



Board of Physicians

Larry Hogan, Governor • Boyd K. Rutherford, Lt. Governor • Robert R. Neall, Secretary

April 15, 2021

Melissa Rutherford, RCP

Cory Silkman, Esquire
Silkman LLC
8312 Stansbury Lake Drive
Baltimore, Maryland 21222

Robert Gilbert, Deputy Counsel
Office of the Attorney General
Health Occupations Prosecution and Litigation Division
300 West Preston Street, Suite 207
Baltimore, Maryland 21201

Re: Melissa Rutherford, RCP
Case No.: 2221-0090
License No.: L07049

Dear Ms. Rutherford and Counsel:

On March 31, 2021, Disciplinary Panel A of the Maryland State Board of Physicians issued an **ORDER FOR SUMMARY SUSPENSION OF LICENSE TO PRACTICE RESPIRATORY CARE**, pursuant to Md. Code Ann., State Gov't § 10-226(c)(2), concerning Ms. Rutherford's license to practice respiratory care in Maryland.

On April 14, 2021, Disciplinary Panel A held the post-deprivation hearing by video-conference. Ms. Rutherford appeared and was represented by Cory Silkman, Esq. The State was represented by Robert Gilbert, Assistant Attorney General, Administrative Prosecutor.

After consideration of the presentations of the parties, Disciplinary Panel A finds that the public health, safety or welfare imperatively requires the summary suspension of Ms. Rutherford's license to practice respiratory care. *See* State Gov't § 10-226(c)(2)(i). The order of summary suspension is, thus, reaffirmed, and Ms. Rutherford's license to practice respiratory care in Maryland remains summarily suspended. *See* COMAR 10.32.02.08H(1).

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NOTICE OF RIGHT TO APPEAL

Under the Board's regulations, COMAR 10.32.02.08I - J, Ms. Rutherford has the right to request a full evidentiary hearing before an Administrative Law Judge of the Office of Administrative Hearings to contest the order for summary suspension. To receive the evidentiary hearing, Ms. Rutherford or her counsel must file the request for the hearing within **10 days** of the date of this letter. The request for the hearing shall be filed with Christine Farrelly, Executive Director, Maryland Board of Physicians, 4201 Patterson Avenue, Fourth Floor, Baltimore, Maryland 21215 or [REDACTED]. If the hearing is timely requested, the hearing will be set within 30 days of the request, *see* COMAR 10.32.02.08I, though the 30-day time-period may be waived.

This letter constitutes an order of Disciplinary Panel A resulting from a formal disciplinary action and is therefore a public document. The Board's Executive Director signs this order on behalf of Panel A of the Board.

Sincerely,

Signature on File

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