

IN THE MATTER OF \* BEFORE THE MARYLAND  
HEMANT SARIN, M.D. \* STATE BOARD OF  
Respondent \* PHYSICIANS

License Number: D71738 \* Case Number: 2218-0099A

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**FINAL ORDER OF REVOCATION OF MEDICAL LICENSE**

On March 1, 2018, Disciplinary Panel A ("Panel A") of the Maryland State Board of Physicians (the "Board") notified **HEMANT SARIN, M.D.** (the "Respondent"), License Number **D71738**, of its **INTENT TO REVOKE** the Respondent's license to practice medicine in the State of Maryland. The Notice informed the Respondent that unless he requested a hearing in writing within 30 days of the date of mailing of the Notice, Panel A intended to sign this Final Order, which was enclosed. More than 30 days has elapsed and the Respondent failed to request a hearing. Therefore, the revocation of the Respondent's license to practice medicine is final.

The basis for Panel A's action was pursuant to the Maryland Medical Practice Act (the "Act"), Md. Code Ann., Health Occ. ("Health Occ.") § 14-401 *et seq.* (2014 Repl. Vol. and 2017 Supp.), and Md. Code Regs. 10.32.02.14(A).

The pertinent provisions of Health Occ. provide:

**Health Occ. § 14-404.**

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:

- ....
- (42) Fails to submit to a criminal history records check under § 14-308.1 of this title[.]

**Health Occ. § 14-308.1. Criminal history records check through Central Repository.**

- (a) *"Criminal Repository"* defined. -- In this section, "Central Repository" means the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services.
- (b) *Application required.* -- An applicant, a licensee, or a certificate holder shall apply to the Central Repository for a State and national criminal history records check.
- (c) *Required submissions.* -- As part of the application required under subsection (b) of this section, an individual shall submit to the Central Repository:
  - (1) Two complete sets of legible fingerprints taken on forms approved by the Director of the Central Repository and the Director of the Federal Bureau of Investigation;
  - (2) The fee authorized under § 10-221(b)(7) of the Criminal Procedure Article for access to State criminal history records; and
  - (3) The mandatory processing fee required by the Federal Bureau of Investigation for a national criminal history records check[.]

The pertinent provisions of the Board's regulations, Md. Code Regs. 10.32.02.14 provide:

**.14 Proposed Orders; . . .**

- A. Nothing in this chapter prohibits the issuance of a charging document with a proposed order which will go into effect if the respondent fails to request a hearing.

**FINDINGS OF FACT**

Panel A finds the following:

- 1. At all times relevant hereto, the Respondent was and is licensed to practice medicine in the State of Maryland. The Respondent was initially licensed to practice medicine in Maryland on January 6, 2011, under License Number D71738. The

Respondent's license is currently active and is scheduled for renewal on September 30, 2019.

2. On or about September 19, 2017, the Respondent initiated the process of applying for renewal of his medical license for the 2017 renewal period using the Board's online renewal application process. When a licensee applies online to renew his/her license, a notice appears that informs the licensee that the Board may not renew a license if it has not received the licensee's Criminal History Record Check ("CHRC") information, which includes the licensee's submission of his/her fingerprints to the Criminal Justice Information Services ("CJIS") before attempting to complete the renewal application.

3. The Respondent submitted his online application (the "Application") on or about September 19, 2017, along with the required renewal fee. The Application the Respondent signed states, "Failure to submit to a . . . [CHRC] . . . may result in disciplinary action." When submitting his online Application, the Respondent checked a box attesting that he had completed his CHRC (Question 29d.).

4. By email dated November 1, 2017, Board staff informed the Respondent that the Board had not received the CHRC he had attested to completing prior to filing the renewal application. In part, the email stated, "The Board cannot use CHRC results from another state or elsewhere in Maryland. Each entity/agency/employer has a unique authorization code from CJIS and the FBI and those results sent directly to the appropriate agency. The above codes are unique to the Board of Physicians. If you are out of state or out of the country, please contact CJIS directly about how to obtain a

CHRC.” Board staff further informed the Respondent that he had ten business days to submit the CHRC.

5. On or about November 13, 2017, the Respondent replied by email to Board staff's November 1, 2017 email, stating that he had submitted a CHRC for the California Medical Board and it had been approved, and requested the return of his renewal fee and that his Maryland medical license be placed on “inactive” status.

6. By email dated November 20, 2017, Board staff again provided the Respondent with the following information:

Results of a CHRC in another state or conducted elsewhere in Maryland cannot be sent to the Board. Each entity/agency/employer has a unique authorization code from CJIS and the FBI. The responses are sent directly to the appropriate agency. CHRCs cannot be shared between entities/agencies/employers.

Board staff attached instructions on how to complete a CHRC.

7. By email dated November 20, 2017, the Respondent reiterated that he had answered affirmatively to Question 29d. on his Maryland renewal application regarding his CHRC because he had submitted a CHRC to the California Medical Board. He again requested that the Board refund his application fee, and that his license be placed on inactive status.

8. To date, the Respondent has not submitted a CHRC to the Maryland Board.

9. Panel A's investigation determined that the Respondent failed to submit his fingerprints to CJIS in compliance with the CHRC process, as set forth in Health Occ. II § 14-308.1.

10. The Respondent's failure to complete his CHRC, as described above, constitutes in whole or in part, a violation of Health Occ. § 14-404(a)(42), Fails to submit to a criminal records history check under § 14-308.1 of this title.

**CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, Panel A concludes as a matter of law that the Respondent violated Md. Code Ann., Health Occ. § 14-404(a) (42) (2014 Repl. Vol. & 2017 Supp.).

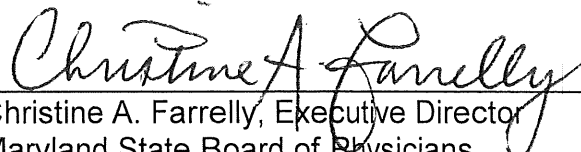
**ORDER**

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

**ORDERED** that the license of **HEMANT SARIN, M.D.** is **REVOKED** for **ONE (1) YEAR**; and it is further

**ORDERED** that this is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014 & 2017 Supp.).

04/04/2018  
Date

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

**NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW**

Pursuant to Md. Code Ann., Health Occ. § 14-408, the Respondent has the right to seek judicial review of this Final Decision and Order. Any petition for judicial review shall be filed within thirty (30) days from the date of mailing of this Final Decision and Order. The cover letter accompanying this final decision and order indicates the date the decision is mailed. Any petition for judicial review shall be made as provided for in

the Administrative Procedure Act, Md. Code Ann., State Gov't § 10-222 and Title 7, Chapter 200 of the Maryland Rules of Procedure.

If the Respondent files a petition for judicial review, the Board is a party and should be served with the court's process at the following address:

Maryland State Board of Physicians  
Christine A. Farrelly, Executive Director  
4201 Patterson Avenue, 4<sup>th</sup> Floor  
Baltimore, Maryland 21215

Notice of any petition should also be sent to the Board's counsel at the following address:

Noreen M. Rubin, Assistant Attorney General  
Maryland Office of the Attorney General  
Maryland Department of Health  
300 West Preston Street, Suite 302  
Baltimore, Maryland 21201