

IN THE MATTER OF

CYRIL ALLEN, M.D.

Respondent

License Number: D75102

*

*

*

*

BEFORE THE

MARYLAND STATE

BOARD OF PHYSICIANS

Case Number: 2217-0102A

*

*

*

*

*

*

*

*

*

*

*

*

*

CONSENT ORDER

On November 2, 2017, Disciplinary Panel A of the Maryland State Board of Physicians (the "Board") charged **CYRIL ALLEN, M.D.** (the "Respondent"), License Number D75102, under the Maryland Medical Practice Act (the "Act"), Md. Code Ann. Health Occ. II ("Health Occ. II") §§ 14-101 *et seq.* (2014 Repl. Vol. and 2016 Supp.); and the Md. Code Regs. 10. 32.11 *et seq.*

Disciplinary Panel A charged the Respondent with violating the following provisions of the Act and COMAR regulations:

Health Occ. II § 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;

...
(36) Willfully makes a false representation when seeking or making application for licensure or any other application related to the practice of medicine[.]

Health Occ. II § 14-316 – Term and renewal of licenses; notice of change of physicians address.

...

- (d) *Continuing education.* – (1) In addition to any other qualifications and requirements established by the Board, the Board may establish continuing education requirements as a condition to the renewal of licenses under this section.

...

- (5) The Board may impose a civil penalty of up to \$100 per continuing medical education credit in lieu of a sanction under § 14-404 of this title, for a first offense, for the failure of a licensee to obtain the continuing medical education credits required by the Board[.]

COMAR 10.32.01.08 Renewals.

...

- F. A licensee applying for renewal shall complete the continuing medical education requirements for each renewal period as defined in Regulation .09 of this chapter.

COMAR 10.32.01.09 Continuing Medical Education.

...

- B. Requirements.

- (1) A physician applying for renewal or reinstatement shall earn at least 50 hours of Category I CME during the 2-year period immediately preceding the licensee's submission of the renewal or reinstatement application.

...

- C. On the application form for renewal or reinstatement, a physician shall attest to the fact that the physician has completed the continuing medical education requirement.

- D. Documentation of CME Credits.

- (1) The physician has the affirmative obligation to obtain the requisite documentation of CME attendance and retain this documentation for the succeeding 6 years for possible inspection by the Board.

On January 10, 2018, a conference with regard to this matter was held before a panel of the Board's Disciplinary Committee for Case Resolution ("DCCR"). As a result

of the DCCR, the Respondent agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. At all times relevant to these charges, 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 November 5, 2012, under License Number D75102. The Respondent's license is currently active and is scheduled to expire on September 30, 2018.

2. On or about August 4, 2016, the Respondent submitted an online renewal application (the "Application") to the Board in which he attested that he completed and was granted credit for at least 50 hours of approved Category I continuing medical education ("CMEs") within the two-year period immediately preceding his submission of his Application.

3. During the renewal process, the Board selected the Respondent to undergo a CME audit to determine his compliance with its CME requirements for the 2016 renewal period.

4. In response, the Respondent submitted documentation that he had earned a total of 10.75 hours of Category I CMEs within the two-year period immediately preceding his submission of his Application.

5. The Board's investigation determined that the Respondent failed to earn 50 hours of approved Category I CMEs within the two-year period immediately preceding his submission of his Application and misrepresented that he completed and

obtained credit for at least 50 hours of approved Category I CMEs within the two-year period immediately preceding his submission of his Application.

CONCLUSIONS OF LAW

Based on the foregoing findings of fact, Disciplinary Panel A concludes as a matter of law that the Respondent is guilty of unprofessional conduct in the practice of medicine, in violation of Md. Code Ann., Health Occ. II § 14-404(a)(3)(ii). Disciplinary Panel A dismisses the charge that the Respondent willfully made a false statement when making application for licensure (Health Occ. II § 14-404(a)(36)).

ORDER

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

ORDERED that the Respondent's license is **REPRIMANDED**; and it is further

ORDERED that within **SIX (6) MONTHS** from the date of this Consent Order, the Respondent shall pay a civil fine in the amount of \$3,925.00 by money order or bank certified check made payable to the Maryland Board of Physicians, P.O. Box 37217, Baltimore, Maryland 21297-3217 for deposit into the General Fund of Maryland;

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 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 Panel A; and it is further

ORDERED that, after the appropriate hearing, if 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

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 this Consent Order is a public document pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014 & Supp. 2015).

02/16/2018
Date

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

CONSENT

I, Cyril Allen, M.D., acknowledge that I was represented by counsel before entering 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 the law. I agree to forego my opportunity to challenge these allegations. I acknowledge the legal authority and jurisdiction of the Board 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 voluntarily and without reservation, and I fully understand and comprehend the language, meaning and terms of the Consent Order.

1/23/18
Date

Signature on File

Cyril Allen, M.D.
Respondent

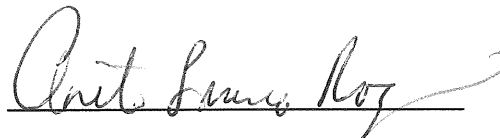
NOTARY

STATE OF MARYLAND

CITY/COUNTY OF Prince Georges

I HEREBY CERTIFY that on this 23 day of January 2018, before me, a Notary Public of the foregoing State and City/County, personally appeared Cyril Allen, M.D. and made oath in due form of law that signing the foregoing Consent Order was his voluntary act and deed.

AS WITNESSETH my hand and notarial seal.



Notary Public

My commission expires: _____

ANITA FRANCES ROGERS NOTARY PUBLIC PRINCE GEORGES COUNTY MARYLAND MY COMMISSION EXPIRES JAN. 6, 2021
--