

IN THE MATTER OF * BEFORE THE MARYLAND
MATTHEW F. BARCHIE, M.D. * STATE BOARD OF
Respondent * PHYSICIANS
License Number: D78935 * Case Number: 2222-0153

* * * * *

CONSENT ORDER

PROCEDURAL BACKGROUND

The Maryland Board of Physicians (the “Maryland Board”) received information that Matthew F. Barchie, M.D., (the “Respondent”) License Number D78935, was disciplined by the Colorado Medical Board (the “Colorado Board”). On January 24 2022, the Colorado Board issued a Letter of Admonition to the Respondent.

Based on the above referenced Colorado Board sanction, the Maryland Board has grounds to charge the Respondent with violating the following provisions of the Maryland Medical Practice Act (the “Act”), under H. O. § 14-404(a):

- (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:
 - (21) Is disciplined by a licensing or disciplinary authority or convicted or disciplined by a court of any state or country or disciplined by any branch of the United States uniformed services or the Veteran’s Administration for an act that would be grounds for disciplinary action under this section,

Disciplinary Panel A (“Panel A”) has determined that the acts for which the Respondent was disciplined in Colorado would be grounds for disciplinary action under

H.O. § 14-404(a). The grounds for disciplinary action under H.O. § 14-404(a) are as follows:

- (22) Fails to meet appropriate standards as determined by appropriate peer review for the delivery of quality medical and surgical care performed in an outpatient surgical facility, office, hospital, or any other location in this State[.]

Based on the action taken by the Colorado Board, the Respondent agrees to enter into this Consent Order with Panel A, consisting of Procedural Background, Findings of Fact, Conclusions of Law, Order and Consent.

FINDINGS OF FACT

Panel A makes the following findings of fact:

1. At all times relevant hereto, the Respondent was a physician licensed to practice medicine in the State of Maryland. The Respondent was initially licensed in Maryland on or about January 16, 2015.
2. In its January 24, 2022 letter of admonition to the Respondent, the Colorado Board found that the Respondent's needle placement during ultrasound guided drainage fell below reasonably accepted standards of medical care because the injury occurred in an area of the body that should not have been at risk because it was reasonably distant to the drainage target. The Respondent unnecessarily inserted the needle to a depth of 20 cm when the abscess was fairly superficial, leading to cardiac injury.

A copy of the Colorado Board letter of admonition is attached hereto.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Panel A concludes as a matter of law that the Respondent is subject to discipline under Health Occ. § 14-404(a)(21) for the

disciplinary action taken by the Colorado Board against the Respondent for an act or acts that would be grounds for disciplinary action under Health Occ. §14-404(a)(22).

ORDER

It is, thus, by Panel A, hereby:

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

ORDERED that the effective date of the Consent Order is the date the Consent Order is signed by the Executive Director of the Board or her designee. The Executive Director or her designee 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* Health Occ. §§1-607, 14-411.1(b)(2) and Gen. Prov. §4-333(b)(6).

06/30/2022
Date

Signature On File

Christine A. Farrelly
Executive Director
Maryland Board of Physicians

CONSENT

I, Matthew F. Barchie, MD, acknowledge that I am aware of my right to consult with and be represented by counsel in considering this Consent Order. I have chosen to proceed without counsel and I acknowledge that the decision to proceed without counsel is freely and voluntarily made.

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 this right 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 my 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. 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.

6/28/2022
Date

Signature On File
Matthew F. Barchie, MD
Respondent

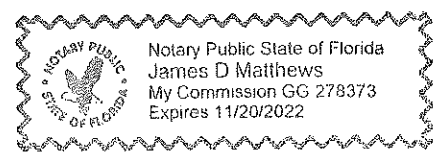
NOTARY

STATE OF FL
CITY/COUNTY OF Santa Rosa

I HEREBY CERTIFY that on this 28 day of June, 2022,
before me, a Notary Public of the State and City/County aforesaid, personally appeared Matthew F. Barchie, MD, 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.

James D. Matthews
Notary Public



My Commission expires: 11/20/22



COLORADO

Department of
Regulatory Agencies
Division of Professions and Occupations

January 24, 2022

Matthew Frederick Barchie, M.D.

Re: License Number: CDRH - 54460
Case Number: 2021-3030 - Panel A

Dear Dr. Barchie,

The Colorado Medical Board has concluded its inquiry into the aforementioned matter. It was the Panel's decision not to commence with formal proceedings against your professional license. However, the Panel did determine disciplinary action in the form of this letter of admonition is warranted.

As you know, on May 9, 2016, you saw Patient A and performed an inpatient ultrasound guided drainage, given the patient's signs of infection. You placed a drain but were unable to aspirate fluid and subsequently took the patient for imaging for further evaluation. The imaging showed a drain that was anterior to the abscess. The drain was retracted and you made an attempt at repositioning the drain into the abscess, which was unsuccessful and where your needle placement led to an enlarged moderate hemopericardium, requiring emergent surgery to evacuate the hemopericardium and place two pericardial drains and a right chest tube.

After consideration of the information in this case, the Panel finds that you committed unprofessional conduct, in violation of section 12-240-121(1)(j), of the Colorado Revised Statutes. Specifically, your needle placement during the ultrasound guided drainage fell below reasonably accepted standards of medical care because the injury occurred in an area of the body that should not have been at risk because it was reasonably distant to the drainage target. You unnecessarily inserted the needle to a depth of 20cm when the abscess was fairly superficial, leading to cardiac injury.

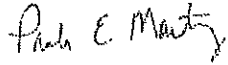
By this letter, the Board takes the formal disciplinary action of admonishing you for the conduct specified above, and warns you that repetition of such practice may lead to imposition of more severe disciplinary action. This letter is an open public record and a reportable action to individuals or entities requesting disciplinary information. The Board strongly encourages you to review and understand the Medical Practice Act requirements and obligations for the practice of medicine in Colorado.

In accordance with 12-20-404(4)(b), the Board advises you that you have the right to make a written request that the Board initiate formal disciplinary proceedings in order to adjudicate the conduct or acts upon which this letter is based. You must make your written request within twenty (20) days after receipt of this letter and address your request to Paula E. Martinez, Program Director, at the email address listed below. If you make a timely request, the Board will deem this letter of admonition vacated and may proceed with disciplinary and/or injunctive proceedings in accordance with 12-20-404(4)(b)(II), C.R.S., and applicable rules.

A Letter of Admonition, when accepted, becomes a permanent, public portion of your record. It is not, however, a restriction on your practice as a professional physician.

If you have further questions or concerns, please visit our website at <https://www.colorado.gov/dora/dpo> or you can contact our office at dora_medicalboard@state.co.us or by calling (303) 894-7800.

With Delegated Authority
From Inquiry Panel A,



Paula E. Martinez
Program Director
Colorado Medical Board

Please complete a short survey at <https://www.surveymonkey.com/r/B5JR27T> regarding aspects of the service you received. Your anonymous response will be used to evaluate the service experience and to identify areas where improvements may be appropriate.

Notice

Your Healthcare Professions Profile will be updated to reflect this Colorado public action. Pursuant to section 12-30-102, C.R.S., your profile must be updated within 30 days of any reportable event. To ensure compliance, you must regularly review and update your profile. To access your profile, go to www.colorado.gov/dora/hppp and click the "Create/Update a Profile" link. For any questions, please contact dora_dpo_hppp@state.co.us.