

**IN THE MATTER OF**  
**ROBERT J. HAGE, D.O.**

**Respondent**

**License Number: H46446**

**\* BEFORE THE**  
**\* MARYLAND STATE**  
**\* BOARD OF PHYSICIANS**  
**\* Case Number: 2219-0215A**

\* \* \* \* \*

**CONSENT ORDER**

On March 11, 2020, Disciplinary Panel A ("Panel A") of the Maryland State Board of Physicians (the "Board"), voted to charge **ROBERT J. HAGE, D.O.** (the "Respondent"), License Number H46446, with violating the Maryland Medical Practice Act (the "Act"), Md. Code Ann., Health Occ. ("Health Occ.") §§ 14-101 *et seq.* (2014 Repl. Vol. & 2019 Supp.).

The pertinent provisions of the Act provide the following:

**Health Occ. § 14-601. License required to practice medicine.**

Except as otherwise provided in this title, a person may not practice, attempt to practice, or offer to practice medicine in this State unless licensed by the Board.

**Health Occ. § 14-404. License denial, suspension, or revocation.**

(a) *In general.*-- Subject to the hearing provisions of § 14-405 of this subtitle, a disciplinary panel, on the affirmative vote of a majority of the quorum of the disciplinary panel, may reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the licensee:

...

(36) Willfully makes a false representation when seeking or making application for licensure or any other application related to the practice of medicine[.]

Prior to the issuance of disciplinary charges, the Respondent agreed to enter this public Consent Order, which consists of Findings of Fact, Conclusions of Law, and Order.

## **FINDINGS OF FACT**

Panel A makes the following Findings of Fact:

### **I. LICENSING BACKGROUND**

1. The Respondent was originally licensed to practice medicine in the State of Maryland on August 3, 1994, under License Number H46446. The Respondent's license expired on September 30, 2018 and was not reinstated until August 22, 2019. Currently, the Respondent's license is scheduled for renewal on or before September 30, 2020.
2. At all times relevant to these charges, while his medical license was expired, the Respondent owned and operated a medical consulting business through which he provided radiologic services to a Tuberculosis clinic ("Facility A") located in Prince George's County, Maryland as well as a private medical facility ("Facility B") located in Montgomery County, Maryland.<sup>1</sup>

### **II. COMPLAINT**

3. On June 21, 2019, the Board received a complaint from a patient (the "Patient") claiming that the Respondent had treated the Patient that day while the Respondent's license to practice medicine was expired.

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<sup>1</sup> To ensure confidentiality, the names of any patients or medical facilities will not be identified in this document.

4. Upon receiving the complaint, the Board initiated an investigation of the Respondent.

### **III. BOARD INVESTIGATION**

#### **A. Practicing Without a Valid License**

5. As part of its investigation, the Board subpoenaed the Patient's medical record. A review of the record revealed that on June 21, 2019, the Patient visited Facility B during which the Patient underwent a computed tomography scan ("CT scan") of the torso and heart at 12:11 p.m. The Respondent interpreted the Patient's CT scan and electronically signed the CT scan interpretations on June 24, 2019 at 10:51 a.m.
6. On January 30, 2020, Board staff interviewed the Respondent under oath at the Board's offices in the presence of the Respondent's attorney. During the interview, the Respondent acknowledged the analog handwriting on the Patient record as that of the Respondent.
7. In the same interview, the Respondent described providing the following medical services while his license to practice medicine was expired between October 1, 2018 and August 22, 2019:
  - a. The Respondent read chest X-ray images of patients treated at Facility A. The Respondent completed a wet read sheet and dictated a report for each patient. The Respondent provided these medical services on a contractual basis.

- b. The Respondent read and interpreted CT scans of patients before diagnosing and advising them at Facility B.
- c. The Respondent stated that he worked approximately six to eight days per month for which Facility B paid him on a per study basis.

### **B. Willfully Making a False Representation**

- 8. After the Respondent's license expired on September 30, 2018, the Respondent filed an Application for Reinstatement of Medical License with the Board on June 13, 2019. The second page of the application requires each applicant to chronologically list his or her employment history since the expiration of his or her license. The Respondent failed to include his work for Facilities A and B in his reinstatement application. Rather, the Respondent reported his employment activities at the facilities as "Administrative/Bookkeeping" for his medical consulting business. The Respondent also reported studying for a board certification examination as an employment activity.
- 9. During his interview with Board staff, when asked why he did not include the work he performed as a radiologist for Facilities A and B on his reinstatement application, the Respondent stated that he "wanted to continue to read the studies and get paid for them."

## CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Disciplinary Panel A concludes as a matter of law that the Respondent's actions, including practicing medicine by providing radiologic services between October 1, 2018 and August 22, 2019 while his license was expired, constitute the unlawful practice of medicine without a license, in violation of Health Occ. § 14-601.

Panel A further concludes as a matter of law that, the Respondent's false representation in his application for reinstatement that he had not practiced medicine between October 1, 2018 and August 22, 2019, while his license was expired, constitutes willfully making a false statement when seeking or making application for licensure, in violation of Health Occ. § 14-404(a)(36).

## ORDER

It is, on the affirmative vote of a majority of the quorum of Disciplinary Panel A, hereby:

**ORDERED** that the Respondent is **REPRIMANDED**; and it is further

**ORDERED** that within **TWENTY-FOUR (24) MONTHS** of the effective date of this Consent Order, the Respondent shall pay a civil fine in the amount of **\$15,000.00**. The payment shall be made 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. The Board will not renew or reinstate the Respondent's license if the Respondent fails to timely pay the fine to the Board; and it is further

**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 or her designee 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 the Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and it is further

**ORDERED** that, if the Respondent allegedly fails to comply with any term or condition imposed by this Consent Order, the Respondent shall be given notice and an opportunity for a hearing. If the disciplinary panel determines there is a genuine dispute as to a material fact, the hearing shall be before an Administrative Law Judge of the Office of Administrative Hearings followed by an exceptions process before a disciplinary panel; and if the disciplinary panel determines there is no genuine dispute as to a material fact, the Respondent shall be given a show cause hearing before a disciplinary panel; and it is further

**ORDERED** that after the appropriate hearing, if the disciplinary panel determines that the Respondent has failed to comply with any term or condition imposed by this Consent Order, the disciplinary panel may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, or suspend with appropriate terms and conditions, or revoke the Respondent's license to practice medicine in Maryland. The disciplinary panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine on the Respondent; and it is further

**ORDERED** that this Consent Order is a public document. See Md. Code Ann.,  
Health Occ. §§ 1-607, 14-411.1(b)(2), and Gen. Prov. § 4-333(b)(6).

## *Signature on File*

06/30/2020  
Date

Christine A. Farrelly ' U O  
Executive Director  
Maryland State Board of Physicians

## CONSENT

I, Robert J. Hage, D.O., acknowledge that I have consulted with counsel before signing this document.

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

I assert that I am aware of my right to a formal evidentiary hearing, pursuant to Md. Code Ann., Health Occ. § 14-405 and Md. Code Ann., State Gov't §§ 10-201 *et seq.* concerning the pending charges. I waive this right and have elected to sign this Consent Order instead.

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

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



I sign this Consent Order, without reservation, and fully understand the language and meaning of its terms.

# Signature on File

6-16-2020  
Date

Robert J. Hage, D.O.  
Respondent

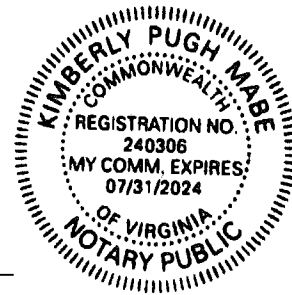
## NOTARY

~~STATE OF MARYLAND~~ Virginia  
CITY/COUNTY OF Wythe

I HEREBY CERTIFY that on this 16th day of June, 2020, before me, a Notary Public of the foregoing State and City/County, did personally appear Robert J. Hage, D.O., and made oath in due form of law that signing the foregoing Consent Order was his voluntary act and deed.

AS WITNESSETH my hand and seal.

Kimberly Pugh Mabe  
Notary Public



My commission expires: 7-31-2024