

IN THE MATTER OF	*	BEFORE THE
ELIZABETH L. MYERS, Radiographer	*	MARYLAND STATE BOARD
Respondent	*	OF PHYSICIANS
License Number: R02592	*	Case Number: 7720-0035
* * * * *	*	* * * * *

**ORDER TERMINATING SUSPENSION
AND IMPOSING PROBATION**

On October 4, 2019, Disciplinary Panel B (“Panel B” or the “Panel”) of the Maryland State Board of Physicians and Elizabeth L. Myers, Radiographer (“Respondent”) entered into a Consent Order to resolve charges against the Respondent that Panel B had issued under the Maryland Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Act. *See* Md. Code Ann., Health Occ. §§ 14-5B-01—14-5B-21. Under the Consent Order, Panel B concluded that the Respondent violated § 14-5B-14(a)(3),¹ (4),² and (8)(i)³ of the Health Occupations Article, and, as a sanction, the Respondent’s license to practice radiography in Maryland was suspended for a minimum of six months.⁴ While under suspension, the Respondent was ordered to enroll in the Maryland Professional Rehabilitation Program. Also, under the Consent Order, if the Respondent complied with the terms of the suspension and the Panel determined it was safe for the Respondent to return to the practice of radiography, the suspension would be terminated and the Respondent would be placed on probation for a minimum period of three years, subject to any probationary terms and conditions Panel B deemed appropriate.

¹ Unprofessional or immoral conduct in the practice of radiography.
² Is professionally, physically, or mentally incompetent.
³ Provided professional services while under the influence of alcohol.
⁴ On July 9, 2019, Panel B summarily suspended the Respondent’s license. Under the Consent Order, the summary suspension was terminated because it was superseded by the Consent Order.

Six months have passed since the effective date of the suspension, the Respondent has complied with the terms and conditions of the Consent Order, and the Panel has determined that it is safe for the Respondent to return to the practice of radiography.

It is, thus, by Panel B, hereby

ORDERED that the suspension of the Respondent's license to practice radiography in Maryland, imposed on October 4, 2019, is **TERMINATED**; and it is further

ORDERED that the Respondent is placed on **PROBATION** for a minimum period of **THREE YEARS**.⁵ During the probationary period, the Respondent shall comply with the following terms and conditions of probation:

The Respondent shall be enrolled in the Maryland Professional Rehabilitation Program ("MPRP") as follows:

- (a) the Respondent shall be entered into a Participant Rehabilitation Agreement and Participant Rehabilitation Plan with MPRP;
- (b) the Respondent shall fully and timely cooperate and comply with all MPRP's referrals, rules, and requirements, including, but not limited to, the terms and conditions of the Participant Rehabilitation Agreement(s) and Participant Rehabilitation Plan(s) entered with MPRP, and shall fully participate and comply with all therapy, treatment, evaluations, and screenings as directed by MPRP;
- (c) the Respondent's failure to comply with any term or condition of the Participant Rehabilitation Agreement(s) or Participant Rehabilitation Plan(s) constitutes a violation of this order;
- (d) the Respondent shall sign and update the written release/consent forms requested by the Board and MPRP, including release/consent forms to authorize MPRP to make verbal and written disclosures to the Board and to authorize the Board to disclose relevant information from MPRP records and files in a public order. The Respondent shall not withdraw her release/consent;
- (e) the Respondent shall also sign any written release/consent forms to authorize MPRP to exchange with (i.e., disclose to and receive from) outside entities (including all of the Respondent's current therapists and treatment providers) verbal and written information concerning the Respondent and to ensure that MPRP is authorized to receive the medical records of the Respondent, including,

⁵ If the Respondent's license expires while the probation is in effect, the probation and its terms and conditions will be tolled.

but not limited to, mental health and drug or alcohol evaluation and treatment records. The Respondent shall not withdraw her release/consent; and it is further

ORDERED that the Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this order; and it is further

ORDERED that a violation of probation constitutes a violation of this order; and it is further

ORDERED that the effective date of the order is the date the order is signed by the Executive Director of the Board or her designee. The Executive Director or her designee signs the order on behalf of the disciplinary panel which has imposed the terms and conditions of this order; and it is further

ORDERED that, after the minimum period of probation imposed by this order has passed, if the Respondent has been compliant with the terms and conditions of this order, and MPRP finds, and notifies the Board, that the Respondent is safe to return to the practice of radiography without the probationary conditions, the Respondent may submit a written petition to the Panel for the termination of probation. The Respondent may be required by the Panel to appear before it to discuss her petition. After consideration of the petition, if the Respondent has complied with all probationary terms and conditions and the Panel determines that it is safe for the Respondent to practice radiography without probationary conditions, the probation will be terminated by an order of the Panel. If the Panel determines it is not safe for the Respondent to practice radiography without probationary conditions, the probation will be continued through an order of the Panel for a time period that the Panel determines is appropriate; and it is further

ORDERED that, if the Respondent allegedly fails to comply with any term or condition imposed by this order, the Respondent shall be given notice and an opportunity for a hearing. If

the disciplinary panel determines there is a genuine dispute as to a material fact, the hearing shall be before an Administrative Law Judge of the Office of Administrative Hearings followed by an exceptions process before a disciplinary panel; and if the disciplinary panel determines there is no genuine dispute as to a material fact, the Respondent shall be given a show cause hearing before a disciplinary panel; and it is further

ORDERED that, after the appropriate hearing, if the disciplinary panel determines that the Respondent has failed to comply with any term or condition imposed by this order, the disciplinary panel may reprimand the Respondent, place the Respondent on further probation with appropriate terms and conditions, or suspend the Respondent's license to practice radiography in Maryland with appropriate terms and conditions, or revoke the Respondent's license to practice radiography in Maryland. The disciplinary panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine on the Respondent; and it is further

ORDERED that this order is a public document. *See* Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

07/13/2020
Date

Signature on File

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