

<p>IN THE MATTER OF</p> <p>ANTONE ANGELO WRIGHT, R.C.P.</p> <p>Respondent</p> <p>License Number: L0002853</p>	<p>*</p> <p>*</p> <p>*</p> <p>*</p>	<p>BEFORE THE MARYLAND</p> <p>STATE BOARD OF</p> <p>PHYSICIANS</p> <p>Case Number: 2219-0006 B</p>
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CONSENT ORDER

On October 19, 2018, Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) charged **ANTONE ANGELO WRIGHT, R.C.P.** (the “Respondent”), License Number L02853, under the Maryland Respiratory Care Practitioners Act (the “Act”), Md. Code Ann., Health Occ. §§ 14-5A-01 *et seq.* (2014 Repl. Vol. & 2017 Supp.).

Panel B charges the Respondent with violating the following provisions of the Act: **Health Occ. §14-5A-17. License- Denial, suspension, revocation; reprimand or probation of license**

(a) *In general.* – 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 licensee, if the applicant or licensee:

(1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;

...

(3) Is guilty of unprofessional or immoral conduct in the practice of respiratory care;

...

(10) Willfully makes or files a false report or record in the practice of respiratory care[.]

On November 28, 2018, Disciplinary Panel B was convened as a Disciplinary Committee for Case Resolution (“DCCR”) in this matter. Based on negotiations occurring as a result of the DCCR, the Respondent agreed to enter this Consent Order, consisting of Findings of Fact, Conclusions of Law, Order and Consent.

FINDINGS OF FACT

Panel B makes the following findings of fact:

I. Background

1. At all times relevant, the Respondent was licensed as a respiratory care practitioner in the State of Maryland. The Respondent was initially licensed as a respiratory care practitioner on March 6, 1998. The Respondent last renewed his respiratory care practitioner license on or about May 8, 2018, which will expire on May 30, 2020.

2. The Respondent also became licensed as a perfusionist - advanced in Maryland, having been initially licensed on April 8, 2014. The Respondent last renewed his perfusionist license in January 2018, which will expire on January 31, 2020.

3. The Respondent previously worked as a respiratory care practitioner and a perfusionist at a hospital in Maryland (“Hospital A”).

II. Licensure Applications

4. On the Respondent’s 1998 Application for Initial Licensure: Respiratory Care Practitioner, the Respondent selected “No” to the “Character and Fitness” Question:

Have you ever been charged with or convicted of any criminal act for which you pled nolo contendere, could receive, or did receive, probation before judgement, or were sentenced to probation or confinement?

5. On or about January 22, 2018, applied for renewal of his perfusionist license.

6. As part of the renewal process for either the perfusionist license or the respiratory care license, for the first time, the Respondent was required to obtain a Criminal History Records Check (“CHRC”).¹

III. Criminal History

7. In or about January 2018, the Board obtained the CHRC, which revealed that the Respondent has a criminal history.

8. In or about February 2018, the Board obtained certified court documents from the Circuit Court for Lee County, Florida, which revealed that:

- a. On May 29, 1991, the Respondent pled guilty to Attempted Capital Sexual Battery in the Circuit Court of Leon County, Florida (Case No. 90-CF1613). The Respondent was placed on 15 years of probation, directed to pay for any counseling required by the victim and to have a psychological evaluation and complete any counseling that may be required. After 5 years, on May 20, 1996, the Respondent’s Motion to Terminate Probation was granted.
- b. On July 13, 1993, the Respondent pled *nolo contendere* and was convicted of “Provide Merchant False Information to Obtain Refund” in the Circuit Court of Leon County, Florida (Case No. 1993-MM5336). The Respondent was placed on 6 months of probation which was terminated on February 22, 1994.

IV. The Respondent’s Response to Criminal History Information

9. On or about April 5, 2018, the Respondent submitted a response to the Board’s request for a detailed explanation of the reportable criminal events in 1991 and 1993 and why he failed to report this information on his initial application for licensure as a respiratory care practitioner. The Respondent provided a detailed description of both

¹ See Health Occ. § 14-308.1 which became effective July 1, 2015; however, the Board did not begin requesting CHRC until October 1, 2016, after the Respondent’s date of renewal of his respiratory care practitioner license in May 2016.

events, summarized as follows:

- a. Regarding the 1991 event, when the Respondent was 18 years old, the Respondent stated that he used drugs, alcohol, and marijuana and had no memory of the crime with which he was charged. He stated that part of the plea agreement was that “adjudication would be withheld” and he would be placed on probation.² He stated that he did not report the event because his public defender told him that because the adjudication was withheld, it would not be considered a conviction. The Respondent acknowledged that he should have reported the event.
- b. Regarding the 1993 event, when the Respondent was 20 years old, he stated he pled *nolo contendere* to a misdemeanor. He stated he failed to report the event because he misread the question to require disclosure of felony convictions only. The Respondent acknowledged that he should have reported the event.

10. On May 8, 2018, the Respondent submitted a renewal application for his respiratory care practitioner license and “yes” to the question about criminal history.³

CONCLUSIONS OF LAW

Disciplinary Panel B concludes as a matter of law that the Respondent violated Health Occ. § 14-5A-17(a)(1) (fraudulently or deceptively obtained a license); Health Occ. § 14-5A-17(a)(3) (is guilty of unprofessional conduct in the practice of respiratory care); and Health Occ. § 14-5A-17(a)(10) (willfully made a false report or record in the practice of respiratory care).

ORDER

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

² The Plea Agreement states: “W/H ADJ, 15 years’ probation, can terminate early if all conditions of probation met.” On May 29, 1991, the judge signed an order stating “ADJUDICATION WITHHELD.”

³ The Respondent was not required to answer “yes” since the application states that the character and fitness questions only pertain to the period since May 31, 2016.

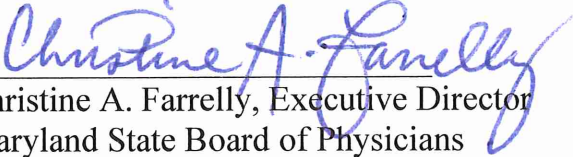
ORDERED that within three (3) years, the Respondent shall pay a civil fine of \$2,500. The Payment shall be by money order or bank certified check made payable to the Maryland Board of Physicians and mailed to P.O. Box 37217, Baltimore, Maryland 21297. The Board will not renew or reinstate the Respondent's license if the Respondent fails to timely pay the fine to the Board; and it is further

ORDERED that the Respondent shall comply with the Maryland Respiratory Care Practitioners Act, Md. Code Ann., Health Occ. §§ 14-5A-01 et seq., and all laws and regulations governing the practice of respiratory care in Maryland; and it is further

ORDERED that the effective date of the Consent Order is the date the Consent Order is signed by Board's Executive Director, 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* Md. Code Ann., Health Occ. §§ 1-607, 14-4111.1(b)(2) and Md. Code Ann., Gen. Prov. § 4-333(b)(6).

01/02/2019
Date


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

CONSENT

I, Antone Angelo Wright, R.C.P., 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 these rights 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 their 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 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 understands the language and meaning of its terms.

12/21/18
Date

Signature on File

Antone Angelo Wright, R.C.P., Respondent

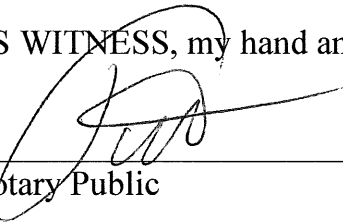
NOTARY

STATE OF Maryland

CITY/COUNTY OF Anne Arundel

I HEREBY CERTIFY that on this 21st day of December, 2018 before me,
a Notary Public of the State and County aforesaid, personally appeared Antone Angelo
Wright, R.C..P., License Number L02853, and gave oath in due form of law that the
foregoing Consent Order was his voluntary act and deed.

AS WITNESS, my hand and Notary Seal.



Notary Public

My commission expires 9-22-2021

12/21/18
Date

