

IN THE MATTER OF

*

BEFORE THE

GARY FLOYD (R)

*

MARYLAND STATE BOARD

Respondent

*

OF PHYSICIANS

License Number R00914

*

Case Number 2223-0058

* * * * *

CONSENT ORDER

On or about September 15, 2022, Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”), opened an investigation of Gary Floyd, Radiographer (the “Respondent”), under the Maryland Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistant Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) §§ 14-5B-01 *et seq.*

Based on its investigation, the Board has grounds to charge the Respondent under the following provision of the Act:

Health Occ. § 14-5B-17. Unauthorized practice prohibited

* * *

(c) Except as otherwise provided in this subtitle, a person may not practice, attempt to practice, or offer to practice radiography in this State unless licensed to practice radiography by the Board.

Prior to Panel B issuing charges, the Respondent agreed to enter into this public Consent Order with the Panel B’s approval, consisting of Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

Panel B finds the following:

1. The Respondent was originally licensed by the Board to practice Radiography on June 26, 1991.

2. The Respondent's license was set to expire on April 30, 2021.
3. Because of extensions related to the COVID pandemic, the Respondent's license expired on June 30, 2021.
4. The Respondent continued to practice as a radiographer in Maryland from July 1, 2021 through August 2022.
5. On August 1, 2022, the Respondent filed an Application for Reinstatement of Radiographer.
6. In his application the Respondent admitted to practicing as a radiographer in Maryland from December 2017 to August 2022.
7. The Respondent, thus, practiced radiography without a license from approximately July 1, 2021 to August 1, 2022.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, Disciplinary Panel B concludes that the Respondent engaged in the unauthorized practice of radiography in Maryland, in violation of Health Occ. § 14-5B-17(c).

ORDER

It is, thus, by Disciplinary Panel B, hereby:

ORDERED that, within **SIX MONTHS** of the effective date of this Consent Order, the Respondent shall pay a **civil fine of \$500.00** by bank certified check or money order made payable to the Maryland Board of Physicians, 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 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 or her designee 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* Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6); and it is further

Signature On File

02/22/2023
Date

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

CONSENT

I, Gary Floyd, radiographer, assert that I am aware of my right to consult with and be represented by counsel in considering this Consent Order and in any proceedings that would otherwise result from the charges currently pending. I have chosen to proceed without counsel and I acknowledge that the decision to proceed without counsel is freely and voluntarily made.

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 this right 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 my 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 into 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.

Signature On File

2-16-2023

Date

Gary Floyd (R) / _____

NOTARY

STATE OF Maryland

CITY/COUNTY OF Anne Arundel

I HEREBY CERTIFY that on this 16 day of February, 2023, before me, a Notary Public of the State and County aforesaid, personally appeared Gary Floyd, radiographer, 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.

Ashley Biddison

Notary Public

My commission expires: Nov. 23, 2026

