

IN THE MATTER OF	*	BEFORE THE MARYLAND
SUSAN ANDREWS, M.D.	*	STATE BOARD OF
Respondent	*	PHYSICIANS
License Number: D67708	*	Case Number: 2218-0024A

CONSENT ORDER

Disciplinary Panel A of the Maryland State Board of Physicians (the "Board") voted to summarily suspend the medical license of **Susan Andrews, M.D., License Number D67708** (the "Respondent"), pursuant to Md. Code Ann., State Gov't II § 10-226(c)(2)(i) (2014 Repl. Vol. & 2016 Supp.), concluding that the public health, safety, or welfare imperatively requires emergency action. Disciplinary Panel A also voted to charge the Respondent under the Maryland Medical Practice Act (the "Act"), Md. Code Ann., Health Occ. II § 14-404(a)(3)(ii) (unprofessional conduct in the practice of medicine), (7) (habitually is intoxicated) and (9)(i) (provides professional services while under the influence of alcohol).

Prior to the issuance of an Order of Summary Suspension and charges, the Respondent agreed to enter into the following Consent Order, consisting of Findings of Fact, Conclusions of Law, Order and Consent.

FINDINGS OF FACT

Disciplinary Panel A finds:

1. At all times relevant, the Respondent was a physician licensed to practice medicine in the State of Maryland. The Respondent was initially licensed in Maryland on or about May 27, 2008.

2. At all times relevant to the Board's investigative findings in this case, the Respondent, an intensivist, was employed by Hospital A in Berlin, Maryland.¹ The Respondent is board-certified in critical care medicine and pulmonary disease.
3. On or about August 14, 2017, the Board received a Mandated 10-day Report from Hospital A (the "complaint") stating that the Respondent's privileges had been summarily suspended for impairment at work.²
4. After receiving the complaint, the Board initiated an investigation. Shortly thereafter, the Board notified the Respondent of its investigation and requested a written response to the allegations.
5. On or about August 24, 2017, the Respondent submitted a written response to the complaint, whereby she acknowledged that she had consumed a substance during work hours.
6. Board staff subpoenaed the Respondent's quality assurance and medical files from Hospital A and conducted interviews of the Respondent and several witnesses.
7. The Board's investigation revealed that on or about July 26, 2017, the Respondent had voluntarily undergone an evaluation by the Maryland Physicians Health Program ("MPHP") and MPHP had developed a comprehensive treatment plan.³ At the time, the Respondent was working as a physician at Hospital A.
8. Shortly thereafter, on or about August 2, 2017, the Respondent had been assigned to care for eight patients at Hospital A, five of whom were intensive care

¹ In order to maintain confidentiality, facility, patient and employee names will not be used in this document, but will be provided to the Respondent on request.

² On or about September 7, 2017, Hospital A terminated the summary suspension and placed the Respondent on a medical leave of absence.

³ To maintain confidentiality, specific information regarding the Respondent's evaluation by MPHP and any subsequent treatment will not be referenced in this document.

patients. Hospital A conducted a urine toxicology screen that tested positive for alcohol, and the Respondent acknowledged that she had been drinking during work hours.

9. On August 3, 2017, the Respondent signed a voluntary cessation of work agreement with MPHP.

CONCLUSIONS OF LAW

Based on the foregoing facts, Panel A concludes that the public health, safety or welfare imperatively requires emergency action in this case, pursuant to Md. Code Ann., State Gov't. II § 10-226 (c)(2)(i) (2014 Repl. Vol. & 2016 Supp.). Panel A also concludes that the Respondent engaged in unprofessional conduct in the practice of medicine, in violation of Md. Code Ann., Health Occ. II §14-404(a)(3)(ii); was habitually intoxicated, in violation of Md. Code Ann., Health Occ. II § 14-404(a)(7); and provided professional services while under the influence of alcohol, in violation of Md. Code Ann. II § 14-404(a)(9)(i).

ORDER

It is, on the affirmative vote of a majority of the quorum of Board Disciplinary Panel A, hereby:

ORDERED that the Respondent's license to practice medicine is **SUSPENDED**, and the Respondent shall comply with the following terms and conditions:

1. The Respondent shall enroll in the Maryland Professional Rehabilitation Program ("MPRP").⁴ Within **5 business days**, the Respondent shall contact MPRP to schedule an initial consultation for enrollment. Within **15 business days**, the

⁴ Because the Respondent is currently enrolled in MPHP, this would necessitate a transfer to MPRP.

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;

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 his 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 Disciplinary Panel A

and the MPRP to receive written reports from his treating mental health and health professionals or any treatment providers.

AND IT IS FURTHER ORDERED that if the MPRP finds that the Respondent is safe to return to the practice of medicine and if the Respondent has complied with the conditions above, the Respondent may submit a written petition to Disciplinary Panel A requesting the termination of the suspension of the Respondent's license.⁵ If Disciplinary Panel A terminates the suspension, Disciplinary Panel A may order any conditions and additional terms on the Respondent it deems appropriate, including, but not limited to, probation; and it is further

ORDERED that if the Respondent allegedly fails to comply with any terms or conditions 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 Panel A; and it is further

ORDERED that if, after the appropriate hearing, the Board or Panel A determines that the Respondent has failed to comply with any term or condition of this Consent Order, the Board or Panel A may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, or suspend or revoke the Respondent'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 the Respondent; and it is further

⁵ The suspension will not be terminated if the Respondent's license expires, thus the Respondent shall renew her license in order for the suspension to be terminated.

ORDERED that the Respondent shall comply with the Maryland Medical Practice Act, Md. Code Ann., Health Occ. II §§ 14-101-14-702, and all laws and regulations governing the practice of medicine in Maryland; 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 A; 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. & 2016 Supp.)

12/14/2017
Date

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

CONSENT

I, Susan Andrews, M.D., acknowledge that I am representing myself in these proceedings. I have been advised of my right to be represented by the attorney of my choice throughout proceedings before Disciplinary Panel A, including the right to counsel with an attorney prior to signing this Consent Order. I have knowingly, willfully and intelligently waived my right to be represented by an attorney before entering into this Consent Order. By this Consent and for the purpose of resolving the issues raised

by the Board, I agree and accept to be bound by the foregoing Consent Order and its conditions.

I acknowledge the validity of this Consent Order 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 law. I agree to forego my opportunity to challenge these allegations. I acknowledge the legal authority and jurisdiction of Disciplinary Panel A to initiate these proceedings and to issue and enforce this Consent Order. I affirm that I am waiving my right to appeal any adverse ruling of a disciplinary panel of the Board that I might have filed after any such hearing.

I sign this Consent Order after knowingly, willfully and intelligently waiving my right to be represented by an attorney, voluntarily and without reservation, and I fully understand and comprehend the language, meaning and terms of the Consent Order.

12/6/2017
Date

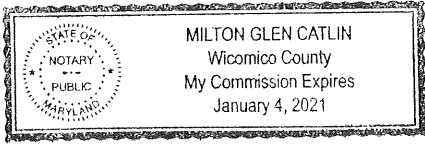
Susan Andrews MD
Susan Andrews, M.D.

NOTARY

STATE OF MARYLAND
CITY/COUNTY OF Wicomico

I HEREBY CERTIFY that on this 6 day of December 2017, before me, a Notary Public of the foregoing State and City/County, personally appeared Susan Andrews, 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 notarial seal.



Milton Catlin
Notary Public

My Commission expires: 01/04/2021