

IN THE MATTER OF

*

BEFORE THE

MICKEY O. MILLS, M.D.

*

MARYLAND STATE

Respondent

*

BOARD OF PHYSICIANS

License Number: D61073

*

Case Number: 2218-0082B

* * * * *

CONSENT ORDER

PROCEDURAL BACKGROUND

On or about December 15, 2017, Disciplinary Panel B ("Panel B") of the Maryland State Board of Physicians (the "Board") **CHARGED** Mickey O. Mills, M.D., (the "Respondent"), license number D61073, under the Maryland Medical Practice Act (the "Act"), Md. Code Ann., Health Occ. II ("Health Occ.") §§ 14-401 *et seq.* (2014 Repl. Vol.)

The pertinent provisions of the Act under Health Occ. 14-404(a) provided as follows:

§ 14-404. Denials, reprimands, probations, suspensions, and revocations -- Grounds

- (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;

- (4) Is professionally, physically, or mentally incompetent;

...

- (8) Is addicted to, or habitually abuses, any narcotic or controlled dangerous substance as defined in § 5-101 of the Criminal Law Article;

(9) Provides professional services:

- ...
- (ii) While using any narcotic or controlled dangerous substance, as defined in § 5-101 of the Criminal Law Article, or other drug that is in excess of therapeutic amounts or without valid medical indication[.]

On or about December 15, 2017, Disciplinary Panel B ("Panel B") of the Maryland State Board of Physicians (the "Board") **SUMMARILY SUSPENDED** the license of the Respondent to practice medicine in the State of Maryland. Disciplinary Panel B took such action pursuant to its authority under Md. Code Ann., State Gov't II ("State Gov't") § 10-226(c)(2) (2014 Repl. Vol. & 2017 Supp.) and Md. Code Regs. 10.32.02.08B(7)(a) concluding that the public health, safety or welfare imperatively requires emergency action.

On or about March 28, 2018, a Disciplinary Committee for Case Resolution ("DCCR") was held at the Board's office, and the Respondent attended. Following the DCCR, the Respondent agreed to enter into the following Consent Order, consisting of Procedural Background, Findings of Fact, Conclusions of Law, Order, Consent, and Notary.

FINDINGS OF FACT

Panel B makes the following Findings of Fact:

1. At all times relevant hereto, the Respondent has been licensed to practice medicine in Maryland. The Respondent was initially licensed to practice medicine in Maryland on November 20, 2003. Her license is scheduled to expire on September 30, 2018.
2. The Respondent is board-certified in Family Medicine.

3. In or around August 2012, the Respondent began employment at an urgent care medical practice ("Practice A") in Crofton, Maryland.
4. On or about October 27, 2017, Practice A's Human Resources Manager submitted to the Board a Mandated 10-Day Report regarding the Respondent.
5. Specifically, the Report stated that on or about October 25, 2017, Practice A suspended the Respondent.
6. The Report stated that the Respondent had been observed behaving erratically and unprofessionally while seeing patients.¹ Specifically, the Respondent was observed to have fallen asleep during patient visits.
7. After these observations were brought to her attention, the Respondent entered into an in-patient program, to which she had been referred by the Maryland Physicians Health Program (MPHP). However, Practice A was then notified that the Respondent checked herself out before completing the program.
8. Based on the Report, the Board initiated an investigation.
9. In furtherance of the investigation, the Board's investigator contacted relevant witnesses and obtained documents, including records from Practice A, MPHP, and programs. The investigation revealed the following:
10. After being referred to an in-patient center ("Center A") by MPHP, the Respondent checked herself out prior to completing the program.

¹ To maintain confidentiality, specific instances of behavior may not be referenced in this Order. The Respondent is aware of the behavior referenced herein.

11. The Respondent was subsequently readmitted, but was then discharged for noncompliance with the center's rules and for possession of unapproved controlled dangerous substances (CDS).
12. The Respondent then entered into the in-patient program at a different in-patient center ("Center B"), which subsequently referred her to a more intensive program ("Center C").
13. The Respondent submitted a written response to the Complaint, in which she stated that in the days leading up to her suspension from Practice A, she had taken "some old prescribed [CDS] for several nights to try to sleep."
14. The Respondent's personnel file from Practice A also documents several related instances of unprofessional conduct and treatment errors consistent with impairment, including entering the wrong dosage on prescriptions and ordering tests but then forgetting that she had ordered them.
15. The file also contains documented admissions from the Respondent stating she is attempting to wean herself off opioids.
16. On or about November 21, 2017, the Board received an updated Mandated 10-Day Report from Practice A informing the Board that, effective November 15, 2017, the Respondent had resigned.

CONCLUSIONS OF LAW

Based on the foregoing facts, Panel B concludes as a matter of law that the Respondent's conduct, as described above, in whole or in part, constitutes a violation of the above-cited disciplinary grounds under Health Occ. § 14-404(a) (3)(ii), (4), (8) & (9)(ii).

ORDER

IT IS thus, by Panel B of the Board, hereby:

ORDERED that this Consent Order supersedes the Order for Summary Suspension, dated December 15, 2017, and the summary suspension is hereby terminated; and it is further

ORDERED that the Respondent's license to practice as a physician in Maryland is **SUSPENDED**, subject to the following terms and conditions:

1. The Respondent shall enroll in the Maryland Professional Rehabilitation Program ("MPRP"). Within 5 business days of the effective date of the Consent Order, the Respondent shall contact MPRP to schedule an initial consultation for enrollment. Within 15 business days, the Respondent shall enter into a Participant Rehabilitation Agreement and Participant Rehabilitation Plan with MPRP. The Respondent 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;
2. The Respondent shall sign and update the written release/consent forms requested or required by the Board and MPRP. The Respondent 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. The Respondent 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 the Respondent's current therapists and treatment providers) verbal and written information concerning the Respondent and to ensure that MPRP is authorized to receive the medical records of the Respondent, including, but not limited to, mental health and drug or alcohol treatment records; and
3. The Respondent shall be responsible for ensuring that any treatment provider(s) submit written reports to the MPRP and

to the Board at least once every three (3) months regarding her attendance, progress, payment of fees, and recommendations as to the continuation, frequency, and/or termination of treatment. The Respondent shall sign any consent forms required to authorize the Board and the MPRP to receive written reports from her treating mental health and health professionals or any treatment providers.

And it is further

ORDERED if MPRP finds that the Respondent is safe to return to practice as a physician and if the Respondent has complied with the conditions above, the Respondent may petition Panel B to terminate the suspension of the Respondent's license. If Panel B determines that it is safe for the Respondent to return to practice, the suspension shall be terminated, and Panel B may impose any conditions and terms it deems appropriate on the Respondent's return to practice as a physician, including, but not limited to, probation and continuing participation in MPRP; and it is further

ORDERED that the Respondent shall comply with the Maryland Medical Practice Act, Md. Code Ann., Health Occ. §§ 14-101 *et seq.*, and all laws and regulations governing the practice of medicine in Maryland; and it is further

ORDERED that if the Respondent allegedly fails to comply with any term or condition of this Consent Order, the Respondent 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. If there is no genuine dispute as to a material fact, the Respondent shall be given a show cause hearing before the Board or a disciplinary panel; and it is further

ORDERED that if, after the appropriate hearing, the Board or a disciplinary panel determines that the Respondent has failed to comply with any term or condition of this Consent Order, the Board or a disciplinary panel may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, or suspend or revoke the Respondent's license to practice as a physician in Maryland. The Board or a disciplinary panel a disciplinary panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine upon the Respondent; and it is further

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

ORDERED that, unless stated otherwise in the order, any time period prescribed in this order begins when the Consent Order goes into effect. The Consent Order goes into effect upon the signature of the Board's Executive Director, who signs on behalf of Panel B; and it is further

ORDERED that this Consent Order is a public document pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014 Vol. & 2017 Supp.).

April 6, 2018
Date

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

CONSENT

I, Mickey O. Mills, M.D., acknowledge that I have had the opportunity to consult with counsel at this and all stages of this matter. I understand that this Consent Order will resolve the Charges and Order for Summary Suspension issued against me in the above referenced case. By this Consent and for the sole purpose of resolving the issues raised by Disciplinary Panel B of the Board, I agree and accept to be bound by the foregoing Consent Order and its conditions. I acknowledge that the Findings of Fact and the Conclusions of Law contained in this Consent Order will be treated as proven as if entered into 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 own behalf, and to all other substantive and procedural protections provided by the law. I agree to forego my opportunity to challenge these Findings of Fact and Conclusions of Law. I acknowledge the legal authority and jurisdiction of the Disciplinary Panel A to initiate these proceedings and to issue and enforce this Consent Order. I affirm that I waive my right to any appeal in this matter. I affirm that I have asked and received satisfactory answers to all my questions regarding the language, meaning, and terms of this Consent Order. I sign this Consent Order, voluntarily and without reservation, and I fully understand and comprehend the language, meaning, and terms of this Consent Order.

April 4, 2018
Date

Signature on File

Mickey O. Mills, M.D.
The Respondent

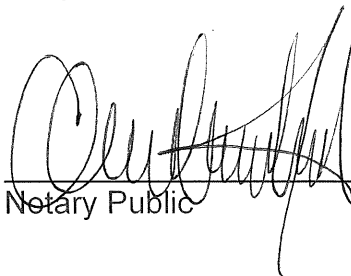
NOTARY

STATE OF Maryland

CITY/COUNTY OF Montgomery

I HEREBY CERTIFY that on this 4 day of April
_____, 2018, before me, a Notary Public of the foregoing State and
City/County personally appeared Mickey O. Mills, M.D., and made oath in due form
of law that signing the foregoing Consent Order was her voluntary act and deed.

AS WITNESSETH my hand and notary seal.



Notary Public

My commission expires:

VIVIAN NICOLLE DEL VALLE
Notary Public, State of Maryland
Montgomery County
My Commission Expires September 13, 2021