

IN THE MATTER OF	*	BEFORE THE MARYLAND
MARWAN WIGGINS, M.D.	*	STATE BOARD OF
Respondent	*	PHYSICIANS
License Number: D90977	*	Case Number: 2222-0082 B

## ORDER FOR SUMMARY SUSPENSION OF LICENSE TO PRACTICE MEDICINE

Panel B takes such action pursuant to its authority under Md. Code Ann., State Gov't § 10-226(c)(2) (2021 Repl. Vol.), concluding that the public health, safety, or welfare imperatively requires emergency action.

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:<sup>1</sup>

## **I. BACKGROUND**

1. The Respondent was originally licensed to practice medicine in Maryland on February 26, 2021, under License Number D90977. The Respondent's license is scheduled to expire on September 30, 2023.

2. The Respondent is also licensed to practice medicine in Florida.

3. The Respondent is not board-certified and does not have hospital privileges.

4. At all times relevant hereto, the Respondent was a clinical fellow in anesthesiology at a university (the "University") and was employed at a hospital<sup>2</sup> (the "Hospital") in Baltimore, Maryland.

5. The Respondent is currently practicing medicine in the state of Florida.

## **II. THE COMPLAINT**

6. On or about September 30, 2021, the Board received the Respondent's License Renewal Application (the "Application").

7. In the section of the Application entitled, *Character and Fitness Questions*, the Respondent was instructed to respond "YES" or "NO" to a series of questions.

8. The Respondent answered "YES" to QUESTION (5), which asks:

Has a hospital, related health care institution, HMO, or alternative health care system ever investigated you or ever brought charges against you?

9. The Respondent provided the following explanation:

I was investigated for [diverting medications] that arose in the last few months (April – August 2021) of my fellowship

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<sup>2</sup> To maintain confidentiality, the names of health care facilities and individuals will not be identified in this document. The Respondent may obtain the names of the health care facilities, individuals and medications referenced herein by contacting the administrative prosecutor.

training at [the Hospital]. The investigation was concluded and no charges were brought. I am currently [receiving medical treatment] to address [a medical condition].

10. The Respondent also answered “YES” to QUESTION (10), which asks:

Do you currently have any medical condition or impairment (including, but not limited to, substance abuse, alcohol abuse, or a physical, mental, emotional, or nervous disorder or medical condition) that in any way affects your ability to practice your profession in a safe, competent, ethical and professional manner?

11. The Respondent provided the following explanation:

Per the direction of [my medical provider], I was evaluated [and have a medical condition].

### **III. BOARD INVESTIGATION**

12. The Board initiated an investigation of this matter based on the affirmative response and disclosure the Respondent provided on his Application.

13. The Board subpoenaed records from the University which documented that an investigation found that the Respondent falsified medical records at the Hospital to withdraw 93 vials of ketamine<sup>3</sup> from medication dispensing machines.

14. Due to the diversion of ketamine and reported changes in the Respondent's appearance and behavior, the University referred the Respondent for a consultation and evaluation.<sup>4</sup>

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<sup>3</sup> Ketamine is a Schedule III controlled dangerous substance that is used primarily for induction and maintenance of anesthesia. It is a dissociative anesthetic that has some hallucinogenic effects. It distorts perceptions of sight and sound and makes the user feel disconnected and not in control.

<sup>4</sup> To maintain confidentiality, the details of the consultation and evaluation will not be disclosed in this document however the details were known to the Panel at the time the Panel voted to summarily suspend the Respondent's medical license.

15. On or around October 7, 2021, the Respondent was evaluated by a program (the "Program") and diagnosed with a medical condition.<sup>5</sup> The Program opined that the Respondent "cannot practice medicine safely" and recommended medical treatment.

16. On or around December 29, 2021, after the Respondent had completed a 60-day program, the Program opined that the Respondent was "cleared to return to work as a physician" so long as monitoring was in place (the "December 29, 2021 Evaluation").

17. On or around January 26, 2022, a medical professional reviewed the Respondent's records, including the December 29, 2021 Evaluation, and opined that the Respondent was not safe 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, pursuant to State Gov't § 10-226(c)(2) (2021 Repl. Vol.) and COMAR 10.32.02.08B(7).

### **ORDER**

Based upon the foregoing Investigative Findings and Conclusion of Law, it is thus, by a majority of a quorum of Panel B of the Board, hereby:

**ORDERED** that pursuant to the authority vested in Panel B by State Govt. § 10-226(c)(2) 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 thus further

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<sup>5</sup> To maintain confidentiality, the medical condition will not be disclosed in this document however the Respondent's medical condition was known to the Panel at the time the Panel voted to summarily suspend the Respondent's medical license.

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

**ORDERED** that in accordance with COMAR 10.32.02.08B(7) and E, a post-deprivation hearing on the summary suspension will be held on **Wednesday, February 23, 2022, at 11:30 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 (2021 Repl. Vol.); and it is further

**ORDERED** that this is an 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).

2/14/2022  
Date

***Signature on File***

Ellen Douglas Smith  
Deputy Director  
Maryland State Board of Physicians