

IN THE MATTER OF	*	BEFORE THE
PETER L. WISNIEWSKI, M.D.	*	MARYLAND STATE
Respondent	*	BOARD OF PHYSICIANS
License Number: D40370	*	Case Number: 7716-0029A

* * * * *

ORDER TERMINATING SUSPENSION AND IMPOSING PROBATION

In June 2015, Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the “Board”) received notice that Peter L. Wisniewski, M.D. had entered into a rehabilitation program for drug dependency; and in August, 2015, received notice that Dr. Wisniewski had pled guilty on August 14, 2015 in federal court to criminal charges involving prescription narcotic abuse. On October 23, 2015, the federal court convicted Dr. Wisniewski of three counts of oxycodone possession that was not obtained pursuant to a valid prescription or order, in violation of 21 U.S.C. § 844(a).¹

On October 23, 2015, Dr. Wisniewski was also sentenced to three years of probation and agreed in pertinent part, “not to practice medicine in any capacity in the United States for two years from the date of his sentencing.” Under the terms of his federal plea agreement and the sentencing that occurred on October 23, 2015, Dr. Wisniewski, therefore, agreed not to practice medicine in any capacity for two years after that date.

¹ Section 844 provides, in pertinent part:

(a) Unlawful acts

It shall be unlawful for any person knowingly or intentionally to possess a controlled substance unless such substance was obtained directly, or pursuant to a valid prescription or order, from a practitioner, while acting in the course of his professional practice, or except as otherwise authorized by this subchapter or subchapter II of this chapter.

21 U.S.C. § 844(a).

On December 14, 2015, Dr. Wisniewski and Panel A entered into a Consent Order.² Pursuant to the terms of the Consent Order, Panel A suspended Dr. Wisniewski's medical license for a minimum period of two years retroactive to June 1, 2015, and required Dr. Wisniewski to enroll in the Maryland Professional Rehabilitation Program ("MPRP") and fully comply with all of MPRP recommendations, including monitoring and quarterly reports from MPRP.

On June 14, 2017, Dr. Wisniewski filed a written Petition to Lift Suspension. On July 3, 2017, MPRP provided a written update to Panel A on Dr. Wisniewski's ongoing participation in and cooperation with MPRP's programs. MPRP determined that Dr. Wisniewski had been compliant with his rehabilitation and plan and is safe to return to the practice of medicine. Dr. Wisniewski appeared before Panel A for consideration of his Petition on September 13, 2017.

Panel A finds that Dr. Wisniewski has complied with the terms of the Consent Order and is safe to practice medicine. It is, thus, hereby

ORDERED that the suspension imposed under the December 14, 2015 Consent Order is **TERMINATED** effective **October 23, 2017** and Dr. Wisniewski's medical license is **REINSTATED** as of the date of **October 23, 2017**; and it is further

ORDERED that on the lifting of the suspension, Dr. Wisniewski is placed on **PROBATION** for a minimum period of **TWO (2) YEARS**.³ During the probationary period, Dr. Wisniewski shall fully and satisfactorily comply with the following probationary terms and conditions:

² A copy of the December 14, 2015 Consent Order is incorporated by reference and available on request.

³ If Dr. Wisniewski's license expires while Dr. Wisniewski is on probation, the probationary period and any probationary conditions will be tolled.

1. Dr. Wisniewski shall remain in MPRP for the length of time recommended by MPRP and shall continue in the Board-monitored Participant Rehabilitation Agreement(s) and Participant Rehabilitation Plan(s) or be entered into and continue in any amended Participant Rehabilitation Agreement(s) and Participant Rehabilitation Plan(s), as determined by MPRP.
2. Dr. Wisniewski shall fully and timely cooperate and comply with all of 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 into with MPRP, and shall fully participate and comply with all therapy, treatment, evaluations and toxicology screenings as directed by MPRP;
3. Dr. Wisniewski shall sign and update the written release/consent forms as requested by the Board and MPRP. Dr. Wisniewski shall sign the release/consent forms to authorize MPRP to make verbal and written disclosures to the Board, including disclosure of any and all MPRP records and files possessed by MPRP. Dr. Wisniewski 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 Dr. Wisniewski's current therapists and treatment providers, if any) verbal and written information concerning Dr. Wisniewski and to ensure that MPRP is authorized to receive the medical records of Dr. Wisniewski, including, but not limited to, mental health and drug or alcohol treatment records;

4. A positive result on any urine, or serum toxicology screening contrary to the MPRP Rehabilitation Agreement or Rehabilitation Plan, or any other violation of any term or condition of the MPRP Rehabilitation Agreement or Rehabilitation Plan shall constitute a violation of Dr. Wisniewski's probation and this Order Terminating Suspension and Imposing Probation;
5. A violation of any term or condition of the MPRP Rehabilitation Agreement or Rehabilitation Plan shall constitute a violation of probation and of this Order;
6. Dr. Wisniewski shall comply with the Maryland Medical Practice Act, Md. Code Ann., Health Occ. §§ 14-101 through 14-702, and all laws and regulations governing the practice of medicine in Maryland.

IT IS FURTHER ORDERED that, if Dr. Wisniewski allegedly fails to comply with any term or condition of probation or this Order terminating Suspension and Imposing Probation, Dr. Wisniewski shall be given notice and an opportunity for a hearing. If 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 and if there is no genuine dispute as to a material fact, Dr. Wisniewski shall be given a show cause hearing before the Board or Panel A; and it is further

ORDERED that, after the appropriate hearing, if the Board or Panel A determines that Dr. Wisniewski has failed to comply with any term or condition of probation or this Consent Order, the Board or Panel A may reprimand Dr. Wisniewski, place Dr. Wisniewski on probation with appropriate terms and conditions, or suspend or revoke Dr. Wisniewski's license to practice medicine in Maryland. The Board or Panel A may,

in addition to one or more of the sanctions set forth above, impose a civil monetary fine upon Dr. Wisniewski; and it is further

ORDERED that there shall be no early termination of probation; and it is further

ORDERED that, after a minimum period of **TWO (2) YEARS**, Dr. Wisniewski may submit a written petition to the Board requesting termination of probation. After consideration of the petition, the probation may be terminated through an order of the Board or Panel A. Dr. Wisniewski may be required to appear before the Board or Panel A to discuss his petition for termination. The Board or Panel A will grant the petition to terminate the probation if Dr. Wisniewski has fully and satisfactorily complied with all of the probationary terms and conditions and there are no pending complaints related to the charges; and it is further

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

ORDERED that this Order is issued upon the signature of the Board's Executive Director, who signs on behalf of Panel A; and it is further

ORDERED that the time period prescribed in this Order begins when the Order Terminating Suspension and Imposing Probation goes into effect on October 23, 2017; and it is further

ORDERED that this Order is a public document pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.*

10/16/2017
Date

Christine A. Farrelly
Christine A. Farrelly, Executive Director