

IN THE MATTER OF	*	BEFORE THE MARYLAND
DEBORAH BLAND, RCP	*	BOARD OF
RESPONDENT	*	PHYSICIANS
LICENSE NUMBER L02765	*	CASE NUMBER 2017-0097

CONSENT ORDER

BACKGROUND

Based upon information received by the Maryland Board of Physicians (the "Board"), pursuant to its authority under Md. Health Occ. Ann. ("H.O.") §14-401 *et seq.*, the Board conducted an audit of the continuing education hours filed with the license renewal application of Deborah Bland, RCP, (the "Respondent"), License Number L02765. The audit findings provided sufficient evidence to conclude that the Respondent violated the Maryland Respiratory Care Practitioners Act (the "Act"), Md. Health Occ. Code Ann. §14-5A-13 and Code of Maryland Regulations ("COMAR") by failing to complete sixteen (16) contact hours of approved continuing respiratory care education for license renewal.

The pertinent provision of H.O. §14-5A-13 provides:

- (c) *Requirements for renewal.* – Except as otherwise provided in this subtitle, before a license expires, the licensee periodically may renew it for an additional term, if the licensee:
 - (1) Pays to the Board a renewal fee set by the Board; and
 - (2) Submits to the Board:
 - (i) A renewal application on the form that the Board requires; and
 - (ii) Satisfactory evidence of compliance with any continuing education or competency requirements set under this section for license renewal.

The pertinent provisions of COMAR under 10.32.11 provide:

.11 Renewal, Reinstatement, and Continuing Education.

A. Renewal.

- (1) An individual who has been licensed by the Board as a respiratory care practitioner may renew the license every 2 years on the date specified by the Board by:
 - (a) Completing a renewal application on a form supplied by the Board;
 - (b) Paying the required renewal fee set by the Board; and
 - (c) Attesting to the completion of 16 contact hours of approved continuing respiratory care education, earned during the 2-year period preceding the expiration of the license for respiratory care, as described in §C of this resolution.

The Board has determined to accept the Respondent's voluntary offer to enter into this Consent Order and submit to the terms and conditions as set out by the Board.

FINDINGS OF FACT

1. At all times relevant herein, the Respondent was and is licensed to practice respiratory care in the State of Maryland. She was initially licensed in Maryland on September 3, 1997.

2. The Respondent was included in an audit to determine compliance with the Board's continuing education (CE) requirements for her 2016 renewal application.

3. On April 6, 2016, the Respondent signed the affirmation in her 2016 renewal application that she had obtained the required 16 hours of approved Category I continuing education.

4. On July 27, 2016, the Board requested the Respondent to provide to the Board documentation of at least 16 contact hours of approved continuing education within the 2 years preceding her application for renewal.

5. Based upon the information received from the Respondent, she had obtained seven hours of the required 16 hours of approved continuing education, not 16 hours as affirmed by the Respondent.

6. The Respondent's failure to provide documentation of 16 contact hours of approved continuing education and signing the affirmation regarding continuing education requirements on the 2016 renewal constitute a failure to comply with the statute and regulations.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent violated §14-5A-13(c) of the Health Occupations Article and COMAR 10.32.11A(1) by failing to obtain the requisite continuing education credits.

ORDER

It is hereby:

ORDERED that the Respondent shall pay an administrative fine of Nine Hundred Dollars (\$900) (One Hundred Dollars per missing continuing education hour) to the Board within thirty (30) days after the effective date of this Order. The check should be made payable to the "Maryland Board of Physicians"; and be it further

ORDERED that the Respondent shall be subject to the following terms and conditions:

1. For the two year period preceding the 2018 renewal (2016-2018 renewal), the Respondent shall obtain the required 16 contact hours of approved continuing education mandatory for the 2018 renewal and the outstanding 9 hours of approved Category I continuing education that were not obtained during the two year period preceding the 2016 renewal, a total of 25 hours of approved continuing education;

2. The Respondent shall send verification of all continuing education hours prior to sending in the 2018 renewal to the Board. Board staff will verify the 25 hours of approved Category I continuing education that are sent to the Board. All 25 hours of continuing education must be approved continuing education;

3. The Respondent's license shall not be renewed in 2018 unless the requirements of paragraphs 1 and 2 are met;

4 If the Board determines that the Respondent has violated any condition of the Consent Order, the Board may impose any additional disciplinary sanctions it deems appropriate; and be it further

ORDERED that this is a public document of the Maryland Board of Physicians pursuant to Md. Code Ann., Gen. Prov. §4-101 *et seq.*

08/30/2016
Date

Christine A. Farrelly
Christine A. Farrelly
Executive Director

CONSENT

I, Deborah Bland, RCP, acknowledge that I have had an opportunity to consult with counsel before entering into and signing this document. By this Consent, and in order to resolve these matters, I agree to accept the Findings of Fact and Conclusions of Law contained herein. Accordingly, I accept and submit to the foregoing Consent Order.

I acknowledge the validity of this Consent Order and I acknowledge that I am waiving my right to 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 behalf, and to all other substantive and procedural protections provided by the laws of the State of Maryland. I also affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed any hearing.

I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order.

I sign this Consent Order, after having read and reviewed it and after having had an opportunity to consult with counsel, without reservation, as my voluntary act and deed, and I

acknowledge that I fully understand and comprehend the language, meaning, terms and effect of this Consent Order.

8/25/2016
Date

Deborah Bland
Deborah Bland, RCP
Respondent

NOTARY

STATE OF Maryland

CITY/COUNTY OF Anne Arundel

I HEREBY CERTIFY that on this 25th day of August, 2016, before me, a Notary Public of the State and City/County aforesaid, personally appeared Deborah Bland, RCP, and made oath in due form of law that the foregoing Consent Order was her voluntary act and deed.

AS WITNESS my hand and notarial seal.

[Signature]
Notary Public

My Commission expires: 09-02-2016

