, in violation of Health Occ. § 14-404(a)(4), is dismissed.

ORDER

It is, thus, on the affirmative vote of a majority of the quorum of Board Disciplinary Panel A, hereby:

ORDERED that the **SUMMARY SUSPENSION** issued on June 30, 2021 and upheld on July 15, 2021 is hereby **TERMINATED AS MOOT**; and it is further

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

ORDERED that the Respondent **SHALL NOT APPLY FOR REINSTATEMENT OF HIS LICENSE** in Maryland; and it is further

ORDERED that within **SIX MONTHS**, the Respondent shall pay a civil fine of \$5,000. 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.

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

11/01/2021
Date

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

CONSENT

I, Christian Millett, 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 conclusions 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 own 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.

10/20/21
Date

Signature on File

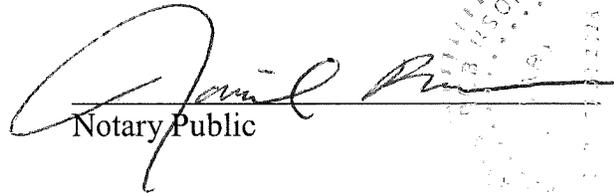
Christian Millett, M.D.
Respondent

NOTARY

STATE OF ~~MARYLAND~~ Washington, DC
CITY/COUNTY OF _____

I HEREBY CERTIFY that on this 20th day of October,
2021, before me, a Notary Public of the foregoing State and City/County
personally appear Christian Millett, M.D., and made oath in due form of law
that signing the foregoing Consent Order was his voluntary act and deed.

AS WITNESSETH my hand and notary seal.


Notary Public

My commission expires:
June, 30, 2026

