

IN THE MATTER OF	*	BEFORE THE MARYLAND
SAMUEL RAJARATNAM, M.D.	*	STATE BOARD OF
Respondent	*	PHYSICIANS
License Number: D76564	*	Case Number: 2016-0871A

CONSENT ORDER

Disciplinary Panel A of the Maryland State Board of Physicians (the "Board") voted to summarily suspend the medical license of the Respondent, pursuant to Md. Code Ann., State Gov't § 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. § 14-404(a)(4) - is professionally, physically or mentally incompetent.

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 August 1, 2013, and his license is presently active through September 30, 2019.

2. The Respondent, trained as a psychiatrist, is not board-certified in any specialty. The Respondent has worked as a Medical Director at three facilities since October 2014: from October 2014 through October 2015 at Facility A; from August 2015 through February 2017 at Facility B; and from January 3, 2017 to September 18, 2017, at Facility C.¹
3. On or about April 26, 2016, the Board received a complaint from two social workers employed by Facility B, alleging that the Respondent had recommended that a former patient ("Patient A") share her prescription for Seroquel² with her minor son.
4. After receiving the complaint, the Board initiated an investigation, and on October 31, 2016, notified the Respondent of its investigation and requested a written response to the allegations.
5. On or about November 7, 2016, the Respondent, through his attorney, submitted a written response to the complaint.
6. Board staff subpoenaed the Respondent's personnel and medical files and conducted interviews of the Respondent and several witnesses.
7. Following a review of the investigative documents, in furtherance of its investigation, the Board ordered that the Respondent be evaluated by the Maryland Professional Rehabilitation Program ("MPRP"). The Respondent met with MPRP on or about August 21, 2017.
8. On August 28, 2017, as part of MPRP's evaluation, Dr. A, a neuropsychologist, evaluated the Respondent.

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 Psychotropic medication commonly used in the treatment of bipolar disorder, schizophrenia and depression.

9. As a result of Dr. A's neuropsychological evaluation, he recommended that the Respondent discontinue the practice of medicine.³

10. As a result of its comprehensive assessment, MPRP opined that the clinical team was unable to endorse that the Respondent had the ability to practice medicine in a safe and competent manner. Consequently, MPRP requested that the Respondent sign a practice cessation agreement, and contacted his employer at Practice C to share the recommendation.

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. § 10-226 (c)(2)(i) (2014 Repl. Vol. & 2016 Supp.). Panel A also concludes that the Respondent is professionally, physically or mentally incompetent, in violation of H.O. § 14-404(a)(4).

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**, subject to the following terms and conditions:

³ To maintain confidentiality, specific information regarding Dr. A's evaluation or the assessment of MPRP will not be referenced in this document. The Respondent may obtain from the Administrative Prosecutor documents supporting the evaluation and assessment.

1. The Respondent shall enroll in the Maryland Professional Rehabilitation Program ("MPRP"). Within **5 business days**, 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;

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 and when the MPRP finds that the Respondent is safe to practice medicine and if the Respondent has complied with conditions above, the Respondent may submit a written petition to the Panel to lift the suspension of the Respondent's license and may be required to appear before the Panel to discuss his petition. Upon reinstatement, Disciplinary Panel A may impose conditions on the Respondent's return to practice; 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

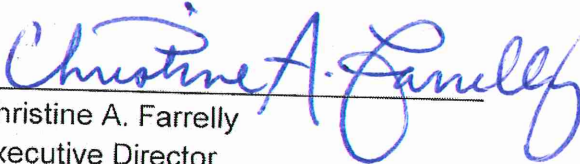
ORDERED that the Respondent shall comply with the Maryland Medical Practice Act, Md. Code Ann., Health Occ. §§ 14-101—14-702, and all laws and regulations governing the practice of medicine in Maryland; and it is further

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.)

10/10/2017
Date


Christine A. Farrelly
Executive Director
Maryland State Board of Physicians

CONSENT

I, Samuel Rajaratnam, 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 after having an opportunity to consult with counsel, voluntarily and without reservation, and I fully understand and comprehend the language, meaning and terms of the Consent Order.

10/5/2017
Date

NSRajaratnam MD
Samuel Rajaratnam, M.D.
Respondent

NOTARY

STATE OF MARYLAND
CITY/COUNTY OF Baltimore

I HEREBY CERTIFY that on this 5th day of October 2017, before me, a Notary Public of the foregoing State and City/County, personally appeared Samuel Rajaratnam, 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.

Delight Jump
Notary Public



My Commission expires: 12/5/2017