

Jennifer M. Liao, M.D.

June 22, 2017

Christine A. Farrelly, Executive Director
Maryland State Board of Physicians
4201 Patterson Avenue, 4th Floor
Baltimore, Maryland 21215-2299

RE: Surrender of Medical License
License Number: D78756
Case Number: 2017-0472B

Dear Ms. Farrelly and Members of Disciplinary Panel B:

I have decided to **SURRENDER** my license to practice medicine in the State of Maryland, License Number D78756, effective immediately. I understand that upon surrender of my license, I may not give medical advice or treatment to any individual, with or without compensation, and cannot prescribe medications or otherwise engage in the practice of medicine in the State of Maryland as it is defined in the Maryland Medical Practice Act (the "Act"), Md. Code Ann., Health Occ. ("Health Occ."), §§ 14-101 *et seq.*, (2014 Repl. Vol. & 2015 Supp.) and other applicable laws. In other words, as of the effective date of this Letter of Surrender, I understand that the surrender of my license means that I am in the same position as an unlicensed individual in the State of Maryland.

I understand that this Letter of Surrender is a **PUBLIC** document and on upon acceptance by Disciplinary Panel B of the Maryland State Board of Physicians (the "Board") becomes a **FINAL ORDER** of the Board.

I acknowledge that on February 24, 2017, I entered into a Consent Order in lieu of Panel B summarily suspending my medical license after the Board investigated complaints from my former employer that on multiple occasions I had behaved in an erratic manner that adversely affected patient interactions and was disruptive to the operation of the practice. Under the terms of the Consent Order, my medical license was suspended and I was required to enroll in the Maryland Professional Rehabilitation Program. I understand that upon acceptance of this Letter of Surrender by Panel B, the terms and conditions of the February 24, 2017 Consent Order are terminated as moot and have no further force or effect.

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I further acknowledge that on March 30, 2017, Panel B determined that I had engaged in unprofessional conduct in the practice of medicine, constituting a violation of Health Occ. § 14-404(a)(3)(ii), am professionally, physically or mentally incompetent, constituting a violation of Health Occ. § 14-404(a)(4) and am addicted to, or habitually abuses, any narcotic or controlled dangerous substance as defined in § 5-101 of the Criminal Law Article. I have decided to surrender my license to practice medicine in the State of Maryland to avoid further prosecution of these disciplinary charges now pending before Panel B. The Charges are attached hereto and incorporated herein as **Attachment A**.

I wish to make it clear that I have voluntarily, knowingly, and freely chosen to submit this Letter of Surrender to avoid further prosecution of Panel B's Charges. If this case were to proceed to a hearing, I agree that the State would be able to prove the Charges, and for purposes related to medical licensure, these Charges will be treated as if proven. I understand that by executing this Letter of Surrender, I am waiving any right to contest the Charges in a formal evidentiary hearing at which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf and all other substantive and procedural protections provided by law, including the right to appeal to circuit court.

I understand that Panel B will advise the Federation of State Medical Boards, the National Practitioner Data Bank, and the Healthcare Integrity and Protection Databank of this Letter of Surrender, and in any response to any inquiry, that I have surrendered my license as if it were revoked. I also understand that in the event I apply for a license in any form in any other state or jurisdiction, this Letter of Surrender and the underlying investigative documents may be released or published by Panel B to the same extent as a final order that would result from disciplinary action, pursuant to Md. Code Ann., Gen. Prov. §§ 4-101-4-601 (2014), and that this Letter of Surrender is considered a disciplinary action by the Board.

I affirm that on or before the date of Panel B's acceptance of this Letter of Surrender, I will provide to Board staff my original Maryland medical license, number D78756 drug dispensing permit and my most recent renewal license issued by the Board. I also affirm that I will provide access to and copies of patient medical records in compliance with Title 4, subtitle 3 of the Health General article.

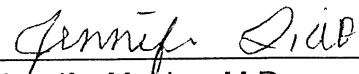
I further recognize and agree that by submitting this Letter of Surrender, my license will remain surrendered for a minimum period of two (2) years, pursuant to Code Md. Regs. 10.32.02.06B(2)(a). In the event that I apply for reinstatement of my Maryland License, I understand that Panel B or its successor is not required to grant reinstatement; and, if it does grant reinstatement, may impose any terms and conditions the disciplinary panel considers appropriate for public safety and the protection of the integrity and reputation of the profession. I understand that when applying for reinstatement, I will approach Panel B or its successor in the same posture as one whose license has been revoked. I also understand that if I apply for reinstatement, I

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bear the burden of demonstrating my professional competence and fitness to practice medicine to the satisfaction of Panel B or its successor.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. Finally, I wish to make clear that I have consulted with an attorney before signing this Letter of Surrender. I understand both the nature of Panel B's actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning, and terms and effect of this Letter of Surrender. I make this decision knowingly and voluntarily.

Sincerely,


Jennifer M. Liao, M.D.

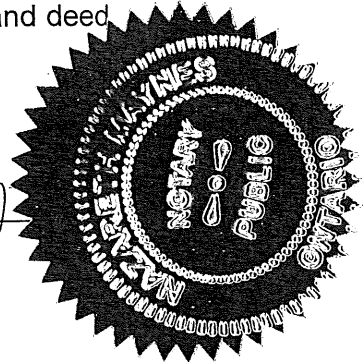
NOTARY

N.M. PROVINCE
STATE OF Ontario
CITY/COUNTY OF Toronto

I HEREBY CERTIFY that on this 13th day of June 2017, before me, a Notary Public of the State and City/County aforesaid, personally appeared Jennifer M. Liao., M.D. and declared and affirmed under the penalties of perjury that signing the foregoing Letter of Surrender was her voluntary act and deed.

AS WITNESS my hand and official seal.


Notary Public

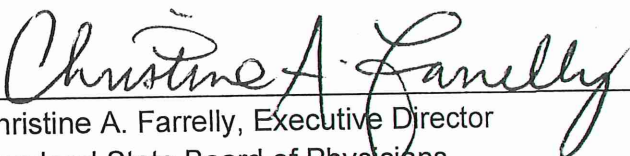


My Commission expires: N/A (Doesn't expire)

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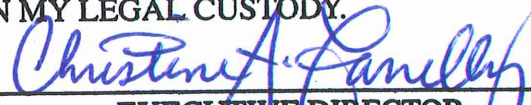
ACCEPTANCE

On this 22nd day of June, 2017, I, Christine A. Farrelly, Executive Director, on behalf of Disciplinary Panel B of the Maryland State Board of Physicians, accept Jennifer M. Liao, M.D.'s **PUBLIC SURRENDER** of her license to practice medicine in the State of Maryland.



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

I HEREBY ATTEST AND CERTIFY UNDER
PENALTY OF PERJURY ON 6/22/2017
THAT THE FORGOING DOCUMENT IS A
FULL, TRUE AND CORRECT COPY OF THE
ORIGINAL ON FILE IN MY OFFICE AND
IN MY LEGAL CUSTODY.



EXECUTIVE DIRECTOR
MARYLAND BOARD OF PHYSICIANS

IN THE MATTER OF	*	BEFORE THE
JENNIFER M. LIAO, M.D.	*	MARYLAND STATE
Respondent	*	BOARD OF PHYSICIANS
License Number: D78756		Case Number: 2017-0472B
* * * * *	*	* * * * *

CHARGES UNDER THE MARYLAND MEDICAL PRACTICE ACT

Disciplinary Panel B ("Panel B") of the Maryland State Board of Physicians (the "Board") hereby charges Jennifer M. Liao M.D., (the "Respondent"), License Number D78756, under the Maryland Medical Practice Act (the "Act"), Md. Code Ann., Health Occ. ("Health Occ.") §§ 14-101 *et seq.* (2014 Repl. Vol.):

The pertinent provisions of the Act under H.O. § 14-404(a) provide 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[.]

ALLEGATIONS OF FACT¹

Disciplinary Panel B of the Board bases its charges on the following facts that it has reason to believe are true:

1. The Respondent was initially licensed to practice medicine in Maryland on November 18, 2014. She retained licensure until February 24, 2017. (See paragraph 8, below).
2. The Respondent is board-certified in family medicine.

I Prior Disciplinary History

3. In or around September 2015, the Respondent began employment at a group medical practice ("Practice A") in Baltimore, Maryland.
4. On or about January 11, 2017, Practice A's Medical Director reported to the Board multiple instances of the Respondent's erratic behavior that adversely affected patient care and was disruptive to the operation of the practice.
5. On January 20, 2017, Practice A relieved the Respondent of all duties.
6. The Respondent's duties were relieved based on observations of her erratic, unprofessional and behaviorally disruptive conduct toward patients, including pediatric patients, and staff.²
7. Panel B voted to summarily suspend the Respondent's license to practice medicine in Maryland concluding that the public health, safety or welfare imperatively requires emergency action.

¹ The statements of the Respondent's conduct herein are intended to provide the Respondent with notice of the alleged charges. They are not intended as, and do not necessarily represent, a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in this matter.

² To maintain confidentiality, specific instances of behavior will not be referenced in this document. The Respondent has been notified by Practice A of its concerns. The Respondent may obtain from the Administrative Prosecutor documents related to these instances.

8. Effective February 24, 2017, prior to the issuance of an Order of Summary Suspension, the Respondent agreed to enter into a Consent Order with the Board. Under the terms of the Consent Order, the Respondent agreed to the suspension of her license. The Respondent was ordered to enroll in the Maryland Professional Rehabilitation Program ("MPRP") and to comply fully with MPRP's referrals, rules, and requirements.

II. Bases for Disciplinary Charges

9. In furtherance of the Board's investigation of the complaint regarding the Respondent's conduct at Practice A, the Board subpoenaed records from various sources. In addition, Board staff interviewed the Respondent under oath on two separate occasions.

10. During the interviews, the Respondent admitted that she has used an illicit substance. The Respondent's statements in the interviews varied regarding the starting date of her usage as well as the location and frequency of her usage of the illicit substance. The Respondent's statements regarding her illicit substance abuse also varied in the material the Board obtained.³

11. A drug screening conducted in February 2017 revealed that the Respondent's pattern of usage of the illicit substance was significant.

12. The Respondent's conduct, in whole or in part, constitutes a violation of the following grounds of the Act under Health Occ. § 14-404(a): is guilty of unprofessional conduct in the practice of medicine, in violation of Health Occ. § 14-404(a)(3)(ii); is professionally, physically or mentally incompetents, in violation

³ Specifics of the Respondent's statements are confidential. The Respondent is aware of the content of those statements.

of Health Occ. § 14-404(a)(4) and habitual abuses a controlled dangerous substance, in violation of Health Occ. § 14-404(a)(8).

NOTICE OF POSSIBLE SANCTIONS

If, after a hearing, a disciplinary panel of the Board finds that there are grounds for action under Health Occ. § 14-404(a)(3)(ii), (4) and/or (8), it may impose disciplinary sanctions against the Respondent's license in accordance with the Board's regulations under Md. Code Regs. 10.32.02.09 and 10.32.02.10, including revocation, suspension, or reprimand, and may place the Respondent on probation, and/or may impose a monetary fine.

**NOTICE OF DISCIPLINARY COMMITTEE FOR CASE RESOLUTION
CONFERENCE, PREHEARING CONFERENCE AND HEARING**

A conference before Panel B, sitting as the Disciplinary Committee for Case Resolution ("DCCR") in this matter, is scheduled for **Wednesday, May 24, 2017, at 9:00 a.m.**, at the Board's office, 4201 Patterson Avenue, Baltimore, Maryland 21215. The Respondent must confirm in writing his intention to attend the DCCR. The Respondent should send written confirmation of his intention to participate in the DCCR to: Christine A. Farrelly, Executive Director, Maryland State Board of Physicians, 4201 Patterson Avenue, 4th Floor, Baltimore, Maryland 21215. The nature and purpose of the DCCR is described in the attached letter to the Respondent.

If the case cannot be resolved at the DCCR, a pre-hearing conference and a hearing in this matter will be scheduled at the Office of Administrative Hearings, 11101 Gilroy Road, Hunt Valley, Maryland 21031. The hearing will be conducted in

accordance with Md. Code Ann., Health Occ. § 14-405 and Md. Code Ann., State Gov't
§§ 10-201 *et seq.* (2014 Repl. Vol.).

BRIAN E. FROSH
ATTORNEY GENERAL OF MARYLAND

March 30, 2017

Date

Victoria H. Pepper

Victoria H. Pepper, Assistant Attorney General
Health Occupations Prosecution and Litigation
Division
Office of the Attorney General
300 West Preston Street, Suite 201
Baltimore, Maryland 21201