

IN THE MATTER OF
ELIZABETH FONDONG

Respondent
Unlicensed

* **BEFORE THE**
* **MARYLAND STATE**
* **BOARD OF PHYSICIANS**
* **Case Number: 2223-0075 B**

* * * * *

CEASE AND DESIST ORDER

Pursuant to the authority granted to Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) under Md. Code Ann., Health Occ. (“Health Occ.”) § 14-206(e)(1) and (2)(vii) (2021 Repl. Vol. & 2022 Supp.), Panel B hereby orders **ELIZABETH FONDONG** (the “Respondent”), an unlicensed individual, to immediately **CEASE AND DESIST** from all activities associated with the practice of naturopathic medicine in the State of Maryland, as defined in Health Occ. § 14-5F-01(j), and from representing to the public that she is authorized to practice naturopathic medicine and practice as a naturopathic doctor in the State of Maryland.

The pertinent provisions of the Maryland Medical Practice Act (the “Act”), Health Occ. §§ 14-101 *et seq.*, under which Panel B issues this Order provide the following:

§ 14-206. Judicial Powers.

.....

- (e) A disciplinary panel may issue a cease and desist order or obtain injunctive relief against an individual for:
 - (1) Practicing a profession regulated under this title or Title 15 of this article without a license [and]
 - (2) Representing to the public, by title, description of services, methods, procedures, or otherwise, that the individual is authorized to practice:

.....

- (vii) Naturopathic medicine in this State, in violation of § 14-5F-30[.]

§ 14-5F-01. Definitions.

- (j) “Naturopathic doctor” means an individual who practices naturopathic medicine.
- (k) (1) “Naturopathic medicine” means the prevention, diagnosis, and treatment of human health conditions, injury, and disease using only patient education and naturopathic therapies and therapeutic substances recognized by the Council of Naturopathic Medical Education.
(2) “Naturopathic medicine” includes:
 - (i) Counseling;
 - (ii) The practice of the mechanical sciences of healing, including mechanotherapy, articular manipulation, corrective and orthopedic gymnastics, hydrotherapy, electrotherapy, and phototherapy;
 - (iii) The practice of the material sciences of healing, including nutrition, phytotherapy, treatment by natural substances, and external applications; and
 - (iv) Prescribing, dispensing, and administering nonprescription and prescription drugs and devices listed in the formulary.

§ 14-5F-29. Unlicensed practice prohibited.

- (a) Except as otherwise provided in this subtitle, an individual may not practice, attempt to practice, or offer to practice naturopathic medicine in this State without a license.

§ 14-5F-30. Unauthorized practice – Representations to public.

- (a) Unless an individual is licensed to practice naturopathic medicine, the individual may not:
 - (1) Represent to the public by title, by description of services, methods or procedures, or otherwise, that the individual is licensed by the Board to practice naturopathic medicine.
 - (2) Use the title “doctor of naturopathic medicine”, “doctor of naturopathy”, “naturopathic doctor”, or “naturopath”[.]

INVESTIGATIVE FINDINGS¹

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

I. Background

1. The Respondent has never been licensed to practice naturopathic medicine in the State of Maryland. She has never been licensed or certified by any health occupations licensing board in Maryland.

2. The Respondent operates a business (the “Respondent’s Business”) located in Westminster, Maryland where, among other things, the Respondent sells supplements. The Respondent’s Business also has a website (the “Respondent’s Business Website”).

II. The Complaint

3. On or about February 21, 2023, the Board received a complaint (the “Complaint”) from an individual (the “Complainant”)² alleging that the Respondent was a natural health practitioner “identifying as a medical doctor.” The Complainant filed the Complaint with the Board to inquire as to whether the Respondent was a licensed physician in Maryland.

4. The Board conducted an investigation into the Complaint.

III. The Board Investigation

5. The Board investigation included, but was not limited to, reviewing the

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 For confidentiality reasons, the names of individuals referenced herein, will not be disclosed in this document. The Respondent may obtain this information from the administrative prosecutor.

Respondent's publicly accessible social media; an unannounced site visit (the "Site Visit")³ to the Respondent's Business; subpoenaing various records, including, but not limited to, the Respondent's records for her clients; conducting an under-oath interview with the Respondent (the "Respondent's Interview") and speaking with clients of the Respondent.

6. An expert (the "Expert"), Board certified in naturopathic medicine, reviewed the pertinent documents in the Board's investigative file and opined that the Respondent represented to the public that she is a naturopathic doctor and practiced naturopathic medicine.

7. The Expert's opinion is based on, at least in part, the Respondent's: use of the titles "naturopathic doctor" and "doctor"; statements regarding her credentials; and practices at the Respondent's Business, as described below.

The Respondent's Use of the Title "Naturopathic Doctor" and "Doctor"

8. On or around May 15, 2020, a publicly available video (the "Video") was posted where the Respondent was interviewed and stated, among other things, "I'm a naturopathic doctor."

9. On or about April 27, 2023, the Board conducted the Site Visit where, upon arrival, the Respondent greeted Board staff wearing a white physician-style lab coat and introduced herself as "Doctor Liz."⁴

10. The Respondent refers to herself as "Dr. Liz" on the Respondent's Business Website.

³ The Board conducted the Site Visit pursuant to Health Occ. § 14-206(d)(1)(ii).

⁴ Board staff identified themselves to the Respondent and hand-delivered the Respondent a letter which notified her of the Complaint, requested her written response, and contained multiple subpoenas for documents.

The Respondent's Statements Regarding Her Credentials

11. In the Video, the Respondent also stated:

I hold a [Doctor of Philosophy] in natural medicine,⁵ I'm a functional medicine practitioner, I am also board certified in the American Association of Drugless Practitioners.⁶

The Respondent's Practices at the Respondent's Business

12. The Respondent provides clients with medical intake forms which request extensive detail regarding medical history.

13. The Respondent also conducts laboratory testing on clients and makes treatment recommendations to clients based on the testing, including, but not limited to, recommendations for supplements to address health conditions.

CONCLUSIONS OF LAW

Based on the foregoing Investigative Findings, Panel B concludes as a matter of law that the Respondent: practiced naturopathic medicine without a license in violation of Health Occ. § 14-5F-29; represented to the public by title, by description of services, methods or procedures, or otherwise, that she is licensed by the Board to practice naturopathic medicine in violation of Health Occ. § 14-5F-30(a)(1); and used the term "naturopathic doctor", in violation of Health Occ. § 14-5F-30(a)(2).

⁵ A Doctor of Philosophy in natural medicine is not a clinical degree nor is the possessor of such a degree eligible for licensure as a naturopathic doctor in the State of Maryland.

⁶ American Association of Drugless Practitioners certification is not accepted as grounds for licensure in any jurisdiction that licenses naturopathic doctors in the United States or Canada.

ORDER

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

ORDERED that pursuant to the authority under the Maryland Medical Practice Act, Health Occ. § 14-206(e)(1) and (2)(vii), the Respondent, Elizabeth Fondong, shall **IMMEDIATELY CEASE AND DESIST** from the unlicensed practice of naturopathic medicine and representing to the public that she is authorized to practice naturopathic medicine and practice as a naturopathic doctor in the State of Maryland; and it is further

ORDERED that this order is **EFFECTIVE IMMEDIATELY** pursuant to Md. Code Regs. 10.32.02.11E(1)(b), 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).

11/29/2023

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 shall also be mailed to:

Katherine Vehar-Kenyon
Assistant Attorney General
Maryland Office of the Attorney General
Health Occupations Prosecution and Litigation Division
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.