

IN THE MATTER OF
ASHEESH KUMAR, M.D.

Respondent

License Number: D74085

*** BEFORE THE**
*** MARYLAND STATE**
*** BOARD OF PHYSICIANS**
*** Case Number: 7723-0028**

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ORDER TERMINATING SUSPENSION AND IMPOSING PROBATION

On October 21, 2022, Asheesh Kumar, M.D. and Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) entered into a Consent Order wherein the Panel concluded, as a matter of law, that Dr. Kumar was guilty of unprofessional conduct in the practice of medicine, professional, physical, or mental incompetence, and providing professional services while under the influence of alcohol. Under the terms of the Consent Order, Panel B suspended Dr. Kumar’s Maryland medical license for a minimum period of six (6) months with certain terms and conditions, including the requirement Dr. Kumar enroll and participate in the Maryland Professional Rehabilitation Program “(MPRP)” and comply with all of MPRP requirements.¹ The Consent Order also provided that, after six (6) months and MPRP’s recommendation that it is safe for Dr. Kumar to return to the practice of medicine, Dr. Kumar may petition the Board to terminate the suspension. On April 26, 2023, Dr. Kumar filed a petition to terminate the suspension of his Maryland medical license. MPRP endorsed his petition and advised that he is safe to return to the practice of medicine. Additionally, Dr. Kumar fully and satisfactorily complied with all of the terms and conditions of the suspension imposed by the Consent Order. It is thus herby;

ORDERED that the suspension of Dr. Kumar’s Maryland medical license imposed under the October 21, 2022 Consent Order is **TERMINATED**; and it is further

¹ A copy of the Consent Order is incorporated by reference and available upon request.

ORDERED that Dr. Kumar is placed on probation for a minimum period of **TWO (2) YEARS.**² During the probationary period, Dr. Kumar shall comply with the following probationary terms and conditions:

(1) Dr. Kumar shall remain enrolled in MPRP and shall:

- (a) continue his Participant Rehabilitation Agreement and Participant Rehabilitation Plan with MPRP or be entered into an amended Participant Rehabilitation Agreement and Participant Plan as determined by MPRP; and
- (b) fully and timely cooperate and comply with all 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 screening as directed by MPRP.
- (c) sign and update the written release/consent forms requested by the Board and MPRP, including releases/consent forms to authorize MPRP to make verbal and written disclosures to the Board and to authorize the Board to disclose relevant information to MPRP. The Respondent shall not withdraw his release/consent;
- (d) sign any written release/consent forms to authorize MPRP to exchange with (i.e., disclose to and receive from) outside entities verbal and written information concerning Dr. Kumar and to ensure that MPRP is authorized to receive the health care records of Dr. Kumar. Dr. Kumar shall not withdraw his release/consent; and
- (e) Dr. Kumar's failure to comply with any of the above terms or conditions including terms and conditions of the Participant Rehabilitation Agreement(s) or Participant Rehabilitation Plan(s) constitutes a violation of this Order Terminating Suspension and Imposing Probation, and it is further

ORDERED that if, upon the authorization of MPRP, Dr. Kumar transfers to a rehabilitation program in another state, Dr. Kumar's failure to comply with any term or condition of that state's [the out-of-state's] rehabilitation program, constitutes a violation of this Order Terminating Suspension and Imposing Probation. Dr. Kumar shall also sign any out-of-state

² If the Respondent's license expires while he is on probation, the probation period and any probationary conditions will be tolled. COMAR 10.32.02.05C(3).

written release/consent forms to authorize the Board to exchange with (i.e., disclose to and receive from) the out-of-state program verbal and written information concerning Dr. Kumar, and to ensure that the Board is authorized to receive the medical records of Dr. Kumar, including, but not limited to, mental health and drug or alcohol evaluation and treatment records. Dr. Kumar shall not withdraw the release/consent; and it is further

ORDERED that, after Dr. Kumar has complied with all terms and conditions of probation and the minimum period of probation imposed by the Order Terminating Suspension and Imposing Probation has passed, Dr. Kumar may submit to the Board 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. Kumar 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. Kumar has complied with all probationary terms and conditions and there are no pending complaints relating to the charges; and it is further

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

ORDERED that a violation of probation constitutes a violation of this Order; and it is further

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

ORDERED that, if Dr. Kumar allegedly fails to comply with any term or condition imposed by this Order, he 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, Dr. Kumar 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. Kumar has failed to comply with any term or condition imposed by this Order, the disciplinary panel may reprimand him, place him on probation with appropriate terms and conditions, or suspend with appropriate terms and conditions, or revoke his 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 Dr. Kumar shall not apply for early termination of probation, and it is further

ORDERED that this Order Terminating Suspension and Imposing Probation is a public document. *See* Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

Signature On File

05/01/2023
Date

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians