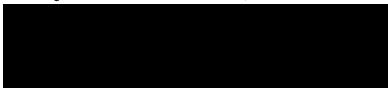


Lloyd M. Charles, Jr., M.D.



July 7, 2017

Damean William Freas, Chair
Disciplinary Panel B
Maryland State Board of Physicians
4201 Patterson Avenue, 4th Floor
Baltimore, MD 21215-2299

Re: Surrender of License to Practice Medicine
Lloyd M. Charles, Jr., M.D. License Number: D35602
Case Number: 2016-0912 B

Dear Dr. Freas and Members of the Disciplinary Panel B,

Please be advised that I have decided to permanently **SURRENDER** my license to practice medicine in the State of Maryland, License Number D35602 that expired on September 30, 2016, effective immediately. I understand that upon surrender of my license, I may not give medical advice or treatment to any individual, with or without compensation, and cannot prescribe medications or otherwise engage in the practice of medicine in the State of Maryland as it is defined in the Maryland Medical Practice Act (the "Act"), Md. Code Ann., Health Occ. II §§ 14-101 *et seq.* (2014 Repl. Vol.) and other applicable laws. In other words, as of the effective date of this Letter of Surrender, I understand that the surrender of my license means that I am in the same position as an unlicensed individual in the State of Maryland.

I understand that this Letter of Surrender is a **PUBLIC DOCUMENT**, and upon Disciplinary Panel B's ("Panel B") acceptance, becomes a **FINAL ORDER** of Panel B of the Maryland State Board of Physicians (the "Board").

I acknowledge that the Board initiated an investigation of my practice and on January 6, 2017, Panel B issued disciplinary charges against me under Health Occ. II § 14-404(a)(3)(ii), (13), and (33). Specifically, Panel B alleged that my conduct, failing to respond to numerous written requests from the Board to respond to the allegations in the complaints, failing to respond to the Board's subpoena to be interviewed, and, failing to provide the complete medical records of the children of Parents A, B, and C, constitutes unprofessional conduct in the practice of medicine in violation of Health Occ. II § 14-404(a)(3)(ii), failure to provide patients' medical record in violation of Health Occ. II § 14-404(a)(13), and, failure to cooperate with a lawful investigation conducted by the Board in violation of Health Occ. II § 14-404(a)(33).

A copy of the disciplinary charges is attached as Attachment A.

Damean William Freas, D.O. and Members of Disciplinary Panel B

RE: Lloyd M. Charles, Jr., M.D.

Letter of Surrender

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Furthermore, my license to practice medicine expired on September 30, 2016. I voluntarily elected not to renew my license to practice medicine because I closed my medical office in Spring 2016. The closure of my office contributed to some patients having difficulty in locating me. I ultimately provided the immunization records to the three parents who had filed complaints with the Board.

I have voluntarily, knowingly and freely chosen to submit this Letter of Surrender to avoid further prosecution of the disciplinary charges. I acknowledge that for all purposes related to medical licensure, the charges will be treated as if proven.

I understand that by executing this Letter of Surrender I am waiving my right to a hearing to contest the disciplinary charges. In waiving my right to contest the charges, I am also waiving the right to be represented by counsel at the hearing, to confront witnesses, to give testimony, to call witnesses on my own behalf, and all other substantive and procedural protections provided by law, including the right to appeal to circuit court.

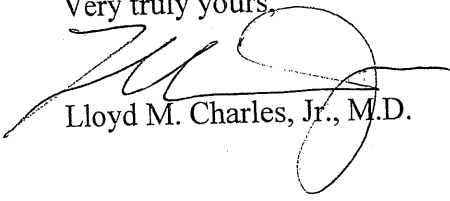
I understand that the Board will advise the Federation of State Medical Boards, the National Practitioner Data Bank, and the Healthcare Integrity and Protection Data Bank of this Letter of Surrender, and in response to any inquiry, that I have surrendered my license as if it were revoked. I also understand that in the event I would apply for licensure in any form in any other state or jurisdiction that this Letter of Surrender may be released or published by the Board to the same extent as a final order that would result from disciplinary action, pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014), and that this Letter of Surrender constitutes a disciplinary action by Panel B.

I affirm that as of the date of this Letter of Surrender, I will present to the Board my original Maryland medical license, number D35602, any renewal wallet cards, wall certificate, and drug dispensing permit (if applicable). I also affirm that I will continue to provide access to and copies of patient medical records in compliance with Title 4, subtitle 3 of the Health-General article.

I further recognize and agree that by submitting this Letter of Surrender, my license will remain surrendered.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. Finally, I wish to make clear that I have been advised of my right to be represented by an attorney of my choice throughout proceedings before Panel B, including the right to counsel with an attorney prior to signing this Letter of Surrender. I have knowingly and willfully waived my right to be represented by an attorney before signing this letter surrendering my license to practice medicine in Maryland. I understand both the nature of Panel B's actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning and terms and effect of this Letter of Surrender. I make this decision knowingly and voluntarily.

Damean William Freas, D.O. and Members of Disciplinary Panel B
RE: Lloyd M. Charles, Jr., M.D.
Letter of Surrender
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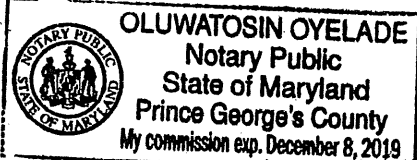
Very truly yours,

Lloyd M. Charles, Jr., M.D.

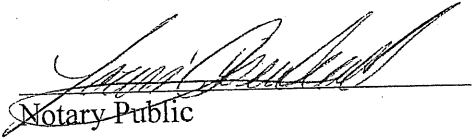
NOTARY

STATE OF Maryland
CITY/COUNTY OF Prince George's

I HEREBY CERTIFY that on this 11 day of July, 2017 before me, a Notary Public of the City/County aforesaid, personally appeared Lloyd M. Charles, Jr., M.D., and declared and affirmed under the penalties of perjury that the signing of this Letter of Surrender was his voluntary act and deed.

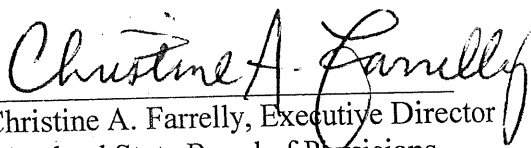
AS WITNESS my hand and Notarial seal.


OLUWATOSIN OYELEDE
Notary Public
State of Maryland
Prince George's County
My commission exp. December 8, 2019
My commission expires: 12/08/2019


Notary Public

ACCEPTANCE

On behalf of Disciplinary Panel B, on this 19th day of July, 2017, I, Christine A. Farrelly, accept Lloyd M. Charles, Jr., M.D.'s **PUBLIC SURRENDER** of his/her license to practice medicine in the State of Maryland.


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

ATTACHMENT A

IN THE MATTER OF	*	BEFORE THE MARYLAND
LLOYD M. CHARLES, Jr., M.D.	*	STATE BOARD
RESPONDENT	*	OF PHYSICIANS
LICENSE NO: D35602	*	CASE NO: 2016-0912 B

* * * * *

CHARGES UNDER THE MARYLAND MEDICAL PRACTICE ACT

Disciplinary Panel B of the Maryland State Board of Physicians (the "Board") hereby charges Lloyd M. Charles, Jr., M.D. (the "Respondent") license number D35602 with violating the Maryland Medical Practice Act (the "Act") codified at Md. Code Ann., Health Occ. II ("Health Occ. II") §§ 14-101 *et seq.* (2014 Repl. Vol and 2016 Supp.).

The pertinent provision of the Act under § 14-404 provides the following:

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

- (3) Is guilty of:
 - ...
 - (ii) Unprofessional conduct in the practice of medicine:
- (13) On proper request, and in accordance with the provisions of Title 4, Subtitle 3 of the Health-General Article fails to provide details of a patient's medical record to the patient, another physician, or hospital;
- (33) Fails to cooperate with a lawful investigation conducted by the Board or a disciplinary panel[.]

ALLEGATIONS OF FACT¹

The Disciplinary Panel B bases its charges on the following facts that Disciplinary Panel B has reason to believe are true:

I. Background

1. At all times relevant hereto, Respondent was licensed to practice medicine in Maryland. Respondent was originally licensed to practice medicine in Maryland on August 11, 1987, under license number D35602. Respondent last renewed his license on September 30, 2014, which expired on September 30, 2016.

2. At all times relevant hereto, Respondent maintained an office for the practice of medicine in Upper Marlboro, Maryland. Respondent's self-designated specialty is pediatrics.

3. Respondent was board certified in pediatrics by the American Board of Pediatrics in 1989, which expired on December 31, 1996.

4. Respondent does not hold an active license to practice medicine in any other state.

II. Complaints and Investigation

5. Between April and June 2016, the Board received three complaints from parents of Respondent's pediatric patients alleging that Respondent closed his practice without warning or notice to patients and, as a result, has failed to provide patient medical records.

6. On April 22, 2016, the Board received a complaint from Parent A² by

¹ The statements of Respondent's conduct with respect to the matters identified herein are intended to provide Respondent with notice of the disciplinary charges. They are not intended as, and do not necessarily represent, a complete description of the evidence, either testimonial or documentary, to be offered against Respondent in connection with these charges.

electronic mail stating, "I am a parent attempting to get medical records for my children from Dr. Lloyd Charles, Jr., license Number # D35602." Parent A provided the names and dates of birth of her two children. Parent A continued to state as follows:

The office is now physically closed and the number has been disconnected. I have sent 2 emails to the address I have on file and have received a general out of (sic) greeting or replies noted below. I am requesting assistance as my children need the assistance of a Physician per their regular appointments and for school purposes pediatricians need their medical records.

7. On April 25, 2016, the Board sent a copy of the complaint to Respondent by electronic mail.

8. On May 11, 2016, Parent A sent electronic mail to the Board stating that she is "still requesting assistance on this matter."

9. On May 16, 2016, the Board sent correspondence to Respondent by regular mail at a residential address in Maryland³ and a residential address in Alabama⁴, providing him with a copy of the complaint from Parent A and requesting that he provide a written response within ten business days.

10. Respondent did not respond to this mail.

11. On June 22, 2016, the Board received a complaint from Parent B stating as follows:

My wife and I have been trying to contact my daughters (sic) pediatrician, Dr. Lloyd Charles, Jr. to recover her medical records because Dr. Charles has closed his office without notice, disconnected the office phones, and disappeared without leaving a forwarding address. The office has been taken over by a different medical provider who told me that Charles had

² The name of the parents and children are confidential and are not used in the charging document. Respondent has been provided with a copy of a Parent/Child Identification List.

³ The Board obtained this address from the Maryland Judiciary Case Search. The board researched the records of the Motor Vehicle Administration for an address for Respondent; however, Respondent does not, at this time, have a drivers license.

⁴ The Board obtained this address from a real property search of the residential address in Maryland. One of the owners of the Maryland residential property has a residential property in Alabama.

moved out months ago and left no forwarding address and that numerous patients of Dr. Charles also had stopped by the office looking for Dr. Charles. Is there anyway (sic) that your agency can locate and contact Dr. Charles to find out what has become of our daughters (sic) medical records and how we may obtain them?

12. On June 21 and 22, 2016, Board staff left a voice mail messages for Respondent.

13. On or about June 27, 2016, the Board received a written complaint form Parent C stating the following:

Dr. Charles has been my oldest daughters (sic) Pediatrician for almost 13 years and my youngest daughters (sic) for 6 years. Dr. Charles closed his office without notifying his patients. I need my children (sic) medical records for summer camp and school. This is an urgent matter. Please help me!

14. On June 28, 2016, the Board sent correspondence to Respondent by certified and regular mail to three different addresses, reiterating that a complaint had been received from Parent A, and a similar complaint from a second parent.⁵ The Board also issued a subpoena to Respondent requiring his appearance at the Board on July 12, 2016. The three locations were as follows:

- a. Respondent's public address and private as listed on his physician profile⁶;
- b. Respondent's residential address in Maryland; and
- c. An address in Alabama of a co-owner of Respondent's residence.

15. On July 1, 2016, Respondent contacted Board staff by telephone. Respondent confirmed his residential address in Maryland. Respondent stated that the Alabama address is the address of a relative. Respondent inquired about the subpoena and whether he needed to appear if he responded to the complaints. Board staff

⁵ The Board staff person who was handling the investigation had not yet been provided with the third complaint.

⁶ Respondent provided the Board the same address for his public address and his nonpublic address.

informed Respondent that it would depend on the nature and quality of his responses.

16. On July 5, 2016, the Board sent Respondent copies of the three complaints to Respondent's residential address in Maryland, urging him to immediately respond to the complaints in writing to the Board. The mail has not been returned to the Board.

17. Between July 13, 2016 and September 14, 2016, the following correspondence which the Board sent to Respondent on June 28, 2016 was returned to the Board:

- a. On July 13, 2016, the correspondence which the Board sent by certified mail to an address in Alabama was returned to the Board. The envelope noted, "Return to Sender. Not deliverable as addressed. Unable to forward."
- b. On July 26, 2016, the correspondence which the Board had sent by certified mail to Respondent at his office address in Upper Marlboro, Maryland was returned to the Board. The envelope noted, "Return to Sender. Unable to forward."
- c. On August 1, 2016, the correspondence which the Board had sent by certified mail to Respondent as his residential address in Maryland was returned to the Board. The envelope noted, "Return to Sender. Unclaimed. Unable to forward."
- d. On August 12, 2016, the correspondence which the Board had sent by regular mail to Respondent at the address in Alabama was returned to the Board. The envelope noted, "RTS" (Return to Sender). Wrong address. Never lived at this address."
- e. On September 14, 2016, the correspondence which the Board had sent by regular mail to Respondent at the office address in Upper Marlboro, Maryland was returned to the Board. The envelope noted, "Return to Sender. Unable to forward."

18. The correspondence that the Board sent to Respondent by regular mail to Respondent's residence on June 28, 2016 has never been returned to the Board.

19. On July 19, 2016, in response to an inquiry from Board staff, Parent A

notified Board staff that she had just received a copy of her children's "shot record."

20. On September 13, 2016, Board staff sent an electronic mail to Respondent regarding Parent B's request for his daughter's medical records, stating that Parent B had yet to receive the records that were requested in June 2016. Board staff notified Respondent that if the requested records are not provided on or before September 19, 2016, the matter will be presented to a Panel of the Board for a vote to charge under Health Occupations Article II § 14-404(a)(13)(failure to cooperate.)

21. Respondent did not respond to the electronic mail.

22. On September 26, 2016, Parent B informed Board staff that he has not received his child's medical records from Respondent

23. To date, Respondent has not responded to the three complaints as lawfully requested by the Board; has failed to appear at the Board pursuant to the July 12, 2016 subpoena, and has not provided the complete medical records of the children of Parents A, B, or C .

III. Summary of Allegations

24. Respondent's conduct, including but not limited to failing to respond to numerous written requests from the Board to respond to the allegations in the complaints, failing to respond to the Board's subpoena to be interviewed, and, failing to provide the complete medical records of the children of Parents A, B, and C, constitutes unprofessional conduct in the practice of medicine in violation of Health Occ. II § 14-404(a)(3)(ii), failure to provide patients' medical record in violation of Health Occ. II § 14-404(a)(13), and, failure to cooperate with a lawful investigation conducted by the Board in violation of Health Occ. II § 14-404(a)(33).

NOTICE OF POSSIBLE SANCTIONS

If, after a hearing, a Disciplinary Panel of the Board finds that there are grounds for action under Health Occ. § 14-404(a)(3)(ii), (13) and (33) the Disciplinary Panel of the Board may impose disciplinary sanctions against Respondent's license, including revocation, suspension, or reprimand, and may place Respondent on probation and under Health Occ. § 14-405.1, the Disciplinary Panel may impose a monetary penalty.

**NOTICE OF DISCIPLINARY COMMITTEE FOR CASE RESOLUTION CONFERENCE,
PREHEARING CONFERENCE AND HEARING**


A Disciplinary Committee for Case Resolution ("DCCR") conference in this matter is scheduled for **Wednesday, March 22, 2017 at 9:00 a.m.** at the Board's office, 4201 Patterson Avenue, Baltimore, Maryland 21215. The nature and purpose of the DCCR conference is described in the attached letter to Respondent.

If the case cannot be resolved at the DCCR conference, a pre-hearing conference and a hearing in this matter will be scheduled at the Office of Administrative Hearings, Administrative Law Building, 11101 Gilroy Road, Hunt Valley, Maryland 21031. The hearing will be conducted in accordance with § 14-405 of the Act and Md. Code Ann. State Gov't II § 10-201 *et seq.* (2014 Repl. Vol. and 2016 Supp.).

BRIAN E. FROSH
Attorney General of Maryland

Date

1/6/17



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