

IN THE MATTER OF
STEVEN GURLAND, M.D.
Respondent

* BEFORE THE MARYLAND
* BOARD OF PHYSICIANS

LICENSE NUMBER: D75297

* CASE NUMBER: 2017-0347

CONSENT ORDER

BACKGROUND

Based upon information received by the Maryland Board of Physicians (the "Board"), pursuant to its authority under Md. Health Occ. Ann. ("H.O.") §14-401 *et seq.*, Steven Gurland, M.D. (the "Respondent"), License Number D75297, voluntarily surrendered his license in Alaska based upon his failure to meet continuing education requirements in that State, the Board conducted an audit to determine the Respondent's compliance with the Maryland Board's Continuing Medical Education (CME) requirements for his 2016 renewal application.

The audit findings provided sufficient evidence to conclude that the Respondent violated the Maryland Medical Practice Act (the "Act"), Md. Health Occ. Code Ann. §14-316 and Code of Maryland Regulations ("COMAR") by failing to complete fifty (50) continuing medical education credits for license renewal.

The pertinent provision of H.O. §14-316 provides:

- (c) *Applications for renewal.*-- Before the license expires, the licensee periodically may renew it for an additional term, if the licensee:

* * *

- (3) Submits to the Board:

* * *

- (ii) Satisfactory evidence of compliance with any continuing education requirements set under this section for license renewal.

The pertinent provisions of COMAR under 10.32.01 provide:

.08 Renewals

G. A licensee applying for renewal shall complete the continuing medical education requirements for each renewal period as defined in Regulation .10 of this chapter.

.10 Continuing Medical Education

B. Requirements.

(1) A physician applying for renewal or reinstatement shall earn at least 50 credit hours of Category I CME during the 2-year period immediately preceding the licensee's submission of the renewal or reinstatement application.

C. On the application form for renewal or reinstatement, a physician shall attest to the fact that the physician has completed the continuing medical education requirement.

The Board has agreed to accept the Respondent's voluntary offer to enter into this Consent Order and to submit to the terms and conditions as set out by this Consent Order.

FINDINGS OF FACT

1. At all times relevant herein, the Respondent was and is a physician licensed to practice medicine in the State of Maryland. He was initially licensed in Maryland on January 8, 2013.

2. After receiving information that the Respondent voluntarily surrendered his license in Alaska based upon his failure to meet continuing education requirements in that State, the Board conducted an audit to determine the Respondent's compliance with the Maryland Board's Continuing Medical Education (CME) requirements for his 2016 renewal application.

3. On September 9, 2016, the Respondent signed the affirmation in his 2016 renewal application that he had obtained the required 50 Category 1 CME credit hours.

4. On November 29, 2016, the Board requested the Respondent provide to the Board documentation of at least 50 Category I CME credit hours within the 2 years immediately preceding his application for renewal.

5. Based upon the information received from the Respondent, he had obtained zero (0) hours of the required 50 credit hours of Category I CME, not 50 hours as affirmed by the Respondent.

6. The Respondent's failure to provide documentation of 50 credit hours of Category I CME and signing the certification regarding CME requirements on the 2016 renewal constitute a failure to comply with the statute and regulations.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent violated §14-316(c) of the Health Occupations Article and COMAR 10.32.01.10B(1) by failing to obtain the requisite continuing medical education credits.

ORDER

It is hereby:

ORDERED that the Respondent shall pay an administrative fine of Five Thousand Dollars (\$5,000) (One Hundred Dollars per missing CME credit hour pursuant to §14-316(d)(5) of the Health Occupations Article) to the Board within thirty (30) days after the effective date of this Order. The check should be made payable to the "Maryland Board of Physicians" and mailed to P. O. Box 37217, Baltimore, Maryland 21297-3217; and be it further

ORDERED that the Respondent shall be subject to the following terms and conditions:

1. For the two year period immediately preceding the 2018 renewal (2016-2018 renewal), the Respondent shall obtain the required 50 credit hours of Category I CME mandatory for the 2018 renewal and the outstanding 50 hours of Category I CME credits that were not obtained during the two year period immediately preceding the 2016 renewal, a total of 100 Category I CME credit hours;

2. The Respondent shall send verification of all continuing medical education credits prior to sending in the 2018 renewal to the Board. Board staff will verify the 100 hours of Category I CME credits that are sent to the Board. All 100 hours of the Category I CME credits must be ACCME-approved;

3. The Respondent's license shall not be renewed in 2018 unless the requirements of paragraphs 1 and 2 are met;

4 If the Board determines that the Respondent has violated any conditions of the Consent Order, the Board may impose any additional disciplinary sanctions it deems appropriate; and be it further

ORDERED that this is a public document of the Maryland Board of Physicians pursuant to Md. Code Ann., Gen. Prov. §§4-101 – 4-601 (2014).

03/03/2017
Date

Christine A. Farrelly
Christine A. Farrelly
Executive Director

CONSENT

I, Steven Gurland, M.D., acknowledge that I have had an opportunity to consult with counsel before entering into and signing this document. By this Consent, and in order to resolve these matters, I agree to accept the Findings of Fact and Conclusions of Law and Order contained herein. Accordingly, I accept and submit to the foregoing Consent Order.

I acknowledge the validity of this Consent Order and I acknowledge that I am waiving my right to 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 provided by the laws of the State of Maryland. I also affirm that I am waiving my right to appeal any adverse ruling of the Board or Board disciplinary panel that might have followed any hearing.

I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order.

I sign this Consent Order, after having read and reviewed it and after having had an opportunity to consult with counsel, without reservation, as my voluntary act and deed, and I acknowledge that I fully understand and comprehend the language, meaning, terms and effect of this Consent Order.

2/14/17
Date

Steven Gurland
Steven Gurland, M.D.
Respondent

NOTARY

STATE OF Florida

CITY/COUNTY OF Broward

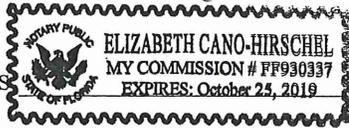
I HEREBY CERTIFY that on this 14 day of February 2017, before me, a Notary Public of the State and City/County aforesaid, personally appeared Steven Gurland, M.D. and made oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

Elizabeth Cano-Hirschel

Notary Public

My Commission expires



I HEREBY ATTEST AND CERTIFY UNDER PENALTY OF PERJURY ON 03/03/2017 THAT THE FORGOING DOCUMENT IS A FULL, TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN MY OFFICE AND IN MY LEGAL CUSTODY.

Christine A. Lavelly

EXECUTIVE DIRECTOR
MARYLAND BOARD OF PHYSICIANS