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| IN THE MATTER OF | * | BEFORE THE MARYLAND |
| JOSEPH MARSHALL | * | STATE BOARD OF |
| Applicant | * | PHYSICIANS |
| License Number: Applicant | * | Case Number: 2225-0003A |

* * * * *

CONSENT ORDER

PROCEDURAL BACKGROUND

Based on information received regarding the Application for Licensure: Radiographer of Joseph Marshall (the “Applicant”), Disciplinary Panel A of the Maryland State Board of Physicians (the “Board”) has grounds to deny the application under the Maryland Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Act (the “Act”), Md. Code Ann., Health Occ. §§14-5B-01 *et seq.* Prior to the issuance of a Notice of Intent to Deny Application for Licensure: Radiographer, the Applicant agreed to enter into this public Consent Order, which consists of Findings of Fact, Conclusions of Law, Order, and Consent.

Specifically, Disciplinary Panel A has grounds to deny the application pursuant to the following pertinent provisions of the Act:

Health Occ. §14-205. Miscellaneous powers and duties.

(b) Additional powers.

(3) Subject to the Administrative Procedure Act and the hearing provisions of §14-405 of this title, a disciplinary panel may deny a license to an applicant . . . for:

(i) Any of the reasons that are grounds for action under . . . §14-5B-14 . . . of this title[.]

Health Occ. §14-5B-14. Denials, reprimands, suspensions and revocations – Grounds.

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

(10) Willfully makes or files a false report or record in the practice of radiation therapy, radiography, nuclear medicine technology, or radiology assistance;

FINDINGS OF FACT

Panel A makes the following findings of fact:

1. On or about September 8, 2023, the Board received the Applicant's Application for Licensure: Radiographer, wherein he failed to answer "yes" to the following character and fitness question:

15(c). Has any licensing or disciplinary board in any jurisdiction (including Maryland), a comparable body in the armed services, or the Veterans Administration ever filed charges against you or investigated you for any reason?

2. A review of the Applicant's Criminal History revealed that he was the subject of an Army investigation and subsequent disciplinary action after a proceeding under Article 15 of the Uniform Code of Military Justice¹.

3. In his explanation, the Applicant admitted that he answered the question on the application incorrectly and stated that he was "filling out the application at work in between patient care and misread the question."

¹ 10 U.S. Code § 815 - Art. 15. Commanding officer's non-judicial punishment.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Disciplinary Panel A concludes, as a matter of law, that the Applicant willfully made or filed a false report in violation of H.O. §14-5B-14(a)(10).

ORDER

It is, thus, by Disciplinary Panel A, hereby:

ORDERED that the Application for Licensure: Radiographer of Joseph Marshall is hereby **GRANTED**; and it is further

ORDERED that Joseph Marshall is **REPRIMANDED**; 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).

Signature On File

07/25/2024
Date

Christine A. Farrelly
Executive Director
Maryland Board of Physicians

CONSENT

I, Joseph Marshall, acknowledge that I am aware of my right to consult with and be represented by counsel in considering this Consent Order. I have chosen to proceed without counsel and I acknowledge that the decision to proceed without counsel is freely and voluntarily made.

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 any potential Notice of Intent to Deny that may be issued. 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 to this matter prior to the issuance of a Notice of Intent to Deny. 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.

23 July 2024
Date

Signature On File

Joseph Marshall

NOTARY

STATE OF Maryland
CITY/COUNTY OF Harford

I HEREBY CERTIFY that on this 23rd day of July, 2024, before me, a Notary Public of the State and City/County aforesaid, personally Joseph Marshall, and made oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

Phil Blackiston
Notary Public

My Commission expires: 8/7/25

