

IN THE MATTER OF	*	BEFORE THE
MUBASHAR A. CHOUDRY, M.D.	*	MARYLAND STATE BOARD
Respondent	*	OF PHYSICIANS
License Number D42222	*	Case Number 2009-0783B
*   *   *   *   *	*	*   *   *   *   *

### ORDER AFTER SHOW CAUSE HEARING

This matter concerns Mubashar A. Choudry, M.D.'s violation of the Maryland State Board of Physicians' (the "Board's") Order Following Show Cause Hearing, which was issued on November 25, 2013 ("2013 Order"). There is no dispute that Dr. Choudry violated the 2013 Order. The issue now before Board Disciplinary Panel B (the "Panel") is the sanction.

### FINDINGS OF FACT

The following facts were proven by the preponderance of evidence:

At all times relevant, Dr. Choudry, a cardiologist, was licensed to practice medicine in Maryland. He was originally licensed to practice medicine in Maryland in 1991, and he has continuously renewed his license.

On October 13, 2011, the Board issued a Final Decision and Order ("2011 Order"), finding Dr. Choudry guilty of unprofessional conduct in the practice of medicine, *see* Health Occ. § 14-404(a)(3)(ii), and with providing professional services while under the influence of alcohol, *see* Health Occ. § 14-404(a)(9)(i). The findings were based upon a 2009 incident in which Dr. Choudry, while intoxicated, entered a hospital at which he practiced, and attempted to access the hospital's computers to read electrocardiograms ("EKGs"). As a result of Dr. Choudry's conduct, the Board placed Dr. Choudry on probation for five years and ordered that he enroll in the Maryland Professional Rehabilitation Program ("MPRP").

In 2013, Dr. Choudry violated the 2011 Order. As a result of this conduct, the Board issued the 2013 Order, which extended Dr. Choudry's probation so that the five-year probation period began anew from the date the 2013 Order took effect (November 25, 2013).

Under probationary condition 2 of the 2013 Order, Dr. Choudry was required to comply with all of MPRP's rules and requirements including the terms and conditions of his Participant Rehabilitation Agreement with MPRP.

The 2013 Order further ordered the following:

if Dr. Choudry violates any term or condition of probation or this order, the Board, after notice and an opportunity to be heard, may impose any sanction which the Board is authorized to impose under sections 14-404(a) and 14-405.1 of the Health Occupations Article, including a reprimand, additional terms and conditions of probation, the suspension or revocation of his license and/or a monetary penalty.

Dr. Choudry violated condition 2 of his probation by failing to comply with his Participant Rehabilitation Agreement.

On February 6, 2018, the Panel issued a notice to show cause, ordering Dr. Choudry to show cause why the Panel should not take further disciplinary action for his violation of probation. On March 28, 2018, Dr. Choudry appeared before the Panel for the show cause hearing. There is no dispute that Dr. Choudry violated conditions of his Participant Rehabilitation Agreement, and Dr. Choudry has freely acknowledged that he did not comply with these conditions.

#### **CONCLUSION OF LAW**

Dr. Choudry violated probationary condition two of the 2013 Order.

#### **SANCTION**

Dr. Choudry has been on probation with the Board since October 13, 2011. Initially, Dr. Choudry was not compliant with the requirements of probation. But since his probation was

extended, pursuant to the 2013 Order, Dr. Choudry has properly dealt with the issues that resulted in the initial charges against him and in the extension of probation, and the Panel finds that Dr. Choudry's participation in MPRP no longer needs to be mandated. His probation will, therefore, be terminated.

However, Dr. Choudry's violation of the 2013 Order concerns the Panel. Dr. Choudry has a previous violation of probation, and, considering the length of time he has been enrolled in MPRP, he should have been well-aware of MPRP's requirements. The Panel finds that a reprimand and a \$20,000 fine appropriately redress the violation.

#### ORDER

It is thus, by Board Disciplinary Panel B, hereby

**ORDERED** that Dr. Choudry is **REPRIMANDED**; and it is further

**ORDERED** that Dr. Choudry shall pay, within **ONE YEAR** from the date this order goes into effect, a civil fine in the amount of **\$20,000**, which shall be paid by money order or bank certified check made payable to the Maryland Board of Physicians and mailed to P.O. Box 37217, Baltimore, Maryland 21297; and it is further

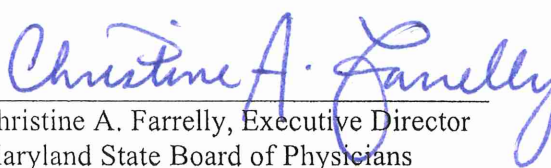
**ORDERED** that the **PROBATION** and corresponding probationary conditions previously imposed upon Dr. Choudry are **TERMINATED**; and it is further

**ORDERED** that this order goes into effect upon the signature of the Board's executive director, who signs on behalf of Board Disciplinary Panel B; and it is further

**ORDERED** that this is a public document.

Date

04/19/2018

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