

IN THE MATTER OF
SULTANA J. AFROOZ, D.O.

Respondent

License Number: H67624

*** BEFORE THE**
*** MARYLAND STATE**
*** BOARD OF PHYSICIANS**
*** Case Number: 2219-0218**

* * * * *

CONSENT ORDER

On February 11, 2021, Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) charged Sultana J. Afrooz, D.O. (“the Respondent”) under the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. §§ 14-101 *et seq.* (2014 Repl. Vol. & 2019 Supp.).

Specifically, the Respondent was charged with violating the following:

(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:

(3) Is guilty of:

(ii) Unprofessional conduct in the practice of medicine[.]

On May 26, 2021, Panel B was convened as a Disciplinary Committee for Case Resolution (“DCCR”) in this matter. Based on negotiations occurring as a result of this DCCR, the Respondent agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law, Order, and Consent.

FINDINGS OF FACT

Panel B finds the following facts:

1. At all times relevant, the Respondent was licensed to practice medicine in the State of Maryland. The Respondent was initially licensed to practice medicine in Maryland on May 13, 2008, under License Number: H67624. The Respondent's license is current until September 30, 2022.

2. At all times relevant, the Respondent owned and operated a medical practice (the "Practice"),¹ which offered services involving naturopathic medicine, located in Columbia, Maryland. The Respondent hired an individual (the "Individual"), who was licensed to practice naturopathic medicine in the District of Columbia but not in Maryland, to work at the Practice in Maryland from April 2017 to September 2019. The Respondent was directly responsible for supervising the Individual while she worked at the Practice.

3. On or about June 28, 2019, while investigating another matter, Board staff went on the website of the Practice and discovered that it listed the Individual as "[the Individual], ND" and "Dr. [Individual], Naturopathic and Epigenetic Physician". The Practice website further stated that the Individual specialized "in treating patients with Autoimmune Diseases, Chronic Fatigue, Crohn's Disease, Ulcerative Colitis, LYME, MS, Hepatitis, Cancer, ED, Asthma/Allergies, COPD, Macular Degeneration, Candida, Heart Disease, Mold Toxicity, weight management, Fertility Issues and Women's Health." Board staff checked with the Board's licensing unit and determined that the Individual was

¹ To ensure confidentiality, the names of individuals, hospitals and healthcare facilities involved in this case are not disclosed in this document.

not licensed to practice naturopathic medicine by the Board. As a result, the Board opened an investigation of the Respondent.

4. In furtherance of its investigation, Board staff interviewed the Respondent on or about July 23, 2020 and the Individual on or about August 27, 2020. During the interview, both the Respondent and the Individual confirmed that the Individual worked at the Practice under the Respondent's supervision from April 2017 to September 2019. The Respondent and the Individual both stated that while the Individual worked at the Practice, staff members would refer to her as "Dr. [Individual]". They further confirmed that in February 2018 and August 2019 the Respondent paid for the Individual to take the licensing examination in order for the Individual to obtain licensure to practice naturopathic medicine in Maryland, but the Individual failed to pass each time. Both the Respondent and the Individual stated in their interviews that in September 2019 they agreed that the Individual would not continue to work at the Practice since she failed to obtain licensure to practice naturopathic medicine in Maryland.

5. As part of its investigation, the Board obtained from the Practice an appointment log of all patients who were seen by the Individual. From the appointment log, the Board randomly selected five patients and obtained their medical records from the Practice. The Board forwarded the five patient medical records and related investigative materials to a naturopathic physician licensed in Maryland for an expert review (the "Board Reviewer") on whether the Individual practiced naturopathic medicine on the five patients.

6. After reviewing the five patient records, the Board Reviewer determined that the Individual did practice naturopathic medicine without a valid license when treating the

five patients. The Board Reviewer found that when treating the five patients, the Individual performed services comprising the essential features of naturopathic medicine, including, but not limited to, subjective intake, laboratory result reviews, dietary counseling, IV nutrition, nutritional and herbal supplementation, pharmaceutical medication management and mind body medicine.

7. The Board Reviewer concluded that the Individual through the Practice website and her own website “offered to practice naturopathic medicine, by both identifying herself as a naturopathic doctor and by offering testing and services consistent with the practice of naturopathic medicine.” The Board Reviewer further found that the Individual practiced naturopathic medicine at the Practice “by identifying herself as a naturopathic doctor, seeing patients, using her training as a naturopathic doctor, and providing services consistent with the practice of naturopathic medicine.”

CONCLUSIONS OF LAW

Based on the Findings of Fact, Panel B concludes as a matter of law that the Respondent is guilty of unprofessional conduct in the practice of medicine, in violation of Health Occ. § 14-404(a)(3)(ii).

ORDER

It is, thus, on the affirmative vote of a majority of the quorum of Board Disciplinary Panel B, hereby

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

ORDERED that within **SIX MONTHS**, the Respondent is required to take and successfully complete a course in professional ethics. The following terms apply:

- (a) it is the Respondent's responsibility to locate, enroll in and obtain the disciplinary panel's approval of the course before the course begins;
- (b) the Respondent must provide documentation to the disciplinary panel that the Respondent has successfully completed the course;
- (c) the course may not be used to fulfill the continuing medical education credits required for license renewal; and
- (d) the Respondent is responsible for the cost of the course; and it is further

ORDERED that within **ONE YEAR**, the Respondent shall pay a civil fine of **\$5,000**. 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. 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 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 Respondent's license 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* Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

06/29/2021
Date

Signature on File

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

CONSENT

I, Sultana J. Afrooz, D.O., acknowledge that I have consulted with legal 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 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

6/25/2021
Date

Sultana J. Afrooz, D.O.
Respondent

NOTARY

STATE OF Maryland

CITY/COUNTY OF Baltimore

I HEREBY CERTIFY that on this 25 day of June 2021, before me, a Notary Public of the foregoing State and City/County, appeared Sultana J. Afrooz, D.O., and made oath in due form of law that signing the foregoing Consent Order was her voluntary act and deed.

AS WITNESSETH my hand and notarial seal.



Marley Sturdivant
Notary Public

My Commission expires: 06/24/2023