

Maryland Board of Physicians

Board Chairman: Paul T. Elder, M.D. • Executive Director: C. Irving Pinder, Jr.

Fall 2010



Continuing Medical Education Credits

Maryland physicians are required to earn at least 50 Category 1 continuing medical education credits (CMEs) during the two year period prior to license renewal. A physician attests to meeting the CME requirement by signing the application or submitting the computerized renewal application. The two year period for earning CMEs is **not** based on the expiration date of your license; it is based on the date of submission. Do not renew your license if you have not earned the required CMEs.

Physicians who are newly licensed are required to take the New Physician Orientation, an online program accessible on the Board's website, in lieu of CMEs. The Board does not grant waivers or exceptions from earning CMEs. Fortunately, many CME programs are available online. CMEs are accredited by the Accreditation Council for Continuing Medical Education (ACCME). The ACCME website provides information about organizations (including several in Maryland) that have been granted accreditation. These organizations are responsible for accrediting individual programs. Whenever you sign up for CMEs, make sure that the course has been accredited by one of these organizations.

In addition to formally accredited continuing education courses, a physician can earn credit for attendance at accredited postgraduate training programs and may earn credits for volunteer (non-paid) service in peer review, focused professional education, or physician rehabilitation activities. See the Board's website for more information about what qualifies.

The Board routinely audits CMEs on a random sample of all renewing physicians; these physicians must submit documentation of their CMEs for the prior renewal period. The Board imposes a civil penalty of \$100 per missing credit if a physician cannot document Category 1 continuing medical education credits. If a physician is missing more than 10 CMEs, he/she may face formal disciplinary charges in addition to a fine.

To get more information about what qualifies as a CME and what type of documentation is required, log on to the MBP website, www.mbp.state.md.us and select "Maryland Regulations" and then select "Continuing Medical Education (10.32.01.09)" near the top of the list. If you have any questions about CMEs, please check our website or call the Board.

Electronic Prescriptions for Controlled Dangerous Substances

The health care community has lived through the initiation of electronic health records. They will, we are told, save time and money and reduce medical errors. Next came Medicare incentives for electronic prescribing of drugs under the Part D prescription plans. Now, the US Drug Enforcement Administration has issued an "interim final" rule for electronic prescribing of Controlled Dangerous Substances, Schedules II through V.

Medicare is providing incentive/penalty funding to encourage Medicare providers to adopt electronic prescribing. For 2009 and 2010, providers who meet certain criteria with respect to electronic prescribing are eligible for a 2% bonus (based on covered Medicare Part B charges); by 2014, the incentive bonus is transformed into a penalty for providers who have not adopted electronic prescribing.

The US Drug Enforcement Administration rule for electronic prescribing of CDS adds to the complexity of modernizing a medical practice. The system a physician adopts for electronic CDS prescribing must undergo an independent audit of its security system. The physician's identity must go through an authentication process to ensure that the system is not used to create unauthorized prescriptions by people who do not have prescribing authority. Use of the term "interim final" by the DEA suggests that this field, and the concomitant federal regulations, are evolving.

For more information, go to the internet.

Cosmetic Medical Procedures New Regulations Approved

Cosmetic medical procedures are no longer the exclusive province of dermatologists and plastic surgeons. Many other specialties have incorporated procedures such as laser hair removal into their practices, and "medical spas" seem to be everywhere.

Therefore, the Board of Physicians has adopted regulations that establish parameters for performing cosmetic medical procedures. These include appropriate training for the physician, qualifications and training for persons to whom a physician might delegate performance of the procedures, the physician's responsibilities, including adopting written protocols for each procedure, and the responsibilities of the non-physician.

Under the regulations, the physician is responsible for evaluating the patient and prescribing the treatment to be provided, obtaining informed consent, and, in general, being present when the procedure is performed. The regulations allow delegation or assignment to another licensed health care provider whose licensing board has determined that performing the procedures is within the scope of practice of a health care provider. The Board of Physicians has approved many physician assistants to perform these procedures under approved delegation agreements. The Board of Nursing is adopting its own regulations that will allow licensed nurses to accept assignment of these procedures.

Cosmetic medical procedures, including laser hair removal and Botox injections, are medical procedures. The Board gets many questions about performing these procedures in a "medical spa." A "medical spa" is not a *health care* facility and an esthetician is not a *health care* provider in Maryland. Regardless of setting, a physician must evaluate each patient and write an order for the procedure. The physician may not delegate performance of cosmetic medical procedures to an esthetician.

These regulations (and all of the other regulations of the Board) are available at the Board's website, www.mbp.state.md.us. "Cosmetic medical procedures" is Chapter 10.32.09, Code of Maryland Regulations.

PHYSICIANS

Kimberly A. Anderson, M.D., License #: D34747
Area of Practice: General Practice (Bowie, MD)

The Probationary terms and conditions imposed by the Ruling on Petition for Reinstatement of Medical License and Order of Reinstatement, dated May 31, 2005, are terminated. The physician has complied with the probationary terms and condition. Date of Action: October 7, 2010

Eric S. Brecher, M.D., License #: D60510
Area of Practice: Diagnostic Radiology (Marietta, PA)

Reprimand. The Board took reciprocal action based on action by the Colorado Medical Board for failure to meet the standard of care with regard to a patient in his practice of Diagnostic Radiology. Date of Action: October 13, 2010

Steven Chase Brigham, M.D., Unlicensed
Area of Practice: None, (Voorhees, NJ)

Cease and Desist from practicing medicine without a license. The physician not licensed in Maryland has been performing surgical procedures in Maryland. Date of Action: August 25, 2010

Peter L. Campbell, M.D., License #: D26574
Area of Practice: Psychiatry (Springfield, VA)

Surrender of License. The Board took reciprocal action based on action by the Virginia Medical Board because while waiting to see patients at a prison facility via tele-med computer/video communication the physician was observed exposing his unclothed lower body on camera. Date of Action: October 13, 2010

Ruben W. Cerri, M.D., License #: D62616
Area of Practice: Pediatrics (Corona, NY)

Suspension for a minimum of 6 months and until terms and conditions have been completed; should the Board terminate the suspension, probation for a minimum period of 3 years subject to terms and conditions. The Board found the physician guilty of immoral and unprofessional conduct in the practice of medicine in that the physician had initiated sexual advances, made inappropriate personal comments, telephone contacts, and touching of the mothers of several of his pediatric patients. Date of Action: October 28, 2010

Julian P. Choe, M.D., License #: D45519
Area of Practice: Internal Medicine (Frederick, MD)

The Circuit Court for Frederick County, Maryland reversed and remanded the Board's July 27, 2009, Final Decision and Order for the Board to affirm the decision of the Administrative Law Judge. Date of Action: May 28, 2010

Craig S. Cropp, M.D., License #: D33593
Area of Practice: OB/GYN (New Market, MD)

Suspension of license lifted; upon reinstatement of his license, Probation for a minimum of 1 year subject to terms and conditions. The physician met the condition precedent to the Board's action when his license was fully reinstated by the Virginia Medical Board. Date of Action: July 28, 2010

John S. Dalton, II, M.D., License #: D30542
Area of Practice: Internal Medicine (Catonsville, MD)

Suspension; stayed subject to continued compliance with terms and conditions; Probation for 3 years subject to terms and conditions. The Board found the physician guilty of unprofessional conduct in the practice of medicine by his behavior in regard to a patient and the family representative of another patient. Date of Action: June 28, 2010

William T. Dando, M.D., License #: D50835
Area of Practice: Family Medicine (Catonsville, MD)

Reprimand; Probation for a minimum of 18 months and until terms and conditions are met. The Board found that the physician failed to meet the standards of quality care and failed to keep adequate medical records in regard to seven patients in his practice of family medicine. Date of Action: April 28, 2010

Jayesh Dayal, M.D., License #: D44144
Area of Practice: Anesthesiology (Rockville, MD)

Reprimand; Probation for a minimum of 6 months and until terms and conditions are met; and a fine of \$5000 to be paid within 30 days of the date of the order. The Board found that the physician failed to meet the standards of quality care in regard to a patient after surgery at an ambulatory facility. Date of Action: May 27, 2010

Scott L. Diering, M.D., License #: D60192
Area of Practice: Emergency Medicine (Baltimore, MD)

Reprimand; Physician must enter into the Maryland Professional Rehabilitation Program and fully cooperate with that program. The Board determined that it would monitor the physician for a period of time. Date of Action: June 28, 2010

James Egan, M.D., License #: D33780
Area of Practice: Psychiatry (Washington, DC)

Reprimand; Probation for a minimum of 18 months subject to terms and conditions. The Board found that the physician engaged in unprofessional conduct, failed to meet standards of quality care and failed to keep adequate medical records in regard to a patient in his practice of psychiatry. Date of Action: July 28, 2010

Romeo A. Ferrer, M.D., License #: D09255
Area of Practice: OB/GYN (Severna Park, MD)

Summary Suspension. The Board determined that the public health, safety, and welfare require emergency action based on a peer review of the care and treatment of a patient, in that the physician failed to properly administer anesthesia, to provide appropriate intra and post-operative anesthesia monitoring, and to provide appropriate resuscitative efforts. Date of Action: September 8, 2010

Romeo A. Ferrer, M.D., License #: D09255
Area of Practice: OB/GYN (Annapolis, MD)

Permanent Surrender of medical license. The physician decided to permanently surrender his license while he was under investigation; the Board's investigation found that in 2006 during the course of an elective abortion procedure, he failed to meet the standards of quality care resulting in the death of a patient. Date of Action: October 27, 2010

Thomas L. Fieldson, M.D., License #: D01923
Area of Practice: General Practice (Waldorf, MD)

Summary Suspension. The Board took emergency action based on the physician's care and treatment of, and his prescribing of potent opioid medications to 12 patients. Date of Action: June 10, 2010

Thomas L. Fieldson, M.D., License #: D01923
Area of Practice: General Practice (Waldorf, MD)

Summary Suspension continued. The Board took emergency action based on the physician's care and treatment of, and his prescribing of potent opioid medications to 12 patients. Date of Action: June 24, 2010

Thomas L. Fieldson, M.D., License #: D01923
Area of Practice: General Practice (Waldorf, MD)

Summary Suspension of June 10, 2010, is vacated, Probation for 5 years subject to terms and conditions; and restriction from practicing pain management medicine and dispensing any opiates or benzodiazepine medications for any longer than 3 days and only in an emergency situation. The Board found that the physician failed to meet the standards of quality medical care and failed to keep adequate medical records in regard to 12 patients in his pain management practice. Date of Action: September 22, 2010

James H. French, M.D., License #: D26643
Area of Practice: Plastic Surgery (Annandale, VA)

Reprimand. The Board took reciprocal action based on action by the Virginia Medical Board in the treatment of a patient in his practice of plastic surgery. Date of Action: October 13, 2010

Joel S. Ganz, M.D., License #: D01544
Area of Practice: Child Psychiatry (Rockville, MD)

Revocation. State statute mandates the Revocation based on the physician's conviction of a crime of moral turpitude, that is, one count of obstruction of a criminal investigation of a health care offense. Date of Action: June 7, 2010

PHYSICIANS

Joseph F. Gibbons, M.D., License #: D38296

Area of Practice: Internal Medicine (Elkridge, MD 21075)

Reprimand; Probation for a minimum of six months subject to completion of terms and conditions. The Board determined that the physician failed to meet the standards of care and failed to maintain adequate medical records in regard to two patients in his practice of internal medicine. Date of Action: October 27, 2010

William Gill, M.D., License #: D15715

Area of Practice: General Practice (Westover, MD)

Permanent Surrender. The Board accepted a permanent surrender based on its determination that the physician engaged in unprofessional conduct in the practice of medicine during the course of the examinations of male patients, and willfully failed to file or record a medical report as required. Date of Action: September 8, 2010

Scott S. Haswell, M.D., License #: D34652

Area of Practice: Internal Medicine (Monkton, MD)

The suspension imposed by the July 23, 2009, order is terminated; the physician's license to practice medicine is reinstated; Probation for 3 years subject to terms and conditions. The physician met the conditions precedent as set out in the Board's July 23, 2009 Order. Date of Action: September 22, 2010

Michael Glen Harper, M.D., License #: D30673

Area of Practice: Neurology (Rockville, MD)

Summary Suspension order affirmed but Vacated; Probation for a minimum of 2 years subject to terms and conditions. The Board found that the physician failed to meet the standards of quality care in his treatment of 2 patients, and engaged in unprofessional conduct in the practice of medicine in that he failed to monitor the patients who were exhibiting signs of abuse or diversion of dangerous drugs. Date of Action: April 22, 2010

Donald H. Hislop, M.D., License #: D08293

Area of Practice: Family Practice (Annapolis, MD)

Termination of Probationary terms and conditions imposed by the Final Order dated May 13, 2008. The physician has complied with the terms and conditions precedent. Date of Action: June 3, 2010

Joseph G. Hobelmann, M.D., License #: D62884

Area of Practice: Anesthesiology (Towson, MD)

Entrance into a 5 year rehabilitation monitoring agreement with the Board's approved program. The Board took action based on the physician's substance abuse issues. Date of Action: July 29, 2010

Oluremi Iluaju, M.D., License #: D33392

Area of Practice: OB/GYN (Silver Spring, MD)

Reprimand; terms and conditions and fine of \$5000. The Board found the physician guilty of unprofessional conduct in the practice of medicine based on his letter submitted to the Board on behalf of applicant for medical licensure, and failure to meet the standards of quality care with regard to a hospital patient with a possible ectopic pregnancy. Date of Action: April 28, 2010

Brian S. Kahan, D.O., License #: H53803

Area of Practice: Physical Medicine & Rehabilitation (Annapolis, MD)

Reprimand; Fine of \$5000; and Probation for a minimum of 1 year subject to terms and conditions. The Board found the physician guilty of unprofessional conduct in the practice of medicine because he did not perform examinations and testing of 2 patients as set out in their medical records. Date of Action: June 24, 2010

Mohammad A. Khalid, M.D., License #: D43496

Area of Practice: Internal Medicine (Wheaton, MD)

Reprimand; Probation for a minimum of 1 year and until terms and conditions are met. The Board found that the physician practiced medicine with an unauthorized person or aided an unauthorized person in the practice of medicine. Date of Action: August 26, 2010

Michael J. Kordon, M.D., License #: D06588

Area of Practice: Family Practice (Ellicott City, MD)

Permanent Surrender of license to practice medicine. The physician decided to permanently surrender his license to avoid further prosecution of the case, and also due to his medical condition and retirement from the practice of medicine. Date of Action: May 26, 2010

Thomas B. Lank, M.D., License #: D38582

Area of Practice: Diagnostic Radiology (Annapolis, MD)

Suspension for a minimum of 6 months; immediately stayed; Probation for a minimum of 5 years subject to terms and conditions. The Board found that the physician prescribed CDS and other prescription medications in the names of others for his personal use. Date of Action: July 28, 2010

Benigno P. Lazaro, M.D., License #: D46974

Area of Practice: Family Practice (Baltimore, MD)

Summary Suspension of license. The Board determined that the physician engaged in sexual misconduct with a female patient. Date of Action: May 26, 2010

Benigno P. Lazaro, Jr., M.D., License #: D46974

Area of Practice: Family Practice (Bel Air, MD)

Revocation for a minimum of 3 years. The Board determined that the physician was guilty of immoral and unprofessional conduct in the practice of medicine, and sexual misconduct under the Board's regulations, in regard to a patient. Date of Action: October 27, 2010

Glenn G. Marinelli, M.D., License #: D22534

Area of Practice: Otolaryngology (Prince Frederick, MD)

Reprimand; and a fine of \$5,000. The Board found the physician guilty of practicing medicine with an unauthorized person and aided an unauthorized person in the practice of medicine. Date of Action: October 28, 2010

Arthur C. Marsh, M.D., License #: D64981

Area of Practice: Internal Medicine (Salisbury, MD)

Revocation for 1 year to commence on July 16, 2010; if Respondent applies for reinstatement he has the affirmative duty to demonstrate to the Board factors set out in the order. The physician violated conditions of the July 26, 2006, Consent Order that addressed his impairment issues. Date of Action: June 1, 2010

James P. Matthews, M.D., License #: D59665

Area of Practice: Family Medicine (Gaithersburg, MD)

Probation for 5 years subject to terms and conditions. The Board found that the physician was guilty of unprofessional conduct, failed to meet the standards of quality care, and failed to maintain adequate medical records in regard to 6 patients and the diagnosis of Morgellons Disease. Date of Action: September 22, 2010

Kathy Azar Mesbahi, M.D., License #: D28710

Area of Practice: OB/GYN (Rockville, MD)

Termination of Probation. The physician has successfully complied with the probationary terms and conditions of the Final Opinion and Order May 11, 2009. Date of Action: June 9, 2010

Joshua R. Mitchell, III, M.D., License #: D08782

Area of Practice: Family Practice (Baltimore, MD)

Summary Suspension. The Board's investigative facts regarding the physician's sexual impropriety and sexual misconduct in regard to two patients require immediate suspension of the physician's license to practice medicine. Date of Action: May 18, 2010

Ernest P. Osei-Tutu, M.D., License #: D71092

Area of Practice: Internal Medicine (Rathway, NJ)

Application for initial medical license is granted; Reprimand. The Board took action based on disciplinary action by the Massachusetts medical board when the physician failed to meet the standard of care in regard to a patient. Date of Action: June 24, 2010

Ronald S. Pototsky, M.D., License #: D13004

Area of Practice: Internal Medicine (Baltimore, MD)

Reprimand; Probation for a minimum of 2 years and until terms and conditions are met. The Board found that the physician failed to meet the standards of quality care and failed to maintain adequate medical records in regard to 11 patients in his practice of internal medicine and rheumatology. Date of Action: 08/26/2010

PHYSICIANS

Neena Rao, M.D., License #: D25483

Area of Practice: Internal Medicine (Towson, MD)

Probation for a minimum period of 1 year and until terms and conditions are met. The Board determined that the physician failed to meet the standards of quality care and failed to maintain adequate medical records in regard to a patient in her practice of cardiology and internal medicine. Date of Action: August 26, 2010

Vijayalakshmi Reddy, M.D., License #: D47644

Area of Practice: Internal Medicine (Baltimore, MD)

Summary Suspension. The Board took action based on a peer review that stated that the physician failed to meet the standards of quality care with regard to 5 patients and failed to keep adequate medical records for 6 patients; and adverse actions of suspension by 3 hospitals at which the physician held privileges. Date of Action: October 13, 2010

Nicola I. Riley, M.D., License #: D71213

Area of Practice: Family Practice (Salt Lake City, UT)

Summary Suspension. The Board concluded, including but not limited to, that the physician exercised poor medical judgement and otherwise exposed her patients to harm in that she practiced with an unlicensed individual, knowingly participated in a surgical procedure that was initiated elsewhere, and at a hospital acted in a manner that delayed or otherwise impeded hospital staff from attending to that patient. Date of Action: August 31, 2010

Nicola I. Riley, M.D., License #: D71213

Area of Practice: Family Practice (Salt Lake City, UT)

Order for Summary Suspension of license issued on August 31, 2010 continued after post-deprivation hearing. The Board concluded, including but not limited to, that the physician exercised poor medical judgement and otherwise exposed her patients to harm in that she practiced with an unlicensed individual, knowingly participated in a surgical procedure that was initiated elsewhere, and at a hospital acted in a manner that delayed or otherwise impeded hospital staff from attending to that patient. Date of Action: September 9, 2010

Nicola I. Riley, M.D., License #: D71213

Area of Practice: Family Practice (Salt Lake City, UT)

August 31, 2010 Summary Suspension continued. Date of Action: October 28, 2010

Donald C. Roane, M.D., License #: D10698

Area of Practice: Family Practice (Annapolis, MD)

Summary Suspension. The Board determined to take emergency action based on investigative findings as to the physician's immoral and unprofessional conduct with regard to two (2) patients. Date of Action: May 21, 2010

Allan Z. Schwartzberg, M.D., License #: D10705

Area of Practice: Psychiatry (Gaithersburg, MD)

Summary Suspension. The Board determined that the physician could not competently carry out his responsibilities as a physician. Date of Action: August 11, 2010

Allan Z. Schwartzberg, M.D., License #: D10705

Area of Practice: Psychiatry (Gaithersburg, MD)

Summary Suspension continued after Post-Deprivation Hearing. Date of Action: September 14, 2010

Dilip Sen, M.D., License #: D24134

Area of Practice: Pediatric (East Williston, NY)

Surrender of License. The Board took reciprocal action based on action by the New York medical board for failing to meet the standard of care in regard to a patient. Date of Action: July 15, 2010

Dinesh B. Shah, M.D., License #: D23334

Area of Practice: Internal Medicine (NorthEast, MD)

Summary Suspension. The Board found that the physician engaged in a pattern of excessive and unjustifiable prescribing of Schedule II opioid analgesics, primarily Oxycodone and methadone, without medical indication. Date of Action: August 5, 2010

Dinesh B. Shah, M.D., License #: D23334

Area of Practice: Internal Medicine (NorthEast, MD)

The Summary Suspension Order of August 5, 2010, is stayed subject to conditions. The Board determined that the physician may practice medicine in accord with the requirements set out in this order. Date of Action: August 26, 2010

Dinesh B. Shah, M.D., License #: D23334

Area of Practice: Internal Medicine (North East, MD)

The August 26, 2010 Stay of the Order for Summary Suspension is Vacated; the physician's license is thereby again suspended. The physician practiced pain management which was prohibited by the Board's August 26, 2010 Order. Date of Action: September 23, 2010

Dinesh B. Shah, M.D., License #: D23334

Area of Practice: Internal Medicine (NorthEast, MD)

Summary Suspension continued. Date of Action: October 14, 2010

Ali Shamaeizadeh, M.D., License #: D28857

Area of Practice: Family Practice (Richmond, KY)

Denial of Reinstatement. The physician failed to demonstrate to the Board that he understood the seriousness of his offenses and his misuse of his role as a physician which lead to the Board's revocation of his license on March 3, 2004. Date of Action: September 13, 2010

George Shepard, Jr., M.D., License #: D48352

Area of Practice: OB/GYN (Seaford, DE)

Summary Suspension. The Board determined that the physician knowingly participated in a practice arrangement in which abortions were initiated in one state and patients were instructed to drive across state lines for completion of the procedure, and practiced with an unlicensed individual and facilitated the unlicensed practice of medicine. Date of Action: August 31, 2010

George Shepard, Jr., M.D., License #: D48352

Area of Practice: OB/GYN (Seaford, DE)

Order for Summary Suspension issued on August 31, 2010 continued after post-deprivation hearing. The Board determined that the physician knowingly participated in a practice arrangement in which abortions were initiated in one state and patients were instructed to drive across state lines for completion of the procedure, and practiced with an unlicensed individual and facilitated the unlicensed practice of medicine. Date of Action: September 9, 2010

Peter Silversmith, M.D., License #: D19753

Area of Practice: Plastic Surgery (Alexandria, VA)

Reprimand; Indefinite Probation subject to terms and conditions. The Board took reciprocal action based on action by the Virginia Medical Board for the treatment the physician provided to his patient. Date of Action: July 15, 2010

Truman F. Soudah, M.D., License #: D18966

Area of Practice: OB/GYN (Amman, Jordan)

Suspension for a minimum of 3 years with all but 18 months stayed and until completion of terms and conditions; Probation for 3 years subject to terms and conditions. The Board found the physician guilty of failing to cooperate with the Board's investigation, to provide details of a patient's medical record upon proper request, and guilty of abandoning a patient. Date of Action: June 1, 2010

Adam N. Summers, M.D., License #: D55340

Area of Practice: Plastic Surgery (Glen Burnie, MD)

Termination of Probationary terms and conditions imposed by the Consent Order dated October 24, 2007. The physician has complied with the terms and conditions precedent. Date of Action: April 8, 2010

Nicola M. Tauraso, M.D., License #: D11324

Area of Practice: Pediatrics (Frederick, MD)

Summary Suspension. The Board determined, including but not limited to, that the physician writes dangerous amounts of potent opioids without regard to absence of physical findings in the young population he is treating. Date of Action: August 12, 2010

Nicola M. Tauraso, M.D., License #: D11324

Area of Practice: Pediatrics (Frederick, MD)

August 12, 2010 Summary Suspension continued. Date of Action: October 12, 2010

PHYSICIANS

Kinga M. Tibold, M.D., License #: D53753

Area of Practice: Ophthalmology (Leonardtown, MD)

Suspension for a minimum period of 1 year and until terms and conditions have been met; should the Board lift the suspension Probation for a minimum of 5 years and until terms and conditions are met. The Board took this action based on the physician's self prescribing by using the names of others. Date of Action: June 24, 2010

Dean S. Tippett, M.D., License #: D36748

Area of Practice: Neurology (Baltimore, MD)

Reprimand; no reinstatement of physician's lapsed license until the Board determines that he is competent to practice medicine. The physician failed to comply with Board subpoenas and practiced medicine without a license for 2 months in 2007. Date of Action: May 27, 2010

William Samuel Vaughn, III, M.D.,

License #: D43641

Area of Practice: Urology (Silver Spring, MD)

Termination of Probationary terms and conditions imposed by the Consent Order dated August 27, 2008. The physician has complied with the terms and conditions precedent. Date of Action: April 7, 2010

Brian W. Weaver, M.D., License #: D42017

Area of Practice: Radiation Oncology (Sikeston, MO)

Revocation. The Board found that the physician was guilty of unprofessional conduct in the practice of medicine and failed to cooperate with the Board's investigation of allegations that he was practicing telemedicine and prescribing controlled substances from his home in Atlanta Georgia. Date of Action: April 29, 2010

Arastoo Yazdani, M.D., License #: D50454**Area of Practice: Internal Medicine (Clinton, MD)**

Reprimand; Probation for a minimum of 2 years and until terms and conditions are met. The Board found that the physician failed to meet the standards of quality care and failed to keep adequate medical records in regard to a patient in his practice of internal medicine. Date of Action: April 28, 2010

ALLIED HEALTH PRACTITIONERS

Amanda Dauer, CNMT, License #: N01125

Area of Practice: Nuclear Medical Technologist (Greenbelt, MD)

Reprimand; Probation for a minimum of 1 year and until terms and conditions are met. The health provider engaged in the unauthorized practice of medical radiation technology. Date of Action: June 24, 2010

Daniel P. Doyle, RCP, License #: L02717

Area of Practice: Respiratory Care (Forest Hill, MD)

Suspension pending completion of terms and conditions; should the Board terminate the Suspension the Board may impose additional terms and conditions. The Board found that the practitioner engaged in unprofessional conduct in the practice of respiratory care in regard to two patients, and failed to provide respiratory care services with respect for the dignity of one patient. Date of Action: May 18, 2010

Robert Klimczak, RCP, License #: L03388

Area of Practice: Respiratory Care Practitioner (Easton, MD)

Suspension for a minimum of 1 year and until satisfactory completion of requirements; should the Board lift the suspension, Probation for a minimum of 3 years and until terms and conditions have been met. The Board found that the healthcare provider guilty of unprofessional conduct in the practice of medicine, willfully made a false report in the practice of medicine, failed to meet standards for the delivery of respiratory care, and failed to cooperate with a lawful investigation of the Board. Date of Action: June 24, 2010

William M. Petty, RCP, License #: L04418

Area of Practice: Respiratory Care (Havre de Grace, MD)

Revocation. The Board found that the health care provider willfully made a false report and a misrepresentation in the practice of respiratory care; failed to cooperate with an investigation of the Maryland Board; and engaged in unprofessional conduct in the practice of respiratory care. Date of Action: July 1, 2010

Scott A. Pridmore, RCP, License #: L04780

Area of Practice: Respiratory Care (Crofton, MD)

Probation for a minimum of 1 year subject to terms and conditions. The Board found the practitioner guilty of unprofessional conduct in the practice of respiratory care in that, including but not limited to, he resigned without notice shortly after he reported for his shift. Date of Action: July 13, 2010

UNLICENSED

Tadessee E. Kidanie, Unlicensed

Area of Practice: Radiation Therapy Technology (Lorton, VA)

Application for license to practice as a radiographer in Maryland is denied. The Board found that the applicant failed to disclose on his application disciplinary action taken in another jurisdiction and termination from employment for misconduct in his practice of a health care profession. Date of Action: August 27, 2010

Deborah McCabe, Unlicensed

(Salisbury, MD)

Fine of \$10,000; Cease and Desist from the practice of medicine. The Respondent, among other things, represented herself as a physician and practiced medicine without a license. Date of Action: September 22, 2010

Adrian L. Mitchell, Unlicensed

(Gaithersburg, MD)

Fine of \$5,000. The individual practiced as a physician assistant without a license and provided false information to his employer in order to be hired. Date of Action: March 31, 2010

Tina M. Robertson, Unlicensed

(Port Tobacco, MD)

Fine of \$5,000. The individual performed laser surgery and used pulsed light equipment without appropriate certification. Date of Action: September 22, 2010

ADMINISTRATIVE FINES

Ahmed S. Abdel-Gawad, M.D., License #: D50279
Area of Practice: Pediatrics (Cambridge, MD)

Administrative fine of \$200; terms and conditions. The physician affirmed in his 2008 renewal application that he had obtained the required CME credit hours when he had not. Date of Action: April 30, 2010

Mary E. Bracken, M.D., License #: D42596
Area of Practice: Internal Medicine
(Arlington, VA)

Administrative fine of \$600; terms. The physician affirmed in her 2008 renewal application that she had obtained the required CME credit hours when she had not. Date of Action: May 7, 2010

Stanley G. Crossland, M.D., License #: D21933
Area of Practice: Surgery (Arlington, VA)

Administrative fine of \$5,000; terms and conditions. The physician affirmed in his 2008 renewal application that he had obtained the required CME credit hours when he had not. Date of Action: June 21, 2010

Royce M. Fagan, Jr., M.D., License #: D55625
Area of Practice: Internal Medicine (Baltimore, MD)

Administrative fine of \$3,100; terms and conditions. The physician affirmed in his 2008 renewal application that he had obtained the required CME credit hours when he had not. Date of Action: July 9, 2010

Kathryn L. Kingsbury, R.T., License #: R03624
Area of Practice: Radiation Technologist
(Bethesda, MD)

Administrative fine of \$500. The healthcare practitioner practiced radiography without a license issued by the Board in violation of Md. Code Ann. Health Occ §14-5B-17 (c). Date of Action: June 28, 2010

Lawrence J. Markovitz, M.D., License #: D59867
Area of Practice: Thoracic Surgery (McLean, VA)

Administrative fine in the amount of \$3,000; terms and conditions. The physician affirmed in his 2009 renewal application that he had obtained the required CME credit hours when he had not. Date of Action: October 13, 2010

Ramin Mazhari, M.D., License #: D66536
Area of Practice: Internal Medicine
(Baltimore, MD)

Administrative fine in the amount of 1,125; terms and conditions. The physician affirmed in his 2009 renewal application that he had obtained the required CME credit hours when he had not. Date of Action: October 28, 2010

Robert B. Meek, III, M.D., License #: D47026
Area of Practice: Otolaryngology (Annapolis, MD)

Administrative fine in the amount of \$1,700; terms and conditions. The physician affirmed in his 2009 renewal application that he had obtained the required CME credit hours when he had not. Date of Action: October 22, 2010

James J. Mond, M.D., License #: D23647
Area of Practice: Internal Medicine
(Gaithersburg, MD)

Administrative fine of \$750; terms and conditions. The physician affirmed in his 2009 renewal application that he had obtained the required CME credit hours when he had not. Date of Action: September 16, 2010

Dionne J. Smith, M.D., License #: D63918
Area of Practice: Emergency Medicine
(Horsham, PA)

Administrative fine in the amount of \$2,100; terms and conditions. The physician affirmed in her 2009 renewal application that she had obtained the required CME credit hours when she had not. Date of Action: October 5, 2010

Milena Hruby Smith, M.D., License #: D60094
Area of Practice: Psychiatry (Annapolis, MD)

Administrative fine of \$450; terms and conditions. The physician affirmed in her 2009 renewal application that she had obtained the required CME credit hours when she had not. Date of Action: October 6, 2010

Montez Snowden, RT., License #: R07283
Area of Practice: Radiation Technologist
(Silver Spring, MD)

Administrative fine of \$500. The healthcare practitioner practiced radiography without a license issued by the Board in violation of Md. Code Ann. Health Occ §14-5B-1(c). Date of Action: June 3, 2010

Quick Reminders

Change of Address

When your address changes, please think of the Board. The easiest way to update your addresses is to log onto the MBP website, go to "Practitioner Profiles" and log in as the "licensed practitioner." You can change both public and non-public addresses. The Board will use the non-public address for correspondence related to your licensure. If you fail to notify us of address changes, you may not get important Board correspondence. The public address and primary practice setting address appear on your profile; incorrect information is misleading and frustrating to your patients. All of these addresses can be edited by the licensed practitioner. The Board is authorized to assess a fine of \$100 for failure to notify the Board of changes to name or address.

Medical Record Retention

- How long do you keep medical records? What is required?
- Adults (patient was 18 years or older when record was made): Retain for 5 years
- Minors (patient was under age 18 years when record was made): Maintain until patient is age 21 or for 5 years, whichever is longer

Use of Terms "Doctor" "MD" and "DO"

It is increasingly common to see non-physician health care providers with doctoral degrees in their own discipline. This can be very confusing for patients, who tend to equate "doctor" with "physician" in the health care setting. Therefore, Maryland law restricts the use of the terms "Dr.," "doctor," "physician," "D.O.," or "M.D." in the medical setting by non-physicians if the intent is to suggest that the individual practices medicine.

Changes to Physician Assistant Law

On October 1, 2010, the new physician assistant law (PA) went into effect. The new law changed the term "certification" to "licensure" and put in place a process to expedite approval of delegation agreements. Submission of delegation agreements is still required; the filing fee will remain the same. However, delegation agreements that do not include advanced duties will not require prior Board approval. A PA may begin working upon the Board's receipt and acknowledgement of the delegation agreement. Acknowledgement notifications will be sent to the PA and the primary supervising physician by email.

Advanced duties are procedures beyond the basics taught in an initial physician assistant educational program. A physician assistant must receive advanced or special training before qualifying to perform an advanced procedure. Prior Board approval of the advanced duties is not required if the hospital or ambulatory surgical facility review the credentials of the primary supervising physician and the PA before either begins practicing at the facility and the facility uses a credentialing process to review and approve the PA to perform the advanced duties before the delegation agreement with advanced duties is filed with the Board. A PA may begin working upon the Board's receipt and acknowledgement of the delegation agreement. Acknowledgement notifications will be sent to the PA and the primary supervising physician by email. If a PA is not working in a facility that meets these requirements, documentation of the specialized training and education for the advanced duty must be submitted.

The Board is authorized to disapprove any delegation agreement not meeting the requirements of the law or if the Board believes the PA is unable to perform the delegated duties safely. The new law permits the Board to fine a PA up to \$100 per missing CME if the physician assistant cannot document CMEs on request. In addition, if a substantial number of CMEs are missing, the Board may take other disciplinary action. Under the new law, the Board may enter a PA's place of business and audit records relating to the care the PA has provided. Other changes include the number of PAs a physician may supervise. A physician may supervise up to four PAs at any one time. PAs may dispense drug samples and starter doses under certain conditions.

Who May Practice Polysomnographic Technology?

The licensure deadline for persons performing polysomnographic technology to become licensed is October 1, 2011. Requirements for licensure include an approved polysomnography education program and certification by a national review board. Persons with national certification by the Board of Registered Polysomnographic Technologists who apply for Maryland licensure before October 1, 2011 are exempt from the education requirement. After October 1, 2011, applicants must graduate from an approved polysomnography education course.

Due to the overlap between the scopes of practice of polysomnographic technologists and respiratory care practitioners, Maryland law includes an alternate education path for respiratory care practitioners: completion of the Committee on Accreditation for Respiratory Care's curriculum for a polysomnography certificate. The national certifying board for respiratory care practitioners, the National Board for Respiratory Care (NBRC), has developed a sleep exam for respiratory care practitioners who complete the add-on curriculum. Maryland will consider using this exam as an alternative route to national certification in sleep when the NBRC sleep disorders examination receives accreditation.

There have been questions about whether respiratory care practitioners need a separate license to practice polysomnography. To the extent that the two scopes of practice overlap, a separate license is not needed. However, if a respiratory care practitioner wants to continue performing duties outside of his respiratory care scope, or wants to refer to himself as a polysomnographic technologist, the individual would need a separate license. This is also true for other health care providers who may be working in polysomnographic technology. After October 1, 2011, these providers may perform polysomnographic duties only to the extent that they are part of the health care provider's licensure. In order to practice as a polysomnographic technologist, a new license is needed.

Professional Rehabilitation Program

There has been some confusion in the community as to the **Board's Professional Rehabilitation Program** established at the direction of the Maryland legislature for professionals who have been "referred by the Board for services" and "the confidential, private **Maryland Physician Health Program (MPHP)**" of the Center for a Healthy Maryland, affiliated with MedChi.

Although the Board contracts with MedChi to provide rehab services for referred professionals, the two programs are separate and distinct. The MPHP is not affiliated with the Board of Physicians.

Maryland Board of Physicians
4201 Patterson Avenue
P.O. Box 2571
Baltimore, MD 21215-0095

PRSR STD
U.S. POSTAGE
PAID
BALTIMORE, MD
PERMIT NO. 4114

BOARD MEMBERS

Paul T. Elder, M.D., *Chair*
Harry C. Knipp, M.D., *Vice Chair*
Laura E. Henderson, M.D.,
Secretary/Treasurer
Brenda G. Baker
Evelyn Beasley
Habib Bhutta, M.D.
Richard Bittner, Esq.
Carmen M. Contee
Suresh K. Gupta, M.D.
Tricia J. Thompson Handel, D.O.

Robert G. Hennessy, M.D.
Samuel K. Himmelrich, Sr.
Jonathan Lerner, P.A.-C.
John R. Lilly, M.D.
Hilary T. O'Herlihy, M.D.
Nallan C. Ramakrishna, M.D.
Harold A. Rose
Beryl J. Rosenstein, M.D.
Susan T. Strahan, M.D.
Laurie S.Y. Tyau, M.D.
Rosaire Verna, M.D.

410-764-4777

Toll Free: 1-800-492-6836

FAX: 410-358-2252

E-Mail: mbpmail@rcn.com

Web site: www.mbp.state.md.us