

IN THE MATTER OF * BEFORE THE MARYLAND
 SOPHIA V. MATTHEWS, Radiographer * STATE BOARD OF
 Applicant for Reinstatement * PHYSICIANS
 after Revocation * Case No.: 8822-0003
 License No.: R10575
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**ORDER ON APPLICATION FOR REINSTATEMENT OF RADIOGRAPHY LICENSE
 AFTER REVOCATION**

I. INTRODUCTION

On August 20, 2018, Disciplinary Panel A (the “Panel”) of the Maryland State Board of Physicians (“the Board”) revoked the Maryland license of Sophia V. Matthews to practice radiography, based on her conviction for Bank Embezzlement, a crime of moral turpitude.¹ On October 19, 2021, the Board received Ms. Matthews’s application for the reinstatement of her radiography license. On March 9, 2022, Panel A convened as a Reinstatement Inquiry Panel to consider her application. The Panel reviewed Ms. Matthews’s reinstatement application; her written responses to questions from the Board; a written response from the State Administrative Prosecutor; and the Board’s prior revocation order. Panel A also heard oral presentations from Ms. Matthews and the Administrative Prosecutor.

II. PROCEDURAL AND FACTUAL HISTORY

Ms. Matthews’s criminal history, which she failed to disclose on her initial licensure application, predates the radiography license granted to her by the Board in 2012. On May 17, 1999, in federal court, Ms. Matthews pled guilty to, and was found guilty of, one count of Bank Embezzlement, in violation of 18 U.S.C. § 656. The facts underlying her guilty plea revealed that she knowingly embezzled money from her bank employer, with the intent to injure and defraud the bank, by encoding withdrawals made by bank customers from their bank accounts in inflated

¹ The August 20, 2018 Final Decision and Order is incorporated by reference and available upon request.

amounts and depositing the difference between the true amount of the withdrawals and the inflated amounts into her personal checking account. Ms. Matthews was sentenced to five years of probation and ordered to pay \$4,300.00 in restitution. Ms. Matthews did not appeal her conviction and her guilty plea and conviction were not set aside.

The Board's Final Decision and Order included findings that Ms. Matthews failed to disclose her 1999 criminal conviction on her initial application for a radiography license in 2012, on two subsequent license renewal applications in 2013 and 2015, and on an application for reinstatement of her license in 2017. In response to questions asking whether she had ever been charged with, pled guilty to, been convicted of, or sentenced to probation for any criminal acts, Ms. Matthews answered "No" on all her applications. Ms. Matthews was granted a license to practice as a radiographer in Maryland by the Board on November 2, 2012, and her license was renewed in 2013 and 2015. A criminal history records check required for Ms. Matthews's reinstatement application in 2017 revealed her previously undisclosed 1999 criminal conviction for Bank Embezzlement. The Board determined that the crime of Bank Embezzlement to which Ms. Matthews pled guilty, involved intentional dishonesty for purposes of personal gain and constituted a crime of moral turpitude. *Oltman v. Maryland State Bd. of Physicians*, 162 Md. App. 457, 471 (2005), citing *Attorney Grievance Comm'n of Md. v. Walman*, 280 Md. 453, 460 (1977). In its Final Decision and Order issued on August 20, 2018, the Board revoked Ms. Matthews's radiography license, as required by Health Occ. § 14-5B-14(c)(2).

III. APPLICATION FOR REINSTATEMENT

On October 19, 2021, the Board received Ms. Matthews's application for the reinstatement of her radiography license. On her application, Ms. Matthews informed the Board that the American Registry of Radiologic Technologists ("ARRT"), a national credentialing and

certifying body recognized by the Board under Health Occ. § 14-5B-01(l)(1), had issued a one-year Public Registry Reprimand on January 10, 2019, based on her revocation by the Maryland Board and the late disclosure of her criminal history. Ms. Matthews also notified the Board that, as of October 8, 2021, her ARRT registration was in good standing.² On November 10, 2021, Board staff sent Ms. Matthews a letter advising her of the post-disciplinary reinstatement process and requested a written response to certain questions including the following:

1. What is your understanding of the nature and circumstances of your conduct which resulted in the revocation of your Maryland license?
2. What is your understanding of the Board's concerns with respect to your conduct?
3. Have you accepted responsibility for the action(s) resulting in the revocation of your license?
4. What steps have you taken to lessen the likelihood of recurrence?
5. What efforts have you made to maintain your competency to practice radiography in your area of specialty (i.e. continuing education credits)?

The Board also requested that Ms. Matthews provide information regarding her employment and job duties since her revocation.

On December 3, 2021, the Board received a written response from Ms. Matthews. She acknowledged her guilt and conviction for embezzlement by a federal court, her failure to report the criminal charge, guilty plea, and conviction on her initial Maryland license application and subsequent renewal and reinstatement applications, and her dishonesty in choosing not to report her offense to the Board. Ms. Matthews apologized to the Board for her dishonesty, stated that dishonesty is never the proper choice, that she took full responsibility for her actions because they were wrong, and did not condone or make excuses for them. She asserted that she is no

² An applicant for reinstatement of a radiography license is required to document evidence of current ARRT registration. COMAR 10.32.10.13B(3)(a)(ii).

longer the person who engaged in those actions and acknowledged the importance of honest, ethical, and moral conduct by health care providers. Ms. Matthews stated that she had not worked in the banking industry since her 1999 conviction but had worked as a Medical Assistant for 11 years before going back to school to obtain a degree as a medical radiographer and later obtained a certification in mammography. Ms. Mathews further stated that since 2018, she has been employed in various health care positions related to mammography and radiologic technology in Washington, D.C., has also performed receptionist duties in an immediate and primary care setting, and that she returned to school for MRI/CT in January 2021.

IV. CONSIDERATION OF APPLICATION

The reinstatement of an individual's license after revocation is a discretionary decision by a disciplinary panel. Health Occ. § 14-409; *see Oltman v. Maryland State Board of Physicians*, 182 Md. App. 65, 78 (2008). Panel A must consider whether post-disciplinary reinstatement is in the interest of the health and welfare of the general public and consistent with the best interest of the profession. COMAR 10.32.02.06B(7). Critical issues for the Panel's consideration include Ms. Matthews's understanding of the nature of her violations, and her acceptance of responsibility for these violations.

During the application process, Ms. Matthews has expressed insight and reflection into her offenses by accepting full responsibility and conveying genuine remorse for her serious criminal conduct as well as her repeated failures to disclose her conduct to the Board. Ms. Matthews also submitted documentation of the requisite credit hours for Continuing Medical Education to the Board's licensure unit. The Panel concludes that reinstatement of Ms. Matthews's license to practice radiography with probation and an appropriate condition is within the interest of the health and welfare of the general public and is consistent with the best interest

of the profession. The Panel, therefore, grants Ms. Matthews's application for reinstatement subject to a reprimand, probation, and a requirement that she take and successfully complete a course in professional ethics.

IV. ORDER

It is thus, by Disciplinary Panel A, hereby:

ORDERED that pursuant to Health Occ. § 14-409, the license of Sophia V. Matthews to practice as a radiographer in Maryland is **REINSTATED**; and it is further

ORDERED that Ms. Matthews is **REPRIMANDED**; and it is further

ORDERED that Ms. Matthews is placed on **PROBATION**³ until she has successfully complied with the following conditions:

1. Ms. Matthews is required to take a course in Professional Ethics. The following terms apply:
 - (a) it is Ms. Matthews' responsibility to locate, enroll in and obtain the disciplinary panel's approval of the course before the course is begun;
 - (b) the disciplinary panel will accept a course taken in-person or over the internet;
 - (c) Ms. Matthews must provide documentation to the disciplinary panel that she has successfully completed the course;
 - (d) the course may not be used to fulfill the continuing medical education credits required for license renewal;
 - (e) Ms. Matthews is responsible for the cost of the course.

2. Ms. Matthews shall not apply for early termination of probation; and it is further

ORDERED that after Ms. Matthews has fully and satisfactorily complied with the conditions of probation, and after she provides documentation to the Panel of her successful

³ If Ms. Matthews's license expires while the license is on probation, the probationary period will be tolled. COMAR 10.32.02.05C(3).

completion of the required course in Professional Ethics, Ms. Matthews may submit a written petition for termination of probation. After consideration of the petition, and a determination that Ms. Matthews has complied with the relevant terms of probation and this Order of Reinstatement, the probation may be terminated through an order of a disciplinary panel. Ms. Matthews may be required to appear before the disciplinary panel to discuss her petition for termination. The disciplinary panel may grant the petition to terminate the probation, through an order of the disciplinary panel, if Ms. Matthews has successfully complied with all of the probationary terms and conditions and if there are no pending complaints related to the charges that led to the revocation of her license on August 20, 2018; and it is further

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

ORDERED that if Ms. Matthews allegedly fails to comply with any term or condition imposed by this Order, Ms. Matthews shall be given notice and an opportunity for a hearing. If the disciplinary panel determines that 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. If the disciplinary panel determines that there is no genuine dispute as to a material fact, Ms. Matthews 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 Ms. Matthews has failed to comply with any term or condition imposed by this Order, the disciplinary panel may reprimand Ms. Matthews, place Ms. Matthews on probation with appropriate terms and conditions, or suspend or revoke Ms. Matthews's license to practice as a radiographer in Maryland. The disciplinary panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine upon Ms. Matthews; and it is further

ORDERED that Ms. Matthews is responsible for all costs incurred in fulfilling the terms and conditions of this Order of Reinstatement; and it is further

ORDERED that the effective date of this Order is the date the Order is signed by the Executive Director of the Board or her designee. The Executive Director or 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 this is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Health Occ. §§ 1-607 and 14-411.1, and Gen. Prov. § 4-333(b) (Repl. Vol. 2021).

Signature On File

03/29/2022
Date

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