

IN THE MATTER OF

*

BEFORE THE

CHINEDU NWABUEZE, M.D.

*

MARYLAND STATE

Respondent

*

BOARD OF PHYSICIANS

License Number: D88064

*

Case Number: 2221-0145A

* * * * *

CONSENT ORDER

On March 16, 2022, Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the “Board”) charged **CHINEDU NWABUEZE, M.D.**, (“the Respondent”), License Number D88064, under the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) §§ 14-101 *et seq.* (2021 Repl. Vol.). Panel A charged the Respondent under the following provisions of Health Occ. § 14-404:

(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:

...

(1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;

...

(3) Is guilty of:

...

(ii) Unprofessional conduct in the practice of medicine;

...

(36) Willfully makes a false representation when seeking or making application for licensure or any other application related to the practice of medicine[.]

On May 11, 2022, 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, and Order.

FINDINGS OF FACT

Panel A finds:

I. Background

1. At all times relevant, the Respondent was and is licensed to practice medicine in the State of Maryland via Compact with the State of Illinois Division of Professional regulation. The Respondent was initially licensed to practice in Maryland on August 8, 2019, under license number D88064. The Respondent’s Maryland license is currently inactive and expired on September 30, 2021.¹

2. The Respondent is also licensed to practice medicine in the State of Illinois. The Respondent’s Illinois license was placed on indefinite probation on March 15, 2021.

3. On or about September 25, 2019, the Respondent completed the Maryland Compact Physician Supplement Application (the “Application”) in which he answered all character and fitness questions in the negative.

4. On or about November 24, 2020, the Board received notification from the Federation of State Medical Boards (“FSMB”) that the Respondent had been issued a license on probation by the Medical Board of California (the “California Board”)

¹ Pursuant to section 14-403 of the Health Occupations Article, the license of an individual regulated by the Board may not “lapse by operation of law while the individual is under investigation or while charges are pending.” The investigation began before the expiration of Respondent’s license. Therefore, by operation of law, Respondent’s license did not expire during these proceedings.

following a Decision and Order based upon his failure to disclose “unusual circumstances that occurred during his training program.”

5. Based on the notification, the Board initiated an investigation of the Respondent.

II. Board Investigation

6. On or about September 25, 2019, the Respondent submitted to the Board an Application to practice medicine in the State of Maryland.

7. On Page 4 of the Application, in the “Character and Fitness Questions” section, the Applicant answered “No” to all of the questions including Question 20.

Question 20 states:

During your years of postgraduate training, was any action taken against you by any training program, hospital, medical board, licensing authority, or court? Such actions include but not limited to investigations, limitations o[f] privileges or special conditions, requirements imposed for academic incompetence, disciplinary actions, probationary actions, etc. If yes, please provide an explanation.

8. On or about January 20, 2021, Board staff received the certified copies of the disciplinary actions taken against the Respondent by the State of California. The Stipulation and Disciplinary Order revealed that on or about January 12, 2016, the Respondent’s training program “implemented an Action Plan due to concerns regarding [the Respondent’s] medical knowledge.” The program placed him under supervision with a plan for remediation which he completed.

9. On or about September 14, 2016, the Respondent’s remediation plan was lifted, but he was informed that there were continued concerns regarding his

professionalism which needed to be addressed in order for him to remain in good standing.

10. On or about June 1, 2018, the Respondent successfully completed his training program.

11. On or about November 13, 2020, the California Board issued a probationary license to the Respondent and placed him on three years' probation and required him to take an ethics course because he failed to disclose on his California Physician's and Surgeon's License application that he was placed on a remedial plan and probation during his residency.

12. On or about January 25, 2021, Board staff contacted the Respondent and notified him that an investigation had been opened and requested a written response from the Respondent.

13. On or about February 23, 2021, Board staff received the Respondent's written response. In his response the Respondent stated that he has an assistant who helped him with his applications, and that he "failed to correctly notify [his] assistant about [his] probationary period that occurred during [his] residency training."

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Panel A concludes as a matter of law that the Respondent was guilty of unprofessional conduct in the practice of medicine in violation of Health Occ. § 14-404(a)(3)(ii), and willfully making a false representation when seeking or making application for licensure or any other application related to the practice of medicine in violation of Health Occ. § 14-404(a)(36). Panel **dismisses** the

charge of fraudulently or deceptively obtaining or attempting to obtain a license for the applicant or licensee in violation Health Occ. § 14-404(a)(1).

ORDER

It is thus by Disciplinary Panel A of the Board, hereby:

ORDERED that Respondent, Chinedu Nwabueze, M.D., License No. D88064 is **REPRIMANDED**; and it is further

ORDERED that the Respondent is placed on **PROBATION** until his California license is unencumbered;²

ORDERED that within **ONE YEAR**, the Respondent shall pay a civil fine of **\$2,500.00**. 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. The Board will not renew or reinstate the Respondent's license if the Respondent fails to timely pay the fine to the Board.

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

06/09/2022
Date

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians

² Respondent's license is currently expired and the probation will commence upon Respondent's reinstatement of his license.

CONSENT

I, Chinedu Nwabueze, M.D., assert that I am aware of my right to consult with and be represented by counsel in considering this Consent Order and in any proceedings that would otherwise result from the charges currently pending. 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 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.

Signature On File

06/03/22
Date

Chinedu Nwabueze, M.D.
License No. D88064

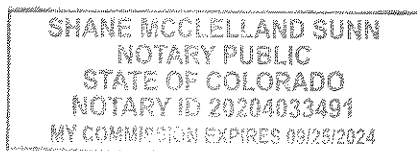
NOTARY

STATE OF COLORADO

CITY / COUNTY OF DENVER

I HEREBY CERTIFY that on this 3RD day of JUNE 2022, before me, a Notary Public of the foregoing State and City/County, personally appeared Chinedu Nwabueze, 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 notarial seal.



Shane McClelland Sunn
Notary Public

My Commission expires: 09/25/2024