

IN THE MATTER OF

*

BEFORE THE

DOMINIC DIGGIN

*

MARYLAND STATE

Respondent

*

BOARD OF PHYSICIANS

Unlicensed

*

Case No.: 2221-0129B

* * * * *

CEASE AND DESIST ORDER

Pursuant to the authority granted to Disciplinary Panel B of the Maryland State Board of Physicians (the "Board") under Md. Code Ann., Health Occ. § 14-206(e)(2) (2014 Repl. Vol. & 2020 Supp.), Panel B hereby orders **DOMINIC DIGGIN** (the "Respondent"), an unlicensed individual, to immediately **CEASE AND DESIST** from representing to the public, by title, description of services, methods, procedures, or otherwise, that he is authorized to practice medicine in the State of Maryland.

The pertinent provisions of the Maryland Medical Practice Act (the "Act"), Health Occ. §§ 14-101 *et seq.* (2014 Repl. Vol. & 2020 Supp.), under which Panel B issues this Cease and Desist Order provide the following:

§ 14-206. Judicial Powers.

....

(e) *Cease and desist orders; injunctions.* – A disciplinary panel may issue a cease and desist order or obtain injunctive relief against an individual for:

....

(2) Representing to the public, by title, description of services, methods, procedures, or otherwise, that the individual is authorized to practice:

(i) Medicine in this State, in violation of § 14-602 of this title[.]

§ 14-602. Misrepresentation as a practitioner of medicine.

- (a) *In general.* -- Unless authorized to practice medicine under this title, a person may not represent to the public, by description of services, methods, or procedures, or otherwise, that the person is authorized to practice medicine in this State.
- (b) *Certain representations prohibited.* -- Except as otherwise provided in this article, a person may not use the words or terms “Dr.,” “doctor,” “physician,” “D.O.,” or “M.D.” with the intent to represent that the person practices medicine, unless the person is:
 - (1) Licensed to practice medicine under this title;
 - (2) A physician licensed by and residing in another jurisdiction, while engaging in consultation with a physician licensed in this State;
 - (3) A physician employed by the federal government while performing duties incident to that employment;
 - (4) A physician who resides in and is licensed to practice medicine by any state adjoining this State and whose practice extends into this State; or
 - (5) An individual in a postgraduate medical program that is accredited by an accrediting organization recognized by the Board in regulations while the individual is practicing medicine in the program.

INVESTIGATIVE FINDINGS¹

Based on the investigatory information received by, made known to, and available to Disciplinary Panel B, there is reason to believe that the following facts are true:

- 1. At all relevant times, the Respondent has never been licensed to practice medicine in the State of Maryland.

¹ The statements regarding the Board’s investigative findings are intended to provide the Respondent with reasonable notice of the basis of the Board’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.

2. On or about May 14, 2021, the Board received a complaint from a health care staffing agency alleging that, on or about May 13, 2021, the Respondent submitted a curriculum vitae to the agency stating that he earned a medical degree in June 2020, was licensed to practice medicine in Maryland, and was board-certified in both internal medicine and emergency medicine. The Respondent's CV included his mailing address, email address, and phone number.

3. The Board opened an investigation into the Respondent following its receipt and review of the complaint. The relevant details of the Board's investigation are described in Paragraphs 4 – 9, below.

4. On or about May 20, 2021, Board staff identified many of the Respondent's online profiles on websites and social media platforms. The online profiles included, at a minimum, the Respondent's full name and email address.

5. A LinkedIn profile for the Respondent identified him as holding a "Doctor of Medicine – MD." The "Experience" section of his profile listed that the Respondent was a lifeguard since August 2020, and a "Surgery Resident" in Maryland since 2017.

6. A Quora profile for the Respondent identified him as a "Medical Doctor." The "Credentials & Highlights" section of his profile listed that the Respondent "Studied Medical Doctor (MBBS)[²] & General Surgery" at a Maryland-based university and was attending medical school in Maryland. The Respondent's profile also included a public answer that the Respondent provided in response to a medical question about Covid-19.

² The Bachelor of Medicine, Bachelor of Surgery ("MBBS") is a medical degree that is awarded in many nations. It is regarded as equivalent to a Medical Doctor degree in the United States.

7. A Twitter profile for the Respondent identified him with “Dr.” before his name. The Respondent’s profile also included his picture. His Twitter handle included “Dr” at the end of it. His profile included three tweets from September 2018, including a request for “good apps for a first year emergency medicine resident” as well as a request for advice on care for a patient whom the Respondent indicated he was treating.

8. On or about June 24, 2021, Board staff interviewed the Respondent under oath. Also present for the interview was one of his family members (“Individual A”). The Respondent claimed that his identity was stolen and that someone else was using his name and information on the online profiles. Individual A, however, explained that the Respondent “pretends to be a doctor all the time” with friends and family.

CONCLUSIONS OF LAW

Based on the foregoing Investigative Findings, Disciplinary Panel B concludes as a matter of law that the Respondent, without being licensed to practice medicine in the State of Maryland, represented to the public, by title, description of services, methods, procedures, or otherwise, that he is authorized to practice medicine in Maryland, and used “Dr.,” “doctor,” and “M.D.” with the intent to represent that he practices medicine, in violation of Md. Code Ann., Health Occ. § 14-602(a)-(b).

ORDER

Based on the foregoing Investigative Findings and Conclusions of Law, it is, by a majority of the quorum of Disciplinary Panel B, hereby:

ORDERED that pursuant to the authority under Health Occ. § 14-206(e)(2), the Respondent shall **IMMEDIATELY CEASE AND DESIST** from representing to the

public, by title, description of services, methods, procedures, or otherwise, that he is authorized to practice medicine in Maryland, and from using “Dr.”, “doctor”, “physician”, “D.O.”, or “M.D.” with the intent to represent that the Respondent practices medicine; and it is further

ORDERED that this order is **EFFECTIVE IMMEDIATELY** pursuant to Md. Code Regs. 10.32.02.13A(2), and it is further

ORDERED that this is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* and Md. Code Regs. 10.32.02.11E(1)(a).

09/17/2021
Date

Signature on File

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians

NOTICE OF OPPORTUNITY FOR A HEARING

The Respondent may challenge the factual or legal basis of this initial order by filing a written opposition, which may include a request for a hearing, within 30 days of its issuance. The written opposition shall be made to:

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians
4201 Patterson Avenue, 4th Floor
Baltimore, Maryland 21215

A copy must also be mailed to:

W. Adam Malizio
Assistant Attorney General
Health Occupations Prosecution & Litigation Division
Office of the Attorney General
300 West Preston Street, Suite 201
Baltimore, Maryland 21201

If the Respondent files a written opposition and a request for a hearing, the Board shall consider that opposition and provide a hearing if requested. If the Respondent does not file a timely written opposition, the Respondent will lose the right to challenge this Initial Order to Cease and Desist and this Order will remain in effect.