

IN THE MATTER OF

\*

BEFORE THE

GEORGE OMALA, RPSGT  
Respondent

\*

MARYLAND STATE

\*

BOARD OF PHYSICIANS

License Number: Z00440

\*

Case Number: 2016-0471B

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\* \* \* \* \*

**CONSENT ORDER**

The Maryland State Board of Physicians (the "Board") charged George Omala, RPSGT, Polysomnographic Technologist, (the "Respondent"), License Number Z00440, under the Maryland Polysomnography Act (the "Act"), Md. Code Ann., Health Occ. §§ 14-5C-101 *et seq.* (2014 Repl. Vol.).

The pertinent provisions of the Act provide as follows:

**§ 14-5C-20. Practicing without license prohibited.**

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

Prior to the issuance of a charging document, the Respondent agreed to enter into the following Consent Order, consisting of Findings of Fact, Conclusions of Law, Order and Consent.

**FINDINGS OF FACT**

1. The Respondent was initially licensed to practice polysomnography in Maryland on November 12, 2013.
2. In or about late March 2015, the Board sent to the Respondent a postcard reminding the Respondent that his license was scheduled to expire on May 30, 2015. The Respondent was advised of the location on the Board's website where he could renew his license and the amount of the renewal fee.

3. On or about May 1, 2015, the Respondent transmitted to the Board a form entitled, "Application for Licensure for Polysomnographic Technologists – Applicant's Preferred Date of License" and a money order in the amount of \$200.00.
4. The form submitted by the Respondent was not a licensure renewal application which is required to renew a licensee's license.
5. The Respondent's license expired on May 30, 2015.
6. By letter dated September 15, 2015, the Respondent was notified by the Board that his license had expired on May 30, 2015, and that he was no longer authorized to practice polysomnography. The letter further advised the Respondent that he was required to apply for reinstatement of his license. Appended to the Board's letter was an Application for Reinstatement of Polysomnographic Technologist License.
7. On or about October 5, 2015, the Respondent completed and transmitted to the Board the Application for Reinstatement.
8. Effective December 8, 2015, the Respondent's license to practice polysomnography was reinstated and he was notified by the Board of the reinstatement.
9. Panel B's investigation revealed that the Respondent practiced polysomnography from May 31, 2015 through December 7, 2015. Specifically, the Respondent performed technician services for approximately 163 patients during that period.

10. The Respondent, through counsel, stated that he had tried to renew his license in a timely manner, but failed to do so because of his misunderstanding of the process.

**CONCLUSIONS OF LAW**

Based on the foregoing findings of fact, the Board concludes as a matter of law that the Respondent practiced polysomnography without a license from May 31, 2015 through December 7, 2015, in violation of Health Occ. § 14-5C-20.

**ORDER**

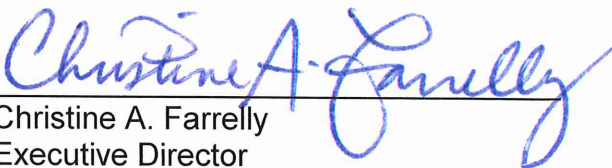
Based on the foregoing Findings of Fact and Conclusion of Law, it is, by the Board, hereby

**ORDERED** that within thirty (30) days, the Respondent shall pay a civil fine in the amount of \$250.00 by money order or bank certified check made payable to the Maryland Board of Physicians, P.O. Box 37217, Baltimore, Maryland 21297 for deposit into the General Fund of Maryland; 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 B; and it is further

**ORDERED** that this Consent Order is a public document pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.*

09/08/2016  
Date

  
Christine A. Farrelly  
Executive Director  
Maryland State Board of Physicians

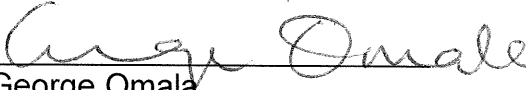
**CONSENT**

I, George Omala., RPSGT, acknowledge that I am represented by counsel and have consulted with 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.

9-2-16  
Date

  
George Omala  
Respondent

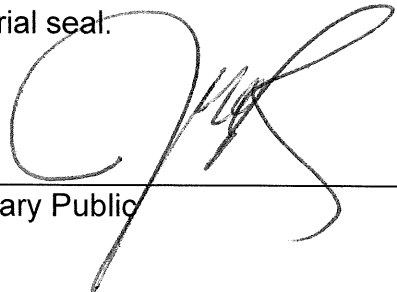
**NOTARY**

*Virginia*  
STATE OF ~~MARYLAND~~  
CITY/COUNTY OF Prince William

I HEREBY CERTIFY that on this 2<sup>nd</sup> day of September 2016, before me, a Notary Public of the foregoing State and City/County, personally appeared George Omala, RPSGT, 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.

JHOBAN A. RIVERA-CONTRERAS  
NOTARY PUBLIC  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES APRIL 30, 2020  
COMMISSION # 7222111

  
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Notary Public

My Commission expires: 4/30/2020