

IN THE MATTER OF

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BEFORE THE

RALPH D. MULLER, N.M.T.

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MARYLAND STATE

Respondent

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BOARD OF PHYSICIANS

License Number: N00470

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Case Number: 2221-0070A

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**ORDER FOR SUMMARY SUSPENSION OF LICENSE TO PRACTICE  
NUCLEAR MEDICINE TECHNOLOGY**

Disciplinary Panel A ("Panel A") of the Maryland State Board of Physicians (the "Board") hereby **SUMMARILY SUSPENDS** the license to practice nuclear medicine technology of **RALPH D. MULLER, N.M.T.** (the "Respondent"), License Number N00470, in the State of Maryland.

Panel A takes such action pursuant to its authority under Md. Code Ann., State Gov't ("State Gov't") § 10-226(c)(2) (2014 Repl. Vol. & 2020 Supp.) and Md. Code Regs. ("COMAR") 10.32.02.08B(7), concluding that the public health, safety or welfare imperatively requires emergency action.

**INVESTIGATIVE FINDINGS**

Based on information received by, and made known to Panel A, and the investigatory information obtained by, received by and made known to and available to Panel A, including the instances described below, Panel A has reason to believe that the following facts are true:<sup>1</sup>

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<sup>1</sup> The statements regarding the Respondent's conduct are intended to provide the Respondent with reasonable notice of the basis of Panel A's action. They are not intended as, and do not necessarily represent a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with this matter.

## **I. INTRODUCTION**

1. Panel A is summarily suspending the Respondent's license to practice nuclear medicine technology after a Board investigation determined that he engaged in extreme acts of disruptive workplace behavior, which included making intimidating, racist, sexist and bigoted remarks to a co-worker and to a patient. The investigation also determined that the Respondent failed to cooperate with a lawful Board investigation and failed to appear for a fitness-for-duty evaluation.

## **II. BACKGROUND/LICENSING INFORMATION**

2. The Respondent was originally issued a license to practice nuclear medicine technology in Maryland on November 23, 1994, under License Number N00470. The Respondent's latest license was given the expiration date of April 30, 2021.

3. At all times relevant hereto, the Respondent practiced as a nuclear medicine technologist at a health care facility (the "Facility")<sup>2</sup> located in Baltimore County, Maryland. The Facility employed the Respondent from on or about October 2, 2000 to September 29, 2020.

## **III. THE COMPLAINT**

4. The Board initiated an investigation of the Respondent after reviewing a Mandated 10-Day Report from the Facility, dated September 23, 2020, which reported that it suspended the Respondent's employment on September 17, 2020 "pending investigation

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<sup>2</sup> For confidentiality reasons, the name of the health care facility will not be identified in this document. The Respondent is aware of the identity of the health care facility.

due to unethical and unprofessional behavior.” The Facility sent the Board a follow-up Mandated 10-Day Report, dated October 2, 2020, which reported that it separated the Respondent from employment on September 29, 2020 due to “unethical and unprofessional conduct.”

#### **IV. BOARD INVESTIGATION**

##### ***Respondent’s letter, November 3, 2020***

5. By letter dated October 26, 2020, the Board notified the Respondent that it had opened an investigation of him after receiving information that he had been separated from employment by the Facility on September 29, 2020. The Board requested that the Respondent provide a written response to that information.

6. By letter to the Board dated November 3, 2020, the Respondent stated that on September 29, 2020, the Facility “ended my employment of 20 years . . . largely as part of their response to a Patient complaint received September 17, 2020. The body of the complaint was objecting to topics of conversation while patient exam was performed, i.e. politics, religion etc.” The Respondent added that “a similar complaint was registered via internal corporate hotline by a fellow employee prior to this incident and I was issued a warning by superiors about inappropriate topics of conversation in the workplace.” The Respondent stated that he believed that the Facility was “not willing to tolerate another policy violation and therefore to end my employment was the only recourse.”

##### ***Respondent’s Human Resources file***

7. As part of its investigation, the Board acquired the Facility’s Human Resources file on the Respondent, which documented two complaints against him.

8. The first complaint was filed on September 13, 2019, by one of the Respondent's co-workers (the "Co-Worker"), who reported that the Respondent made comments to her that made her feel uncomfortable. Specifically, the Co-Worker alleged that the Respondent had been disrespectful and condescending toward her and often uses racial slurs, makes sexist comments, inappropriately discusses religious beliefs and refers to some co-workers as "stupid a-holes." The Co-Worker stated that the previous week, the Respondent stated to her that "there are dead babies in McDonald's cheeseburgers and in the same conversation how 'Jews' buy baby blood on the black market and they torture people to release adrenaline in their blood and sadistically drink it." The Co-Worker also reported to the Facility that the Respondent informed her that he "got back" at a co-worker who previously reported him to the Facility's Human Resources department.

9. The second complaint was filed on September 17, 2020 by a patient's spouse. The patient's spouse stated that while his wife (the "Patient") was undergoing a two hour-long hepatobiliary iminodiacetic acid<sup>3</sup> scan on September 15, 2020, the Respondent subjected her to a variety of conspiracy theories that made her feel very uncomfortable. Specifically, the Respondent, while alone with the Patient in the test room, brought up racist and anti-Semitic conspiracy theories,<sup>4</sup> used racist language when referring to African Americans and described the Catholic church as an evil organization responsible for the

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<sup>3</sup> This test is commonly referred to as a HIDA scan.

<sup>4</sup> Specifically, the Patient's spouse stated, "Of most concern was that [the Respondent] advocated a 'Blood Liable (sic)' conspiracy theory that has been responsible for the murder of thousands of Jewish people since the Middle Ages; he told my wife that satanic Jews drink the blood of young children." The actual term for this bigoted trope is "Blood Libel."

QAnon conspiracy of pedophilia. The Patient's spouse further stated that the Respondent frightened the Patient during the procedure because he was responsible for placing an intravenous radioactive tracer in her arm, and she questioned whether he had properly administered the radioactive agent and performed the examination. The Patient's spouse also reported that the Patient was traumatized by the incident and immediately reported her concerns to him after the appointment. The Patient requested to remain anonymous due to her fear that the Respondent would retaliate against her. The Patient's spouse stated,

[The Patient] was placed in a very uncomfortable position she was undergoing a test that took over two hours, she was in no position to challenge the Tech on these conspiracy theories or to leave the situation. She was not even allowed to move during the procedure. She was very uncomfortable and tried to change the subject multiple times, she did not engage or wish to engage in a conversation about these ridiculous conspiracy theories . . . [w]e have serious concerns about someone's mental health and fitness to do their job and for a health professional who holds these beliefs and preaches them to patients.

*Interview of the Respondent's Co-Worker*

10. Board staff interviewed the Respondent's Co-Worker on February 26, 2021, during which she confirmed the allegations she made in her complaint to the Facility.

11. The Co-Worker stated that the Respondent was a "conspiracy theorist" who expressed racist and sexist beliefs in the workplace in front of her and other Facility staff persons. In this interview, the Co-Worker expressed concerns for her safety about having filed her complaint.

### *Interview of the Patient*

12. Board staff interviewed the Patient on March 15, 2021, who confirmed the statements her spouse made in his complaint to the Facility. The Patient stated that on September 15, 2020, she underwent a two-hour procedure the Respondent conducted. The Patient stated that during the first part of the test, the Respondent informed her that she may need to have her gallbladder removed which caused her to begin to panic. She said that they began to talk about diet during which the Respondent informed her that McDonald's places the meat of little children in its hamburgers. He stated there are a lot of "hidden secrets" that people are unaware of, such as that the California governor is a pedophile and "has just opened up the laws allowing pedophilia in California." The Patient stated that she remained quiet but the Respondent repeatedly "came up to [her] face" and told her to "hold on to her child tight." The Patient stated that this made her feel fearful because she has a young child and the Respondent kept talking about a pedophilia ring kidnapping young children.

13. According to the Patient, the Respondent further stated that there were "Satanic Jews" who have "been drinking little kids' blood for hundreds of years." He also stated that actors in Hollywood drink the blood of little children to stay young. The Patient stated that the Respondent's comments made her feel sick to her stomach but she was unable to move due to the nature of the examination. She stated, "at this point I can't get out . . . I was hoping someone would knock on the door to see how I was doing . . . ." She stated that she closed her eyes and pretended to be asleep but he just got more passionate about this subject matter and continued to get very close to her face. The Patient also said

that he referred to her as “sheep” and stated that she needs to awaken. He went on to tell her that the Pope is dead and that his presence at Easter Mass was actually a hologram. The Respondent also stated that the comedian Dave Chapelle is also dead and that he had a message for the “sheep” but a “higher power” killed him to “shut him up.”

14. The Respondent also told the Patient that the deceased John F. Kennedy, Jr., and his wife were alive and he saw him “with [his] own eyes at a Trump rally.” The Respondent proceeded to show the Patient a magazine from the early 2000s with JFK Jr. on the cover and stated “the Higher Power wants you to think he’s dead” but he is in fact alive and living in Pennsylvania under a different name. The Respondent stated, “There’s a plan he’s going to run alongside Trump and get us out of this.”

15. The Patient stated that the Respondent also made racist comments about African Americans, specifically mentioning Oprah Winfrey. The Respondent stated, “if Biden gets elected, that Biden will send all the African Americans back to their plantations.”

16. The Patient stated that she was shaking and was very concerned about the Respondent’s mental health, stating, “I was very afraid to say anything against him because he was in charge of my intravenous medicine.” She stated that the Respondent kept “jumping from topic to topic, not really making the connection, just kind of all over the place.”

***Respondent's failure to appear for evaluation***

17. On March 10, 2021, Board staff emailed and mailed the Respondent a letter notifying him that pursuant to Health Occ. §14-402(a),<sup>5</sup> the Board was directing him to appear at the offices of the Maryland Professional Rehabilitation Program (“MPRP”) on March 15, 2021 at 10:00 a.m. for an intake evaluation for the purpose of scheduling an examination.<sup>6</sup>

18. On March 15, 2021 at 10:04 a.m., the Respondent emailed MPRP staff, stating, “I am no longer interested. It seems clear that somehow rehabilitation is to take place for having different views.” In order to provide the Respondent with an additional opportunity to comply with the examination requirement, the Board rescheduled the Respondent’s appointment for March 17, 2021 at 11:00 a.m.

19. Board staff emailed and mailed the Respondent a second letter notifying him of the rescheduled date and time and again informed him that the unreasonable failure or refusal to submit to examination constitutes *prima facie* evidence of a licensed

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<sup>5</sup> Health Occ. § 14-402(a) states: In reviewing an application for licensure, certification or in investigating an allegation against a licensed physician or any allied health professional regulated by the Board under this title, the Physician Rehabilitation Program may request the Board to direct, or the Board on its own initiative may direct, the licensed physician or any allied health professional regulated by the Board under this title to submit to an appropriate examination. Health Occ § 14-402(c) states: The unreasonable failure or refusal of the licensed individual to submit to an examination is prima facie evidence of the licensed individual’s inability to practice medicine or the respective discipline competently, unless the Board or disciplinary panel finds that the failure or refusal was beyond the control of the licensed individual.

<sup>6</sup> Due to COVID restrictions the Respondent was provided a link to appear for the examination via Zoom.



practitioner's inability to practice nuclear medicine technology, unless the Board finds that the failure or refusal was beyond the control of the individual.

20. On March 16, 2021 at 4:28 p.m., the Respondent emailed Board staff, stating, "Received, thank you. I've notified [his contact person at MPRP] that I intend to make meeting at 11:00 a.m."

21. On March 17, 2021 at 10:39 a.m., the Respondent emailed MPRP staff and stated, "Apologies for wasting your time and efforts but I can find no way to consent to this process and will not meet with zoom today." In response, MPRP staff telephoned the Respondent to give him an opportunity to ask questions about the evaluation process and he confirmed his decision not to submit to the evaluation. The Respondent also left Board staff a voicemail after work hours on March 17, 2021, stating that he "cannot consent to this process," would no longer speak to anyone at MPRP and that "this is a witch hunt."

***Respondent's Board interview***

22. By letter dated March 18, 2021, Board staff issued the Respondent a *subpoena ad testificandum* ("SAT"), requiring him to appear for a Board interview to take place on March 25, 2021 at 10:00 a.m. The SAT further informed the Respondent that his failure to comply with the SAT could result in his being charged with failing to cooperate with a lawful Board investigation under Health Occ. § 14-5B-14(a)(26).

23. On March 23, 2021 at 1:39 p.m., the Board emailed the Respondent a videoconference invitation to appear for his interview on March 25, 2021 at 10:00 am.

24. On March 24, 2021 at 10:06 a.m., the Respondent emailed the Board, stating, "Sorry, I can't make it. Busy all week, not enough notice ahead of time."

25. On March 24, 2021 at 11:10 a.m., the Board emailed the Respondent, stating, “The interview remains scheduled for 3/25/2021 at 10:00 a.m. Please be advised that should you fail to appear for the interview the Board could consider this to be failure to cooperate with a lawful investigation conducted by the Board in violation of Health Occ. § 14-5B-14(a)(26).”

26. On March 25, 2021 at 10:00 a.m., the Respondent failed to appear for his Board videoconference interview.

### CONCLUSION OF LAW

Based upon the foregoing Investigative Findings, Panel A of the Board concludes that the public health, safety, or welfare imperatively requires emergency action, and that pursuant to State Gov’t § 10-226(c)(2) and COMAR 10.32.02.08B(7), the Respondent's license is summarily suspended.

### ORDER

**IT IS** thus, by Panel A of the Board, hereby:

**ORDERED** that pursuant to the authority vested in Panel A by State Govt. § 10-226(c)(2)(2014 Repl. Vol. & 2020 Supp.) and COMAR 10.32.02.08B(7), the Respondent's license to practice nuclear medicine technology in the State of Maryland is hereby **SUMMARILY SUSPENDED**; and it is further

**ORDERED** that in accordance with Md. Code Regs. 10.32.02.08B(7) and E, a post-deprivation initial hearing on the summary suspension will be held on **Wednesday, April 14, 2021 at 1:00 p.m.** at the Board's offices, located at 4201 Patterson Avenue, Baltimore, Maryland, 21215-0095; and it is further

**ORDERED** that after the **SUMMARY SUSPENSION** hearing before Panel A, the Respondent, if dissatisfied with the result of the hearing, may request, within ten (10) days, an evidentiary hearing, such hearing to be set within thirty (30) days of the request, before an Administrative Law Judge at the Office of Administrative Hearings, Administrative Law Building, 11101 Gilroy Road, Hunt Valley, Maryland 21031-1301; and it is further

**ORDERED** that this is an Order of Panel A, and as such, is a public document. *See* Health Occ. §§ 1-607, 14-411.1(b)(2) and Md. Code Ann., Gen. Prov. § 4-333(b)(6).

03/30/2021  
Date

***Signature on File***

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