

IN THE MATTER OF	*	BEFORE THE MARYLAND
	*	
MOHAMED NADEEM, RCP	*	BOARD OF PHYSICIANS
	*	
LICENSE NUMBER L01184	*	CASE NUMBER 2219-0002
	*	

CONSENT ORDER

BACKGROUND

Based upon information received by the Maryland Board of Physicians (the "Board"), pursuant to its authority under Md. Health Occ. Ann. ("H.O.") §14-401 *et seq.*, the Board conducted an audit of the continuing respiratory care education credits filed with the license renewal application of Mohamed Nadeem, RCP. (the "Respondent"), License Number L01184. The audit findings provided sufficient evidence to conclude that the Respondent violated the Maryland Respiratory Care Practitioners Act (the "Act"), Md. Health Occ. Code Ann. §14-5A-13 by failing to complete sixteen (16) hours of approved continuing respiratory care education for license renewal as required by H.O. §14-5A-13 and Code of Maryland Regulation 10.32.11.

The pertinent provision of H.O. §14-5A-13 provides:

- (c) *Requirements for renewal.* – Except as otherwise provided in this subtitle, before a license expires, the licensee periodically may renew it for an additional term, if the licensee:
 - (1) Pays to the Board a renewal fee set by the Board; and
 - (2) Submits to the Board:
 - (i) A renewal application on the form that the Board requires; and
 - (ii) Satisfactory evidence of compliance with any continuing education or competency requirements and other requirements set under this section for license renewal.

The pertinent provisions of COMAR under 10.32.11 provide:

.11 Renewal, Reinstatement, and Continuing Education.

A. Renewal.

(2) An individual who has been licensed by the Board as a respiratory care practitioner may renew the license every 2 years on the date specified by the Board by:

- (c) Attesting to the completion of 16 hours of approved continuing respiratory care education, earned during the 2-year period preceding the expiration of the license for respiratory care, as described in §C of this regulation.

The Board has agreed to accept the Respondent's voluntary offer to enter into this Consent Order and submit to the terms and conditions as set out by this Consent Order.

FINDINGS OF FACT

1. At all times relevant herein, the Respondent was and is licensed to practice respiratory care in the State of Maryland. He was initially licensed in Maryland on June 8, 1992.
2. On May 7, 2018, the Respondent signed the affirmation in his 2018 renewal application that he had obtained the required 16 hours of approved continuing respiratory care education.
3. During the renewal process, the Respondent received a Continuing Education Audit Notice, requiring that he submit documentation of his continuing education credits to the Board.
4. Based upon the information received from the Respondent, he had obtained zero hours of the required 16 hours of approved continuing respiratory care education, not 16 hours as affirmed by the Respondent.
5. The Respondent's failure to provide documentation of 16 hours of approved continuing respiratory care education and signing the certification regarding continuing education requirements on the 2018 renewal constitute a failure to comply with the statute and regulations.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent violated §14-5A-13(c) and COMAR 10.32.11.11A(c) by failing to obtain the requisite continuing education credits.

ORDER

It is hereby:

ORDERED that the Respondent shall pay an administrative fine of One Thousand Six Hundred Dollars (\$1600.00) (One Hundred Dollars per missing continuing education credit pursuant to §14-5A-13(d)(2) of the Health Occupations Article) to the Board within thirty (30) days after the effective date of this Order. The check should be made payable to the "Maryland Board of Physicians" and mailed to P. O. Box 37217, Baltimore, Maryland 21297-3217; and be it further

ORDERED that the Respondent shall be subject to the following terms and conditions:

1. For the two year period immediately preceding the 2020 renewal (2018-2020 renewal), the Respondent shall obtain the required 16 hours of approved continuing respiratory care education mandatory for the 2020 renewal and the outstanding 16 hours of approved continuing care education that were not obtained during the two year period immediately preceding the 2018 renewal, a total of 32 hours of approved continuing respiratory care education;
2. The Respondent shall send verification of all continuing respiratory care education hours prior to sending in the 2020 renewal to the Board. Board staff will verify the 32 hours of continuing respiratory care education hours that are sent to the Board. All 32 hours of continuing respiratory care hours must be approved continuing respiratory care education;
3. The Respondent's license shall not be renewed in 2020 unless the requirements of paragraphs 1 and 2 are met;
4. If the Board determines that the Respondent has violated any conditions of the Consent Order, the Board may impose any additional disciplinary sanctions it deems appropriate; and be it further

ORDERED that this is a public document of the Maryland Board of Physicians pursuant to Md. Code Ann., Gen. Prov. §§4-101 – 4-601.

08/06/2018
Date

Christine A. Farrelly
Christine A. Farrelly
Executive Director

CONSENT

I, Mohamed Nadeem, RCP, acknowledge that I have had an opportunity to consult with counsel before entering into and signing this document. By this Consent, and in order to resolve these matters, I agree to accept the Findings of Fact and Conclusions of Law contained herein. Accordingly, I accept and submit to the foregoing Consent Order.

I acknowledge the validity of this Consent Order and I acknowledge that I am waiving my right to 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 provided by the laws of the State of Maryland. I also affirm that I am waiving my right to appeal any adverse ruling of the Board or Board disciplinary panel that might have followed any hearing.

I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order.

I sign this Consent Order, after having read and reviewed it and after having had an opportunity to consult with counsel, without reservation, as my voluntary act and deed, and I acknowledge that I fully understand and comprehend the language, meaning, terms and effect of this Consent Order.

Signature on File

July 30, 2018
Date

Mohamed Nadeem, RCP
Respondent

NOTARY

STATE OF Maryland
CITY/COUNTY OF Howard

I HEREBY CERTIFY that on this 30th day of July, 2018, before me, a Notary Public of the State and City/County aforesaid, personally appeared Mohamed Nadeem, RCP, 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.

Marjorie E. Peart
Notary Public

MARJORIE E. PEART
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires April 2, 2022

My Commission expires: April 2, 2022