

**IN THE MATTER OF  
GARRETT REGIONAL  
MEDICAL CENTER**

**\* BEFORE THE  
\* MARYLAND STATE  
\* BOARD OF PHYSICIANS  
\* Case Number: 2223-0131A**

**Respondent**

\* \* \* \* \*

**CONSENT ORDER**

On September 7, 2023, Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the "Board") sent a Notice of Intent to Impose Civil Penalty to **GARRETT REGIONAL MEDICAL CENTER** (the “Respondent”) for the Respondent’s failure to comply with provisions of the Maryland Respiratory Care Practitioners Act (the “Act”), Md. Code Ann., Health Occupations (“Health Occ.”) §§ 14-5A-01 *et seq.* (2021 Repl. Vol., 2022 Supp.).

The pertinent provisions of the Act are as follows:

**§ 14-5A-18. Report of disciplinary action; penalties.**

(a) Except as provided in subsections (b) and (d) of this section, hospitals, related institutions, alternative health systems as defined in § 1-401 of this article, and employers shall file with the Board a report that the hospital, related institution, alternative health system, or employer limited, reduced, otherwise changed, or terminated any licensed respiratory care practitioner for any reasons that might be grounds for disciplinary action under § 14-5A-17 of this subtitle.

...

(e) The hospital, related institution, alternative health system, or employer shall submit the report within 10 days of any action described in this section.

...

- (g) (1) A disciplinary panel may impose a civil penalty of up to \$1,000 for failure to report under this section.

### **FINDINGS OF FACT**

Disciplinary Panel A finds the following:

1. The Respondent is a hospital in Maryland.
2. In or around September 2020, the Respondent hired a Respiratory Care Practitioner (the “RCP”).<sup>1</sup>
3. In or around April 2021, the Respondent issued a three-day suspension to the RCP for public safety concerns.
4. In or around September 2021, the Respondent terminated the RCP for failing to adhere to infection control policies and procedures.
5. The Respondent failed to file a mandatory report within ten (10) days with the Board following its suspension and the subsequent termination of the RCP.

### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, Panel A concludes as a matter of law that the Respondent failed to file a mandatory report within ten (10) days with the Board following its suspension and the subsequent termination of the RCP, as required under Health Occ. § 14-5A-18(a).

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<sup>1</sup> To ensure privacy, the names of individuals involved in this case are not disclosed in this Consent Order.

**ORDER**

It is thus by a majority of a quorum of Disciplinary Panel A of the Board hereby:

**ORDERED** that within **THIRTY DAYS**, the Respondent shall pay a civil fine of **\$1,000.00 (ONE THOUSAND DOLLARS)**. 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.

**ORDERED** that the effective date of the Consent Order is the date the Consent Order is signed by the Executive Director of the Board or her designee. The Executive Director signs the Consent Order on behalf of the disciplinary panel which has imposed the terms and conditions of this Consent Order; and it is further

**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).

11/27/2023  
Date

***Signature On File***

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

## CONSENT

Garrett Regional Medical Center (Garrett) has consulted with counsel before signing this document.

By this Consent, Garrett agrees to be bound by this Consent Order and all its terms and conditions and understands that the disciplinary panel will not entertain any request for amendments or modifications to any condition.

Garrett asserts that it is aware of its right to a formal evidentiary hearing concerning the pending charges. Garrett waives this right and has elected to sign this Consent Order instead.

Garrett acknowledges the validity and enforceability of this Consent Order as if entered after the conclusion of a formal evidentiary hearing in which Garrett would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on Garrett's behalf, and to all other substantive and procedural protections. Garrett waives those procedural and substantive protections. Garrett acknowledge the legal authority and the jurisdiction of the disciplinary panel to initiate these proceedings and to issue and enforce this Consent Order.

Garrett voluntarily enters into and agrees to comply with the terms and conditions set forth in the Consent Order as a resolution of the charges. Garrett waives any right to contest the Findings of Fact and Conclusions of Law and Order set out in the Consent Order. Garrett waives all rights to appeal this Consent Order.

I sign this Consent Order, on behalf of Garrett Regional Medical Center, without reservation, and fully understand the language and meaning of its terms.

11/21/2023

Date

***Signature On File***

\_\_\_\_\_  
Garland Nagy  
General Counsel, Garrett Regional Medical  
Center  
On behalf of Garrett Regional Medical Center

**NOTARY**

STATE OF West Virginia

CITY/COUNTY OF Berkeley

I HEREBY CERTIFY that on this 21st day of November, 2023, before me, a Notary Public of the State and County aforesaid, personally appeared Garland Nagy, and gave oath in due form of law that the foregoing Consent Order was her voluntary act and deed.

AS WITNESS, my hand and Notary Seal.

Linda Stotelmyer  
Notary Public

My Commission Expires: March 3, 2025

