

IN THE MATTER OF	*	BEFORE THE
DENISE KLINE-HOLMAN	*	MARYLAND STATE
Respondent	*	BOARD OF PHYSICIANS
Unlicensed	*	Case Number: 2010-0314
* * * * *	*	* * * * *

**CONSENT ORDER**

**PROCEDURAL BACKGROUND**

On July 18, 2012, the Maryland State Board of Physicians (the “Board”) charged Denise Kline-Holman (the “Respondent”) (D.O.B. 02/19/1962), under the Maryland Medical Practice Act (the “Act”), Md. Health Occ. Code Ann. (“H.O.”) §§ 14-101 *et seq.* (2009 Repl. Vol. and 2011 Supp.).

Specifically, the Board charged the Respondent under the following provisions of the Act:

**H.O. § 14-601**

Except as otherwise provided in this title, a person may not practice, attempt to practice, or offer to practice medicine in this State unless licensed by the Board.

**H.O. § 14-602**

(a) *In general.* -- Unless authorized to practice medicine under this title, a person may not represent to the public, by description of services, methods, or procedures, or otherwise, that the person is authorized to practice medicine in this State.

**H.O. § 14-606**

(a) *Imposition of penalties.* –

(4) Except as provided in paragraph (5) of this subsection, a person who violates § 14-601 of this subtitle is: (ii) Subject to a civil fine of not more than \$50,000 to be levied by the Board.

On October 3, 2012, a Case Resolution Conference was convened in this matter. Based on negotiations occurring as a result of this Case Resolution Conference, the Respondent agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law, Order, and Consent.

### **FINDINGS OF FACT**

The Board finds the following:

#### **BACKGROUND FINDINGS**

1. At all times relevant hereto, the Respondent is not and has never been licensed to practice medicine in the State of Maryland or in any other state, jurisdiction or country.

2. The Board initiated an investigation of the Respondent based on an anonymous complaint about the practices of the physicians at Partners in Pediatrics (“Partners”), a medical practice located at 301 W. Memorial Boulevard, Hagerstown, Maryland 21740. The complainant alleged, *inter alia*, that the practice owner (“Physician A”)<sup>1</sup> was allowing the Respondent, a non-physician, to see Suboxone<sup>2</sup> patients, write prescriptions and make adjustments to their medications.

3. The Board’s investigation determined that beginning in or around 2009 and continuing until in or around 2011, the Respondent, who was the office administrator at Partners, practiced, attempted to practice, and/or offered to practice medicine without a license at Partners; and represented herself to the public that she was authorized to practice medicine.

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<sup>1</sup> For confidentiality purposes, the names of any individuals referenced herein, other than the Respondent, will not be disclosed in this Consent Order. The Respondent is aware of the identity of all individuals referenced herein.

<sup>2</sup> Suboxone is a narcotic medication indicated for the maintenance treatment of opioid dependence.

4. The Board's investigation determined that the Respondent ran/managed the Suboxone program at Partners. The Respondent was involved in the assessment and treatment of patients who underwent Suboxone therapy at Partners. The Respondent: counseled Suboxone patients; established Suboxone treatment plans for patients; performed physical examinations; wrote prescriptions; made decisions on providing or not providing Suboxone and other medications; developed Suboxone treatment plans; selected dosing of Suboxone and made adjustments to such dosing; assessed patients in opiate withdrawal; provided medical advice to Suboxone patients; dismissed certain Suboxone patients from the practice; and signed physicians' names to prescription blanks at times.

5. The Respondent's actions, as set forth above, constitute, in whole or in part, practicing, attempting to practice, or offering to practice medicine in Maryland without a license, in violation of H.O. §§ 14-601.

6. The Respondent's actions, as set forth above, constitute, in whole or in part, unlawfully representing to the public that she was authorized to practice medicine in Maryland, in violation of H.O. § 14-602(a).

#### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent violated the following provisions of the Act: practicing, attempting to practice, or offering to practice medicine in Maryland without a license, in violation of H.O. §§ 14-601; and unlawfully representing to the public that she was authorized to practice medicine in Maryland, in violation of H.O. § 14-602(a).

**ORDER**

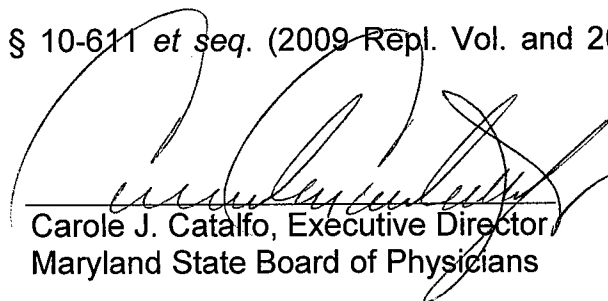
Based upon the foregoing Findings of Fact and Conclusions of Law, it is this 24th day of October, 2012, by the affirmative vote of a majority of the quorum of the Board considering this case:

**ORDERED** that within **ONE (1) YEAR** from the date the Board executes this Consent Order, the Respondent shall pay a civil fine in the amount of **FIVE THOUSAND DOLLARS (\$5,000.00)**, by certified check or money order, payable to "The Maryland Board of Physicians," and should be sent to the Maryland Board of Physicians, P.O. Box 37217, Baltimore, Maryland 21297; and it is further

**ORDERED** that the Respondent shall be responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and it is further

**ORDERED** that this Consent Order is considered a **PUBLIC DOCUMENT** pursuant to Md. State Gov't. Code Ann. § 10-611 *et seq.* (2009 Repl. Vol. and 2011 Supp.).

10-25-12  
Date

  
Carole J. Catalfo, Executive Director  
Maryland State Board of Physicians

**CONSENT**

I, Denise Kline-Holman, acknowledge that I have had the opportunity to consult with counsel before signing this document. By this Consent, I agree and accept to be bound by this Consent Order and its conditions and restrictions. I waive any rights I may have had to contest the Findings of Fact and Conclusions of Law.

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 as provided by law. I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I also affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed any such hearing.

I sign this Consent Order after having had an opportunity to consult with counsel, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order. I voluntarily sign this Order, and understand its meaning and effect.

10/3/12  
Date

Read and approved:

10/3/12  
Date

Denise Kline-Holman  
Denise Kline-Holman  
Respondent

Sigrid C. Haines  
Sigrid C. Haines, Esquire  
Counsel for Respondent

**NOTARY**

STATE OF Maryland  
CITY/COUNTY OF: Baltimore

I HEREBY CERTIFY that on this 3rd day of October, 2012, before me, a Notary Public of the State and County aforesaid, personally appeared Denise Kline-Holman, and gave oath in due form of law that the foregoing Consent Order was her voluntary act and deed.

**AS WITNESS**, my hand and Notary Seal.

Heather McLaughlin  
Notary Public

My commission expires: 12/20/2012