

IN THE MATTER OF

* BEFORE THE

DOMINIC L. DIGGIN

* MARYLAND STATE

Respondent

* BOARD OF PHYSICIANS

UNLICENSED

* Case Number: 2223-0036B

* * * * *

VIOLATION OF CEASE AND DESIST ORDER

On September 17, 2021, Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) issued, pursuant to Health Occupations Article, section 14-206(e)(2), a Cease and Desist Order to Dominic L. Diggin, unlicensed, ordering that he “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.” On February 23, 2023, Panel B issued an Order to Show Cause, charging Mr. Diggin with violating the terms and conditions of the Cease and Desist Order. On April 26, 2023, Mr. Diggin appeared at a Show Cause hearing before Panel B. The State was represented by the administrative prosecutor.

FINDINGS OF FACT

Background

Mr. Diggin has never been licensed to practice medicine in the State of Maryland. He has never been licensed or certified by any health occupations licensing board in Maryland. At all relevant times, Mr. Diggin resided in Maryland.

On May 14, 2021, the Board received a complaint from a health care staffing agency that Mr. Diggin submitted a *curriculum vitae* (“CV”) to the agency representing that he was licensed

to practice medicine in Maryland and was board-certified in both internal and emergency medicine. The Board's investigation further revealed that Mr. Diggin identified himself as a doctor on several social media platforms and websites, including LinkedIn, Quora, and Twitter.

On September 17, 2021, the Board issued a Cease and Desist Order to Mr. Diggin ordering that he "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." Mr. Diggin did not oppose the Cease and Desist Order.

Violation of Cease and Desist Order

On or about November 18, 2022, the Board received a complaint ("Complaint 1") from an attorney¹ for a nationwide teleradiology service company stating that Mr. Diggin submitted a contact request form stating that he was interested in "radiologist careers" and listed his occupation as "radiologist." Mr. Diggin submitted a CV of another physician to the company with no substantive change to the CV other than substituting his name in place of the physician's. The CV listed the Respondent's name as Dominic Lewis Diggin, MBBS, DNB, (Radiodiagnosis), ECFMG Certified (April 28, 2018). The CV also listed numerous publications purportedly authored by Mr. Diggin, honors and awards, and job experience, all of which was stolen from the CV of the other physician, and none of which were accomplishments of Mr. Diggin.

On or about December 12, 2022, the Board received an email from a healthcare staffing company ("Complaint 2") stating that it received an inquiry from Mr. Diggin for employment as

¹ For confidentiality and privacy purposes, the names of witnesses, health care providers, health care facilities, and other institutions will not be identified in this document. Mr. Diggin is aware of the identities of the complainants and facilities.

a physician assistant. Mr. Diggin represented himself as a licensed healthcare provider in reply to an inquiry for a *locum tenens* Emergency Medicine coverage needed in California. He provided the company with a CV that listed his name as Dominic Diggin, PA-C, and noted that he was a “graduate of Pennsylvania College of Technology, PA Program, a National Health Service Corps Scholarship recip[i]ent, and a proud physician assistant with clinical experience in bilingual spanish/english clinical settings.”

The authors of each Complaint researched Mr. Diggin’s qualifications, discovered the Board’s Cease and Desist Order dated September 17, 2021, and immediately notified the Board.

On December 6, 2022, Board staff spoke with a family member (the “Family Member”) of Mr. Diggin who stated that she has guardianship over Mr. Diggin. The Family Member stated that Mr. Diggin is “very obsessed with the medical community...but goes too far.” The Board also received a written response from the Family Member stating that they were “writing this letter with [Mr. Diggin’s] full knowledge and consent.” The letter stated that Mr. Diggin “incorrectly identified himself as a radiologist” and that he “does not represent himself in school as a radiologist nor does he portray one in the community.”

On December 20, 2022, Board staff interviewed Mr. Diggin. During the interview Mr. Diggin stated that he is 18 years old and began taking classes at a community college in August of 2022. He explained that he found a CV online and used Microsoft Word to remove the doctor’s name and replace it with his own. He stated that he listed his occupation as a radiologist because “that was [his] hope.” He admitted to submitting the CV to the company noted in Complaint 1. He also admitted to making a physician assistant CV because that was one of the careers he was interested in. He stated that he did not recall sending a CV for the physician assistant position as is alleged in Complaint 2. He stated that he received the Cease and Desist Order but did not read

it over entirely. He did understand, however, that it meant that he had to “stop doing what [he] was doing.”

Show Cause Hearing

On February 23, 2023, Panel B charged Mr. Diggin with violating the terms and conditions of the Cease and Desist Order, dated September 17, 2021. On April 26, 2023, Mr. Diggin appeared at a Show Cause hearing before Panel B. Mr. Diggin admitted to submitting the CV in response to a job advertisement but asserted that he never represented himself as a physician in public and that he created the CV as part of a school assignment. The prosecutor responded that Mr. Diggin did more than just submit the CV to the company, he communicated with the company back and forth via email regarding the position. It was only when the company asked Mr. Diggin for his license number that he stopped responding. The prosecutor recommended a fine of \$500 as a sanction for the violation of the Cease and Desist Order.

CONCLUSION OF LAW

Panel B concludes that Mr. Diggin violated the September 17, 2021 Cease and Desist Order by representing to the public, by title, description of services, methods, procedures, or otherwise, that he is authorized to practice medicine in Maryland.

SANCTION

Mr. Diggin used the resume of another physician and submitted it as his own in response to a job advertisement. Even though Mr. Diggin stated that he would not have accepted the position if offered to him, Mr. Diggin’s conduct was deliberate and had the potential to cause harm to the public. Pursuant to COMAR 10.32.02.11E(4)(a), the Board may impose a fine as provided in Regulation .09C on any individual who violates a Cease and Desist Order. The range of fine for a first violation is “not less than \$1,000 and not more than \$30,000[.]” The Panel believes that

a \$1,000 fine is appropriate in this case and that Mr. Diggin's payment of the fine will send a message to him that his conduct is serious and that there are consequences for his actions.

ORDER

It is, thus, by Board Disciplinary Panel B, hereby

ORDERED that within **ONE YEAR**, Mr. Diggin shall pay a civil fine of \$1,000.00. 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; and it is further

ORDERED that this Order is a public document. *See Gen. Prov. § 4-101 et. seq.*

Signature On File

06/15/2023
Date

Christine A. Farrelly, Executive Director
Maryland State Board of Physicians

NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW

Pursuant to COMAR 10.32.02.11E(4)(f), Mr. Diggin has the right to seek judicial review of this Violation of Show Cause Order. Any petition for judicial review shall be filed within thirty (30) days from the date of mailing of this Order. The cover letter accompanying this Order indicates the date the decision is mailed. Any petition for judicial review shall be made as provided for in the Administrative Procedure Act, Md. Code Ann., State Gov't § 10-222 and Title 7, Chapter 200 of the Maryland Rules of Procedure.

If Mr. Diggin files a petition for judicial review, the Board is a party and should be served with the court's process at the following address:

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

Notice of any petition should also be sent to the Board's counsel at the following address:

Stacey Darin
Assistant Attorney General
Maryland Department of Health
300 West Preston Street, Suite 302
Baltimore, Maryland 21201