

IN THE MATTER OF	*	BEFORE THE
PATRICK A. CURE	*	MARYLAND STATE
Applicant for Reinstatement	*	BOARD OF PHYSICIANS
License No.: R06697 (expired)	*	Case No.: 2221-0059A

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**CONSENT ORDER**

On March 10, 2021, Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the “Board”) notified Patrick A. Cure (the “Applicant”), of its intent to deny his Application for Reinstatement of Radiography License (the “Application”) pursuant to the Maryland Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Act (the “Act”), Md. Code Ann., Health Occ. §§ 14-5B-01 *et seq.* (2014 Repl. Vol. & 2020 Supp.).

Panel A based its action on the following provisions of the Act:

**Health Occ. § 14-205. Miscellaneous powers and duties.**

...

(b) *Additional powers.* . . .

(3) Subject to the Administrative Procedure Act and the hearing provisions of § 14-405 of this title, a disciplinary panel may deny a license to an applicant or, if an applicant has failed to renew the applicant’s license, refuse to renew or reinstate an applicant’s license for:

(i) Any of the reasons that are grounds for action under . . . § 14-5B-14 . . . of this title[.]

**Health Occ. § 14-5B-14. Denial of license.**

(a) *In general.* – Subject to the hearing provisions of § 14-405 of this subtitle, a disciplinary panel, on the affirmative vote of a majority of the quorum of the disciplinary panel, may deny a license to any applicant,

reprimand any licensee, place any licensee on probation, or suspend or revoke a license, if the applicant or licensee:

...

- (3) Is guilty of unprofessional or immoral conduct in the practice of radiation therapy, radiography, nuclear medicine technology, or radiology assistance; [and]

...

- (6) Is habitually intoxicated[.]

On June 9, 2021, Panel A was convened as a Disciplinary Committee for Case Resolution (“DCCR”) in this matter. Based on negotiations occurring as a result of this DCCR, the Respondent agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law and Order.

### **FINDINGS OF FACT**

Panel A finds:

1. The Applicant was first licensed to practice radiography in Maryland on or about May 1, 2003, under License Number R06697. The Applicant continuously renewed his radiography license until April 2011, at which point he did not apply for renewal. The Applicant’s Maryland radiography license expired on or about April 30, 2011.

2. On or about December 23, 2019, the Applicant submitted his Application to the Board in which he sought reinstatement of his Maryland radiography license.

3. The Applicant answered “NO” to all of the Character and Fitness questions (Questions 12a-12q) on the Application. These questions included:

- 12.j. Do you currently have any condition or impairment (including, but not limited to, substance abuse, alcohol abuse, or a physical, mental, emotional, or nervous disorder or condition) that in any way affects your ability to practice your profession in a safe, competent, ethical, and professional manner?

4. The Applicant also provided the following written explanation for seeking reinstatement of his Maryland radiography license:

I was put on disability from [a previous employer]. I have worked through my disability. I am well [and] healthy and wish to practice radiography in this State.

5. By email dated February 18, 2020, Board staff requested that the Applicant provide more information based on the explanation he provided for seeking reinstatement of his radiography license.

6. In response to the Board's request, the Applicant sent a two-page handwritten statement. He explained certain physical conditions he began to experience in 2013 while working as a radiographer, which eventually led to the diagnosis of a chronic condition.<sup>1</sup> The Applicant also explained that his busy work environment at the time did not allow him the necessary time to rest and recover from his condition. He also wrote that he retired in February 2016 and received disability benefits soon thereafter.

7. The Applicant also sent to the Board an excerpt from a form that his prior supervisor completed in or around February 2016.<sup>2</sup> The supervisor noted that, among other things, the Applicant's professional conduct had "became unsatisfactory." The supervisor explained, "Intense stress levels interfere with [the Applicant's] ability to complete tasks." She also noted that the Applicant had "difficulty remembering basic job skills[.]"

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<sup>1</sup> Due to the confidential nature of the conditions referenced here and elsewhere in this document, they will not be stated in this public document.

<sup>2</sup> The form number, SF-3112B, corresponds to the U.S. Office of Personnel Management's standard form for "Documentation in Support of Disability Retirement Application."

8. On or about October 21, 2020, the Board obtained the Applicant's medical treatment records from a health care organization and provider. These records included the Applicant's treatment through April 2020.

9. The Applicant's records show that the Applicant had been diagnosed with and treated for certain conditions that are likely to have an impact on his ability to practice radiography in a safe, competent, ethical, and professional manner. The Applicant's records do not show any sustained period of recovery from these conditions. The Applicant denied having any such conditions on the Application and did not refer to these conditions in his written statement to the Board (see ¶¶ 3 and 6, above).

### CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Panel A concludes as a matter of law that the Applicant's actions described above constitute unprofessional or immoral conduct in the practice of radiography, and demonstrate the Applicant is habitually intoxicated, which are grounds for disciplinary action under Health Occ. § 14-5B-14(a)(3) and (6), and are bases for a disciplinary panel of the Board to deny his Application for Reinstatement of Radiography License under Health Occ. § 14-205(b)(3)(i).

### ORDER

It is, by Disciplinary Panel A of the Board, hereby:

**ORDERED** that the Application for Reinstatement of Radiography License of the Applicant, Patrick A. Cure, is **DENIED**; and it is further

**ORDERED** that the Applicant, Patrick A. Cure, may file an Application for Reinstatement of Radiography License after he has demonstrated **ONE (1) YEAR** of

sustained, documented recovery from the chronic conditions referenced in Paragraph 9 of the Findings of Fact in this Consent Order; and it is further

**ORDERED** that this Final Order is a public document. *See* Health Occ. §§ 1-607, 14-411.1(b)(2) and Md. Code Ann., Gen. Prov. § 4-333(b)(6) (2014 & 2019 Supp.).

## *Signature on File*

07/09/2021  
Date

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Christine A. Farrelly  
Executive Director  
Maryland State Board of Physicians

CONSENT

I, Patrick A. Cure, 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.

I sign this Consent Order, without reservation, and fully understand the language and meaning of its terms.

6/23/21  
Date

***Signature on File***

\_\_\_\_\_  
Patrick A. Cure

NOTARY

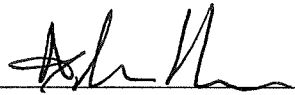
STATE OF MD

CITY / COUNTY OF Baltimore

I HEREBY CERTIFY that on this 28 day of June 2021,  
before me, a Notary Public of the foregoing State and City/County, personally appeared  
Patrick A. Cure, and made oath in due form of law that signing the foregoing Consent  
Order was his voluntary act and deed.

AS WITNESSETH my hand and notarial seal.

ALAINA E KANE  
Notary Public-Maryland  
Baltimore County  
My Commission Expires  
6/12/23

  
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Notary Public

My Commission expires: 6/12/23