

IN THE MATTER OF * BEFORE THE
THURMAN WATSON * MARYLAND STATE
Respondent * BOARD OF PHYSICIANS
Unlicensed * Case Number: 2015-0852A

* * * * *

CEASE AND DESIST ORDER

Pursuant to the authority granted to the Maryland State Board of Physicians (the “Board”) under Md. Code Ann., Health Occ. (“Health Occ.”) § 14-206(e)(2) (2014 Repl. Vol.), the Board hereby orders Thurman Watson (the “Respondent”), unlicensed, to immediately **CEASE AND DESIST** from the practice of medicine as defined in Md. Code Ann., Health Occ. § 14-101 (2014 Repl. Vol.):

- (o) Practice medicine. – (1) “Practice medicine” means to engage, with or without compensation, in medical:
 - (i) Diagnosis;
 - (ii) Healing;
 - (iii) Treatment [.]
- (2) “Practice medicine” includes doing, undertaking, professing to do, and attempting any of the following:
 - (i) Diagnosing, healing, treating, preventing, prescribing for, or removing any physical, mental, or emotional ailment or supposed ailment of an individual:
 - 1. By physical, mental, emotional, or other process that is exercised or invoked by the practitioner, the patient, or both; or
 - 2. By appliance, test, drug, operation, or treatment[.]

Additionally, the following relevant statutes apply:

§ 14-601. Practicing without license.

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.

§ 14-602. Misrepresentation as practitioner of medicine.

(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.

INVESTIGATIVE FINDINGS¹

Based on investigatory information received by, made known to, and available to the Board, there is reason to believe that the following facts are true:

BACKGROUND

1. At all times relevant, the Respondent has not been trained as a physician.
2. At all times relevant, the Respondent has not been licensed as a physician or by any health occupations licensing board in Maryland.
3. The Respondent was licensed by the District of Columbia as a Naturopathic Physician from February 29, 2008 through February 28, 2010, when he allowed his license to expire.²
4. The Respondent's practice is located in his Oxon Hill residence.
5. On or about June 5, 2015, the Board received a complaint from a surgeon, Dr. R,³ who alleged that a former patient ("Patient A") had been under the care of the Respondent, and that Patient A had been under the [mis]impression that the Respondent was a physician. After discussing Patient A's medical care with the Respondent, Dr. R stated in his complaint to the Board, "I was unable to find [the

¹ The statements regarding the Respondent's conduct are intended to provide the Respondent with notice of the basis of the Cease and Desist Order. 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 connection with this matter.

² Effective March 1, 2016, the Board will begin licensing Naturopathic Doctors in Maryland. The allegations in this case, however, exceed the scope of practice of a Naturopathic Doctor.

³ Dr. R is an Associate Professor of Surgery at an area medical school, and is board-certified in surgery and surgical critical care.

Respondent's] name as a board certified physician – I am concerned that 'Dr.' Thurman Watson is impersonating being a physician to other patients.”

6. The Board initiated an investigation into Dr. R's allegations. The investigative findings are set forth in pertinent part below.

RESPONDENT'S INTERVIEW

7. On September 23, 2015, Board staff conducted an interview of the Respondent under oath. The Respondent was represented by counsel.

8. The Respondent described his practice as a “naturopath consultant/magnetic therapist” and stated that he teaches or practices magnetic therapy for pain relief. The Respondent stated that between 2005 and 2006 he had received “advanced degree training” in magnetic therapy.

9. The Respondent stated that he sees two to five clients weekly. He routinely charges \$75 for a consultation.

10. The Respondent acknowledged that he uses the nickname “Doc” and that his clients have referred to him as “Dr. Watson.”

11. The Respondent stated that when clients come to him with painful conditions, he teaches them how to apply magnets to relieve pain, to include back, knee, shoulder and neck.

12. The Respondent stated that he also offers clients stretching and vibration therapy, as well as body fat reduction and “detox.” The Respondent defined “detox” as using a dietary approach and “foot detox.”

13. When asked what “foot detox” entailed, the Respondent stated that ionic foot detox is “where a person puts their foot in water and toxins are drawn from their body.”

The Respondent stated that he has a chart that reflects water color that is “supposed to identify the organ that the toxins would have been drawn from.”

14. The Respondent stated that if a client has “yeast overgrowth” he recommends that they shore up the intestinal flow balance with probiotics.

15. The Respondent stated that other “health topics” that he discussed with clients included digestive disorders and hormonal imbalance.

16. The Respondent denied during the interview that he ever conducted physical examinations of the clients.

PATIENT-RELATED ALLEGATIONS

PATIENT A

Dr. R’s Records and Interview

17. On or about August 4, 2014, Dr. R diagnosed Patient A, a female in her 40s, with invasive breast cancer of her right breast. Dr. R recommended that Patient A undergo a metastatic workup under the direction of an oncologist, and return to Dr. R for a lumpectomy and a sentinel node biopsy. He documented that Patient A was aware that she would likely require a combination of chemotherapy and radiation therapy, and was encouraged to follow up with the recommended oncologist soon.

18. Dr. R documented on January 12, 2015, that Patient A had been “lost to follow-up” as after seeing the oncologist once, she chose to see the Respondent, an alternative medicine specialist. Dr. R referred in his notes to the Respondent as “Dr. Watson.” When Patient A returned to Dr. R for medical care, Patient A reported to Dr. R that pursuant to her “treatment” by “Dr. Watson”, she had been on a detoxifying diet and had been applying magnets to her breast. Dr. R advised Patient A that she was no

longer a candidate for a lumpectomy given the size of her tumor, and that Patient A's options included chemotherapy followed by re-evaluation and consideration of a modified radical mastectomy versus a lumpectomy with radiation therapy.

19. On February 9, 2015, Dr. R documented he had informed Patient A that her breast cancer was staged at IIIB,⁴ but she did not want to discuss any further treatments as advised by Dr. R, choosing instead to undergo "holistic and alternative therapy."

20. On or about June 2, 2015, Patient A returned to Dr. R for care requesting a biopsy be conducted of her right breast tumor, as "Dr. W" had recommended that this be conducted in order to "check on calcifications."⁵ Dr. R advised Patient A again to seek evaluation by an oncologist in order to plan combination chemotherapy and surgery after a full oncologic evaluation. While Patient A was in Dr. R's office, he telephoned the Respondent, and according to Dr. R:

It is unclear to be [*sic*] what kind of doctor Dr. Watson is, but based on my conversation he seems to have a little understanding of the patient's condition and a little understanding of treatment of breast cancer. I was unable to find Dr. Watson [*sic*] name as a licensed physician in the state of Maryland. I disclosed this finding to the patient and recommended her to follow-up with her primary doctor to get a referral for oncologic evaluation and to return to me for further surgical management if she is willing to pursue both oncologic as well as surgical treatment...I also initiated to complain with Maryland Board of Physicians Intake Unit regarding Dr. Thurman Watson inappropriate management of a breast cancer patient...

⁴ Stage 3 cancer means the breast cancer has extended to beyond the immediate region of the tumor and may have invaded nearby lymph nodes and muscles, but has not spread to distant organs. This stage is divided into three groups: Stage 3A, Stage 3B, and Stage 3C. The difference is determined by the size of the tumor and whether cancer has spread to the lymph nodes and surrounding tissue.

⁵ Calcifications refer to small calcium deposits in the breasts that are common as women age. Dr. R had diagnosed Patient A with breast cancer, not with "calcifications."

The Respondent's Records

21. During its investigation, Board staff obtained a billing pad on which the Respondent had documented the following services and products he had sold and/or rendered to Patient A:

1st visit - Assessment, Consultation, Breast Cancer and Yeast Overgrowth, Hormonal Imbalance, Ionic Foot Detox (\$125); Progesterone cream,⁶ MSM,⁷ probiotics, A.C. Formula II,⁸ Sam e 400 mg (\$150);⁹ Magnetic Placement right breast, maple syrup (\$25) and fulvic trace minerals (\$35).

Assessment & Consultation

R Breast Exam

Calcification appears to have increased in size. Recommendation:

Iodine x3

Hydrogen peroxide x3

Baking soda/maple x3

Also: consider medical therapy

Products:

A.C. Formula II (\$30)

Bifido G.I. Balance (\$30)

Ionic foot detox – done

The Respondent's Interview re: Patient A

22. The Respondent acknowledged Patient A called him Dr. Watson.

23. The Respondent stated that Patient A had come to him in December [2014] “seeking additional holistic natural approaches to assist her battle against breast cancer.” She “elected” to try magnets for her breast pain, and came in weekly for an “ionic foot detox.”

⁶ A steroid cream.

⁷ MSM stands for Methylsulfonylmethane is a dietary supplement promoted for a variety of conditions including pain, inflammation, allergies, arthritis, and the maintenance of normal keratin levels in hair, skin and nails.

⁸ A.C. Formula[®] II is a combination of herbal extracts that is advertised as nutritional support for the digestive system and intestinal tract by promoting healthy yeast and fungi levels.

⁹ S-AdoMet stands for S-adenosyl-L-methionine which is an herbal supplement used in the treatment of AIDS-related myelopathy, Alzheimer's disease, bursitis/tendinitis, depression, fibromyalgia, heart disease, intrahepatic cholestasis, liver disease, migraine headache, and osteoarthritis.

24. The Respondent stated that since January [2015] Patient A had been using magnets for pain in her breasts.

25. Initially during the interview, the Respondent stated that Patient A was a “charity case” and had not been charged for any of the services he provided to her. Later, he acknowledged that Patient A had paid for her initial visit; however, after that the services and products had been rendered by him as a “courtesy.”

Patient A’s Interview

26. On or about September 17, 2015, Board staff conducted an interview of Patient A under oath.

27. Patient A had been referred to the Respondent by a co-worker.

28. Patient A began seeing the Respondent for consultation in December 2014 continued seeing him for treatments through July 2015. The Respondent treated her with vitamins and supplements with magnetic therapy and detoxification, and advised her to change her diet.

29. Patient A stated that the Respondent discussed “all of her health problems” with her during her initial consultation, and subsequently he “comes up with a plan in order...to treat you holistically through diet, and supplements and vitamins.”

30. Patient A provided the Respondent with her pathology report she had received from Dr. R.

31. Patient A stated that the Respondent “felt” her breast lump and “gave me a thorough examination.”

32. Patient A stated that the Respondent conducted an “analysis” on what was “going on with my body.”

33. The Respondent checked Patient A's "immune system" with the following test:

You put water in a glass, and you spit in it, and you let the – you let the glass sit for 15 to 30 minutes. If your saliva stays in the middle, and it bubbles, then that means you have a weak immune system.

34. Patient A stated that her friends paid the Respondent for her treatments.

35. Patient A stated that the Respondent told her that "calcification" had built up in her breast, and he wanted her to see a physician for a second opinion with regard to the "calcification."

36. Patient A returned to Dr. R, to request he conduct a biopsy to "see if the cancer was still present."¹⁰ Dr. R did not perform a biopsy, as in his opinion, it was not medically indicated. Dr. R's recommendation was that since Patient A had already been diagnosed, she needed to be evaluated by an oncologist to develop a treatment plan. During Patient A's visit with Dr. R, Patient A confirmed that Dr. R telephoned the Respondent to discuss Patient A's care.

37. Patient A stated that she calls the Respondent "Dr. Watson" as he "comes across like a doctor with a patient. He just specializes in a different type of medicine."

PATIENT B

Patient B's Records

38. During the course of the Board's investigation, Board staff obtained a billing pad on which the Respondent had documented the following services and products he had sold and/or rendered to Patient B on January 19, 2015:

Assessment & Consultation, High Stress, Hormonal Imbalance, Body FAT Reduction – Magnetic Therapy –hand (N/C)¹¹

Progesterone cream (\$25)

¹⁰ According to Patient A, this was based on her family's request and that of the Respondent.

¹¹ N/C refers to "no charge."

SAM-e 400 mg (\$35)
MSM (\$50)

Ionic Foot Detox Next Visit

Patient B's Interview

39. Patient B, a female, met the Respondent through his daughter and through a mutual business enterprise.
40. According to Patient B, at the business meetings they both attended, the Respondent referred to himself during "testimonials" to an audience, as a "doctor."
41. Patient B stated the Respondent introduced himself to her as a doctor.
42. Patient B saw the Respondent for a visit on January 19, 2015, at approximately 1:00 p.m. at his office in Oxon Hill for the purpose of weight loss.
43. The Respondent told Patient B that he would conduct a physical examination of her at his office, including obtaining her BMI (Body Mass Index).
44. When Patient B arrived at the Respondent's office on January 19, there were two other clients waiting to be seen by the Respondent. The Respondent referred to the clients as "patients."
45. The Respondent provided Patient B with forms to complete regarding her health history. Patient B removed her shoes, and the Respondent placed her on an inversion "machine" where she was placed "upside down." After this, the Respondent placed her in a vibrating machine for ten minutes that the Respondent indicated would work her muscles.
46. Following these machines, the Respondent requested that she remove her clothes, and provided her with a robe. She removed her brassiere, but left on her underwear.

47. According to Patient B, the Respondent requested that she lay down on the massage table, placed a blindfold over her eyes and massaged her body with a massage tool.

48. Following the Respondent's conduct described in ¶ 47, Patient B reported he provided Patient B with a "bill" for \$50, but stated, "you don't have to pay me right now, you can pay me later." Additionally, the Respondent provided Patient B with "medication" to "use" at night.

49. Patient B stated she was at the Respondent's office for approximately 2 ½ hours.

50. The Respondent told Patient B that during the next visit he would perform a "foot detox."

51. Patient B reported the Respondent's conduct to the Prince George's County Police Department.

The Respondent's Interview re: Patient B

52. According to the Respondent, he saw Patient B on January 19, 2015, for "body fat reduction, magnetic therapy for her hand, for hormonal progesterone cream...for her high stress."

53. The Respondent stated that he measured Patient B's body fat, took her weight, and took her measurements. The Respondent sold Patient B supplements and progesterone cream, and recommended a foot detox for her next visit.

EXPERT REVIEW

54. The Board requested that a physician consultant ("Dr. G") review relevant documents obtained by Board staff from the Respondent's office.

55. Based on Dr. G's review of relevant documents seized, she opined:

[The Respondent] is having patients fill out health questionnaires to include review of systems, he is assessing their health and making diagnoses, often to include an exam, he is recommending medications and supplements and advising discontinuation of some drugs. He is recommending further medical testing and reviewing tests that have been found.

...[The Respondent] does not correct others who refer to him as a doctor or a D.O., thereby perpetuating their misconstrual of his actual qualifications. As well, he has literature that in bold states, "**ASK THE DOC.**"

56. Dr. G opined that the Respondent's conduct was consistent with the unauthorized practice of medicine, and that he has misrepresented himself as a practitioner of medicine.

CONCLUSION OF LAW

Based on the foregoing Investigative Findings, the Board concludes as a matter of law that there is a preponderance of evidence that the Respondent's actions pose a serious risk to the health, safety and welfare of the public.

ORDER

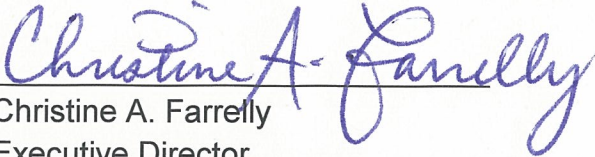
Based on the investigative findings and the Board's conclusion of law that the Respondent's actions pose a serious risk to health, safety and welfare, and pursuant to the Board's authority under Health Occ. § 14-206(e)(2), it is hereby:

ORDERED that, pursuant to the authority vested by the Maryland Medical Practice Act, Health Occ. § 14-206(e)(2), the Respondent shall **IMMEDIATELY CEASE AND DESIST** from the practice of medicine; and it is further

ORDERED that this order is **EFFECTIVE IMMEDIATELY** pursuant to Md. Code Regs. 10.32.02.11E (1)(b), and it is further

ORDERED that this is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101-4-601 (2014) and Md. Code Regs. 10.32.02.11E (1)(a).

11/20/2015
Date


Christine A. Farrelly
Executive Director
Maryland State Board of Physicians

NOTICE OF OPPORTUNITY FOR A HEARING

The Respondent may challenge the factual or legal basis of this Order by filing a written opposition within 30 days of its issuance. The Respondent has a right to a hearing, but must request a hearing within 30 days of the issuance of this Order. The written opposition and/or request for a hearing should be made to: Christine A. Farrelly, Executive Director, Maryland State Board of Physicians, 4201 Patterson Avenue, Baltimore, Maryland 21215, with a copy mailed to Dawn L. Rubin, Assistant Attorney General, Health Occupations Prosecution and Litigation Division, Office of the Attorney General, 300 West Preston Street, Suite 201, Baltimore, Maryland 21201. If the Respondent files a written opposition, the Board will consider that opposition and will provide a hearing, if requested. If the Respondent does not file a written opposition, the Respondent will lose the right to challenge this Initial Order to Cease and Desist.