

IN THE MATTER OF

*

BEFORE THE MARYLAND

DARRELL E. LEWIS, M.D.

*

STATE BOARD OF

Respondent

*

PHYSICIANS

License Number: D76104

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Case Number: 2223-0069 B

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**ORDER FOR SUMMARY SUSPENSION OF LICENSE
TO PRACTICE MEDICINE**

Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) hereby **SUMMARILY SUSPENDS** the license to practice medicine of **DARRELL E. LEWIS, M.D.** (the “Respondent”), License Number D76104, in the State of Maryland.

Panel B takes such action pursuant to its authority under Md. Code Ann., State Gov’t §10-226(c)(2)(2022 Repl. Vol.) and Md. Code Regs. (“COMAR”) 10.32.02.08B(7), concluding that the public health, safety, or welfare imperatively requires emergency action.

INVESTIGATIVE FINDINGS

Based on information received by, and made known to Panel B, and the investigatory information obtained by, received by and made known to and available to Panel B, including the instances described below, Panel B has reason to believe that the following facts are true:¹

¹ The statements regarding the Respondent’s conduct are intended to provide the Respondent with reasonable notice of the basis of Panel B’s action. They are not intended as, and do not necessarily represent, a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with this matter.

Introduction

1. Panel B is summarily suspending the Respondent's license to practice medicine after a Board investigation revealed that he has a health condition that affects his ability to practice medicine safely.

Background/Licensing Information

2. The Respondent was originally issued a license to practice medicine in Maryland on May 21, 2013, under License Number D76104. The Respondent has retained continuous licensure since that time. The Respondent's license expires on September 30, 2024, subject to renewal.

3. The Respondent is board-certified in anesthesiology.

4. At all relevant times, the Respondent practiced at a hospital² (the "Hospital") in Maryland until resigning, on or about February 24, 2023, while the Respondent was under investigation.

The Report

5. The Board initiated an investigation of the Respondent after receiving a Mandated 10-Day Report (the "Report") from the Hospital on December 20, 2022. The Report stated that the Respondent "was placed on precautionary suspension pending further information regarding potential impairment."

² For confidentiality reasons, the names of health care facilities referenced herein, will not be disclosed in this document. The Respondent may obtain this information from the Board.

Board Investigation

6. The Board subpoenaed the Respondent's quality assurance/risk management ("QA/RM") file, human resources/personnel file and the investigative file regarding the Report (the "Investigative File").

7. The Investigative File contained information that the Respondent engaged in concerning behavior at the Hospital, including while the Respondent was treating and/or interacting with patients.

8. By letter dated February 23, 2023, the Board notified the Respondent of the investigation and requested that he provide a written response to the Report and authorize the release of specific medical records to the Board.

9. By email dated March 9, 2023, and containing attachments, the Respondent, among other things, authorized the release of the requested medical records to the Board.

10. On or about March 16, 2023, the Board obtained medical records for the Respondent which stated that on or around February 1, 2023, the Respondent was evaluated by a Program (the "Program") and diagnosed with a medical condition.³ The Program opined that the Respondent "cannot work with skill and safety as an anesthesiologist at this time" and recommended medical treatment.

³ For confidentiality reasons, the specific information in the Respondent's medical records and evaluation will not be disclosed in this document. This information will be disclosed to the Respondent upon request. The Panel reviewed this information prior to the issuance of this Order for Summary Suspension of License to Practice Medicine.

CONCLUSION OF LAW

Based upon the foregoing Investigative Findings, Panel B of the Board concludes that the public health, safety, or welfare imperatively requires emergency action, and that pursuant to State Gov't § 10-226(c)(2) and COMAR 10.32.02.08B(7), the Respondent's license is summarily suspended.

ORDER

IT IS thus, by Panel B of the Board, hereby:

ORDERED that pursuant to the authority vested in Panel B by State Govt. § 10-226(c)(2)(2022 Repl. Vol.) and COMAR 10.32.02.08B(7), the Respondent's license to practice medicine in the State of Maryland is hereby **SUMMARILY SUSPENDED**; and it is further

ORDERED that, during the course of the summary suspension, the Respondent shall not practice medicine in the State of Maryland; and it is further

ORDERED that in accordance with Md. Code Regs. 10.32.02.08B(7) and E, a post-deprivation hearing on the summary suspension will be held on **Wednesday, April 26, 2023, at 10:15 a.m.** at the Board's offices, located at 4201 Patterson Avenue, Baltimore, Maryland, 21215-0095; and it is further

ORDERED that after the **SUMMARY SUSPENSION** hearing before Panel B, the Respondent, if dissatisfied with the result of the hearing, may request, within ten (10) days, an evidentiary hearing, such hearing to be set within thirty (30) days of the request, before an Administrative Law Judge at the Office of Administrative Hearings,

Administrative Law Building, 11101 Gilroy Road, Hunt Valley, Maryland 21031-1301;
and it is further

ORDERED that a copy of the Order for Summary Suspension shall be filed by
Panel B immediately in accordance with Health Occ. § 14-407 (2022 Repl. Vol.); and it
is further

ORDERED that this is a disciplinary Order of Panel B, and as such, is a public
document. *See* Health Occ. §§ 1-607, 14-411.1(b)(2) and Md. Code Ann., Gen. Prov. § 4-
333(b)(6).

4/11/2023
Date

Signature On File

Ellen Douglas Smith, Deputy Director
Maryland State Board of Physicians