

IN THE MATTER OF \* BEFORE THE  
ISHMAEL ANTHONY MURRAY \* MARYLAND STATE BOARD  
Respondent \* OF PHYSICIANS  
(An unlicensed individual) \* Case Number: 2217-0075 B

\* \* \* \* \*

CONSENT ORDER

On August 6, 2018, Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) charged **Ishmael Anthony Murray** (“the Respondent”), an unlicensed individual, with practicing naturopathic medicine without a license in the State of Maryland. Panel B takes such action pursuant to its authority under the Maryland Naturopathic Medicine Act, Md. Code Ann., Health Occ. (“Health Occ.”) §§ 14-5F-01 - 32, authorizing the Board to impose a penalty for practicing naturopathic medicine without a license; and under the Maryland Medical Practice Act, Health Occ. § 14-602(b) for misrepresentation as a practitioner of medicine.

The pertinent provisions of the Naturopathic Medicine Act under which Panel B voted to charge the Respondent provide the following:

Naturopathic medicine is defined in pertinent part in **Health Occ. § 14-5F-01(g)** as follows:

- (1) “Naturopathic medicine” means the prevention, diagnosis, and treatment of human health conditions, injury, and disease using only patient education and naturopathic therapies and therapeutic substances recognized by the Council of Naturopathic Medical Education.
- (2) “Naturopathic medicine” includes:
  - (i) counseling;

(ii) The practice of mechanical science of healing, including mechanotherapy, articular manipulation, corrective and orthopedic gymnastics, hydrotherapy, electrotherapy, and phototherapy; and

(iii) The practice of the material sciences of healing, including nutrition, phototherapy, treatment by natural substances, and external applications.

**Health Occ. § 14-5F-29. Unlicensed practice prohibited.**

(a) Except as otherwise provided in this subtitle, an individual may not practice, attempt to practice, or offer to practice naturopathic medicine in this State without a license.

(b) An individual who violates this section ... is subject to

...

(1) A civil fine of no more than \$50,000 to be levied by the Board.

**Health Occ. § 14-5F-30. Unauthorized practice- Representation to public.**

(a) Unless an individual is licensed to practice naturopathic medicine, the individual may not:

(1) Represent to the public by title, by description of services, methods, or procedures, or otherwise, that the individual is licensed by the Board to practice naturopathic medicine

In addition, Panel B voted to charge the Respondent under the Medical Practice Act, as follows:

**Health Occ. § 14-602(b) states:**

Except as otherwise provide in this article, a person may not use the words or terms “Dr.” “doctor”, “physician”, “D.O.”, or M.D.” with the intent to represent that the person practices medicine, unless the person is:

- (1) Licensed to practice medicine under this title[.]

**Health Occ. § 14-606. Penalties.**

- (a) *Imposition of penalties.*

...

(4) Except as provided in paragraph (5) of this subsection,<sup>1</sup> a person who violates § 14-601 or § 14-602 of this subtitle is:

...

- (ii) Subject to a civil fine of not more than \$50,000 to be levied by the Board.

The Board's Regulations pertaining to naturopathic medicine state in pertinent part as follows:

**Md. Code Regs. 10.32.21.16**

**.16 Unauthorized Practice of Naturopathic Medicine and Title and Identification as Naturopathic Doctor.**

A. Except as otherwise provided in this chapter, an individual may not practice, attempt to practice, or offer to practice naturopathic medicine in this State without a license. An individual who violates this section:

...

- (2) Is subject to a civil fine of no more than \$50,000 to be levied by the Board.

B. Unless an individual is licensed to practice naturopathic medicine, the individual may not:

- (1) Represent to the public by title, by description, of service, methods, or procedures, or otherwise, that the individual is licensed by the Board to practice naturopathic medicine[.]

---

<sup>1</sup> Paragraph (5) does not apply.

On November 28, 2018, 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 Applicant agreed to enter this Consent Order, consisting of Findings of Fact, Conclusions of Law and Order.

### **FINDINGS OF FACT**

Panel B makes the following findings of fact:

#### **I. Background**

1. The Respondent is not and never has been licensed to practice naturopathic medicine in Maryland or in any other state.

2. The Respondent does not have a doctorate in naturopathic medicine from an approved naturopathic medical program.

3. The Respondent does not hold any health professional license in Maryland or in any other state.

4. In or about 2013, the Respondent established a business known as “Quantum Wellness Group” in his residence in Randallstown, Maryland.

#### **II. Complaint**

5. On or about April 25, 2017, the Board received an inquiry by electronic mail (email) from a licensed acupuncturist from another state, regarding the Respondent, asking:

Is it legal to call yourself “Doctor” in Maryland with a certificate in acupressure? The Respondent seems to be misleading the public and practicing medicine without a license.

The complainant provided the link to the Respondent's website. One of the "drop-down" menus states "Meet the Doctor."

6. On or about May 4, 2017, the Board received an anonymous written complaint from an acupuncturist/Chinese herbalist.<sup>2</sup> The Complainant stated that a new patient reported that they were taking "Chinese herbs prescribed by Dr. Murray." The complainant stated concern that the Respondent refers to himself as a "doctor", but his website does not list any valid credentials, and that the patient was "certainly under the impression he is a doctor." The complainant provided the Respondent's name and website address.

### **III. Investigation**

7. On May 26, 2017, Board staff researched the Respondent's "LinkedIn" page which listed the Respondent as an herbalist and CEO of Quantum Wellness Group. The Respondent listed his education as "Kings Park University<sup>3</sup>, Doctor of Medicine (M.D.), Traditional Chinese Medicine and Chinese Herbology, 2013-2017."

8. On or about June 9, 2017, an investigator for the Board staff sent an email to the Respondent through the Quantum Wellness Group website, posing as an individual seeking treatment and cure for his type II diabetes. The Respondent's return email stated, "this is Dr. Ishmael Murray from Quantum Wellness." The response was signed "Dr. Ishmael Murray OMD<sup>4</sup>, CHP<sup>5</sup>." A second email response from the

---

<sup>2</sup> This may be the same individual who submitted the inquiry the week previously.

<sup>3</sup> There is a Kings' Park University in Alexandria, Virginia which offers a master's degree in in Acupuncture and Oriental Medicine.

<sup>4</sup> There is no legitimate title of "OMD." The Respondent may have created this to be an acronym for "oriental medicine doctor."

Respondent was signed “Dr. Murray.”

9. Board staff obtained a recording of a radio interview of the Respondent in October 19, 2016, called “How to Eat with the Season of the Year,” in which the Respondent stated, on two occasions, that “people affectionately call me “Dr. Ishmael Murray.” The Respondent stated that he is an “herbalist,” practices classical Chinese medicine, referred to his clients as “patients,” and used the phrase, “I diagnose based on patterns...”

10. On or about September 14, 2017, the Board applied to the District Court for Baltimore County for a Search and Seizure Warrant (“the Warrant”) since the Respondent is not a licensed health professional and his office is in a private residence.

11. On September 15, 2017, a Judge for the District Court of Baltimore County issued the Warrant, authorizing Board staff to enter the premises and seize designated items.

**A. Results of Search and Seizure**

12. On September 21, 2017, Board staff entered the Respondent’s office in his residence, pursuant to the Warrant, and, informed the Respondent that he was under investigation for practicing naturopathic medicine without a license.

13. On September 21, 2017, pursuant to the warrant, Board staff obtained the following documents from the Respondent’s office:

- a. Three boxes containing 501 medical records;

---

<sup>5</sup> There is no legitimate title of “CHP.” The Respondent may have created this to be an acronym for “certified health practitioner.”

- b. One box of 5 medical records of “patients” who are deceased; and
- c. The Respondent’s 2017 professional appointment book.

14. While on the premises, Board staff took approximately 68 photographs in the Respondent’s office. The photographs revealed:

- a. Two white laboratory coats with the name “Dr. Ishmael Murray Quantum Wellness” embroidered on the upper chest pocket;
- b. Numerous glass vials of what appear to be naturopathic substances;
- c. An invoice for “magnesia phosphorica, sulphur, dulichos pruriens, and aconitum napellus, from a company in Berkley Springs, West Virginia, which sell naturopathic substances;
- d. An examination table;
- e. Small flat boxes labeled “Bacteria Kit,” Lymphoma/Blood/Spleen kit,” and “Urinary Bladder/Endocrine system;”
- f. Bag of botanical herbs labeled “Memory Elixir/Medicinal Liquor Packet”;
- g. Notepads with the words “Quantum Wellness and “Dr. Ishmael Anthony Murray, Master Herbalist” printed on the top of the page and the name and address of a nutrition center printed on the bottom;
- h. Bottles of what appear to be naturopathic substances;
- i. A package of 100 “Sterile Acupuncture Needles with Guide Tube;”
- j. Framed wall certificates from<sup>6</sup>:
  - i. The “Washington Institute of Natural Medicine,” certifying Respondent as a “Holistic Nutrition Practitioner;”
  - ii. A program by a Maryland licensed acupuncturist certifying that the Respondent earned 69 professional activity points for participation in “Chinese Herbs and Formulas;”

---

<sup>6</sup> None of these certificates are from an “approved naturopathic medical program” as defined in Health Occ. § 14-5F-01.

- iii. The “American Naturopathic and Holistic Association of Arlington, Virginia” certifying that the Respondent has completed “Holistic Nutrition Certification”
  - iv. “Elite Health Care” certifying that the Respondent has completed two sessions in Iridology;
  - v. “American Herbalists Guild;”
  - vi. “Washington Institute of Natural Medicine” certifying that the Respondent is recognized as an Acupressure Practitioner; and
  - vii. “American Naturopathic and Holistic Association” recognizing the Respondent has completed Acupressure Certification;
- k. Boxes of disposal gloves; and
  - l. A list of services including “allergy testing and holistic counseling.”

**B. Admissions by Respondent**

15. On November 16, 2017, pursuant to a Board subpoena, the Respondent was interviewed by Board staff. The Respondent testified to the following:

- a. He does not hold any medical, dietetic, or acupuncture licenses;
- b. He holds a certificate for Chinese Herbal Medicine and for Tui Na<sup>7</sup>, which is Asian body work, a certificate in nutritional counseling, and a certificate in acupressure;
- c. He spent one year in China studying Chinese herbs and medicine;
- d. He established Quantum Wellness Group approximately four years ago (2013), which he describes as “alternative holistic treatment”;
- e. He uses biofeedback (applied kinesiology<sup>8</sup> or muscle response testing) to perform an assessment, which the Respondent states is not a medical diagnosis;

---

<sup>7</sup> Tui na (Tuina), a form of Chinese manipulative therapy often used in conjunction with acupuncture is a hands-on body treatment that uses Chinese Taoist principles in an effort to bring the eight principles of Traditional Chinese Medicine (TCM) into balance. The practitioner may brush, knead, roll, press, and rub the areas between each of the joints, known as the eight gates, to attempt to open the body’s defensive chi (Wei Qi) and get the energy moving in the meridians and the muscles.

<sup>8</sup> Applied kinesiology, also known as muscle strength testing, is a method of diagnosis and treatment based on the belief that various muscles are linked to particular organs and glands, and that specific muscle weakness can signal distant internal problems such as nerve damage, reduced blood supply,



- f. He provides nutritional support and counseling from a Chinese medicine perspective;
- g. He provides herbs and sends his clients to an herbal pharmacy. He does not take patients off allopathic medicines that have been prescribed by their doctor;
- h. He consults with their primary care physicians;
- i. He does not do acupuncture;
- j. His patients present with diagnoses of diabetes, hypertension, arthritis, cancer, lupus, multiple sclerosis and the common cold;
- k. He does not perform a physical examination as would be done by a physician; he does a Chinese medicine examination looking at the tongue, feeling the pulse, smelling and observing. He “asks lots of questions;”
- l. The only test he performs is applied kinesiology; and
- m. He refers patients to physicians.

**C. Expert Review**

16. On January 11, 2018, the Board sent the investigative file, including copies of treatment records of 15 patients, to an expert in naturopathic medicine, licensed in Maryland, to determine whether the Respondent is practicing, attempting to practice or offering to practice naturopathic medicine without license.

17. On February 7, 2016, the Board received the expert’s report. Upon review of the investigative file, the expert concluded that the Respondent’s activities, including:

---

chemical imbalances or other organ or gland problems. Practitioners contend that by correcting this muscle weakness, you can help heal a problem in the associated internal organ.

- a. Practicing as an herbalist and writing recommendations (or “scripts”) for natural medicines;
- b. Checking of patients’ blood pressure, looking at the tongue, feeling the pulse, smelling and observing the patient;
- c. Advising Patient EH that he should proceed with surgery for chest pains, as recommended by his physician;
- d. Confirming that Patient SJ had breast cancer based on in-office testing;
- e. Practicing as an herbalist, offering nutritional support and counseling, and recommending herbs;
- f. Making an assessment and concluding that a patient had intestinal parasites based on in-office testing not on a medical provider’s diagnosis or laboratory results;
- g. Recommending “regeneration” as a supportive herbal formula to help with cancer;
- h. Maintaining bags of natural medicines of botanical origin as demonstrated in the photographs;
- i. Advising patients in a Consent for Treatment and Payment Agreement form that “Herbs: may be given in the form of pills, powder, tinctures, pastes;”
- j. Advising patients in a Consent for Treatment and Payment Agreement form that they “authorize the Respondent to perform specific procedures to facilitate diagnosis and treatment” including “acupressure, herbs, Tulin and dietary advice; “
- k. Providing nutritional and holistic information during patient visits;
- l. Advising patients to purchase health and nutritional items by writing the health and nutritional items on a notepad; and
- m. Using and providing patients with recommendations on a notepad with the heading “Quantum Wellness” and which identifies the Respondent as “Dr. Ishmael Anthony Murray”

constitute engaging in activities that are specifically granted to a licensed naturopathic doctor as stated in Health Occupations § 14-5F-14(a)(1), (3), (4) and (7).

18. Upon review of the Respondent's treatment records of 14 patients, the expert concluded that regarding the Respondent's documentation in each record that he is:

- a. Making diagnoses using kinesiology testing;
- b. Failing to disclose in informed consent forms his level of education, training, limitations on his scope of practice, and lack of licensure;
- c. Recommending a change in diet;
- d. Recommending surgery;
- e. Ordering dispensing, and shipping natural medicines;
- f. Performing blood pressure readings;
- g. Performing light Tui Na (Tuina) massage;
- h. Using notepads with the name "Dr. Ishmael Anthony Murray" printed on them;
- i. Writing excuses from work for "medical reasons" for Patient SH stating that Patient SH is currently under his care and signing the work excuse, "Dr. Ishmael Murray";
- j. Signing a receipt for Patient NR with the signature "Dr. Ishmael Murray;"
- k. Assessing Patient FR with "blood deficiency"; and
- l. Assessing Patient FR with "early signs of kidney disease, excessive protein spilling in urine, excess phosphorous in blood and low dietary calcium and inflammation of the glomerulus which are not filtering properly;"

activities that are specifically granted to a licensed naturopathic doctor as stated in Health Occupation §§ 14-5F-14(a)(1), (3), (4) and (7).

### CONCLUSIONS OF LAW

Disciplinary Panel B of the Board concludes as a matter of law that Respondent violated Health Occ. § 14-5F-29 (practicing naturopathic medicine without a license); Health Occ. § 14-5F-30 (misrepresenting to the public by title, description of services, methods or procedures that one is licensed by the Board to practice naturopathic medicine); and Health Occ. § 14-602(b) (misrepresenting to the public that he is licensed to practice medicine by use of the words “Dr.” and “doctor”).

### ORDER

It is thus, by Disciplinary Panel B of the Board, hereby,

**ORDERED** that the Respondent shall continue to **CEASE AND DESIST** from engaging in the practice of naturopathic medicine; and it is further

**ORDERED** that the Respondent shall **CEASE AND DESIST** from misrepresenting himself to the public, by description of services, methods, or procedures or otherwise, that he is authorized to practice naturopathic medicine in this State; and it is further

**ORDERED** that the Respondent shall **CEASE AND DESIST** from misrepresenting himself to the public, by description of services, methods, or procedures or otherwise, that he is authorized to practice medicine in this State; and it is further

**ORDERED** that within **5 YEARS**, the Respondent shall pay a civil fine of \$15,000. 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; and it is further

**ORDERED** that the effective date of the Consent Order is the date the Consent Order is signed by the Executive Director of the Board 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, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

01/16/2019  
Date

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

**CONSENT**

I, Ishmael Anthony Murray, 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.

1/16/2019  
Date

***Signature on File***

Ishmael Anthony Murray, Respondent

NOTARY

STATE OF MARYLAND

CITY/COUNTY OF BALTIMORE

I HEREBY CERTIFY that on this 14 day of February, 2018<sup>9</sup> before me, a Notary Public of the State and County aforesaid, personally appeared Ishmael Anthony Murray, 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.

Patricia Morris English  
Notary Public

My commission expires 22 SEP 2022

14 February 2019  
Date

PATRICIA MORRIS ENGLISH  
NOTARY PUBLIC STATE OF MARYLAND  
County of Baltimore  
My Commission Expires  
22 September 2022