

# MARYLAND BOARD OF PHYSICIANS

*Damean W.E. Freas, D.O., Board Chair*  
*Christine A. Farrelly, Executive Director*

*Fall 2016*



## MESSAGE FROM THE BOARD CHAIR

As chair of the Maryland Board of Physicians and a pain management specialist, I have a strong interest in efforts to combat the State's growing heroin and opioid crisis. At the November 30, 2016 full Board meeting, I discussed the recent work of Board staff and Board counsel, who have been researching federal and state models, guidelines, and principles on proper opioid prescribing to lessen prescription drug and opioid abuse and misuse.

There also was discussion about Maryland's Prescription Drug Monitoring Program (PDMP) and the Centers for Disease Control and Prevention's *Guideline for Prescribing Opioids for Chronic Pain*. As a reminder, a link to this Guideline is available on the Board's Website. And, in this edition of the newsletter, you'll find an important PDMP update.

The direction of the heroin and opioid crisis must change in Maryland. The Board stands ready to collaborate with State agencies and other entities engaged in fighting this epidemic, and to form, implement, or incorporate guidelines and resources for prescribers aimed at creating effective solutions. Please continue to monitor the Board's Website for updates on our outreach and collaborative progress.

The Board encourages its licensees who prescribe to visit the Board's Web page with resources about overdose prevention and proper opioid prescribing:

<http://www.mbp.state.md.us/pages/overdose.html>

### Board Welcomes New Members

The Board is pleased to welcome two new members: Marie-Alberte Boursiquot, M.D. and Lisa Burgess, M.D.

Dr. Boursiquot of Howard County specializes in internal medicine. Dr. Burgess of Baltimore County specializes in psychiatry. The Board appreciates their willingness to devote their time and effort to serving on the Board.

The Board also extends its appreciation to the members who recently completed their service.

The Board is seeking to fill several vacancies. For more information on how to apply for an appointment, please visit the Board's Website at [www.mbp.state.md.us](http://www.mbp.state.md.us) and click on the link for **Recruitment for Board Members for the MD Board of Physicians**.

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**Note:** *Articles on health or medical issues are not intended to provide standards of practice.*

# LEGAL UPDATES



## Update for Physicians and Physician Assistants Who Prescribe Controlled Dangerous Substances

*Contributed by Kate Jackson, Manager  
Prescription Drug Monitoring Program  
Department of Health and Mental Hygiene*

On September 30, 2016, the Department of Health and Mental Hygiene (DHMH) issued a memo and updated fact sheet about the Prescription Drug Monitoring Program (PDMP) and mandatory registration.

House Bill (HB) 437 (Chapter 147 of 2016) went into effect on October 1, 2016. It requires all controlled dangerous substance (CDS) prescribers and pharmacists to be registered with the PDMP **by July 1, 2017**. This requirement and deadline remain in effect. Information about how to meet the registration mandate can be found below.

The DHMH memo did convey a change to the registration mandate as it affects CDS prescribers. According to the memo, DHMH has determined it is “in the best interests of prescribers and the community” to delay the requirement for individuals to be registered with the PDMP prior to obtaining a new/renewal CDS

prescribing permit until July 1, 2017. Thus, at present, there is no link between PDMP registration and issuance of a CDS permit.

PDMP registration must be completed through the CRISP Website ([www.crisphealth.org](http://www.crisphealth.org)). CRISP has deployed a new PDMP Registration homepage. Prescribers with an active CDS permit and DEA number may utilize the new **Auto-Registration workflow** and all other prescribers may utilize the **Standard Registration workflow**. In addition to clearly marked “Register” buttons to enter these registration workflows, providers can find information about the registration mandate, a list of what registrants should have at hand when they go to register, and step-by-step guides for both registration workflows. All statutory requirements for the registration mandate are embedded within the registration workflow, including the training video.

### PDMP: RESOURCES / CONTACT INFORMATION

**Full text of the PDMP bill (Chapter 147 of 2016):** Visit the [Maryland General Assembly Website](http://www.maryland.gov/legislation/).

**Memo (with fact sheet) about the new law:** [http://www.mbp.state.md.us/forms/pdmp\\_mandate.pdf](http://www.mbp.state.md.us/forms/pdmp_mandate.pdf)

**PDMP Registration Status Check:** Prescribers with a previously registered CRISP account may already have PDMP access as part of their account permissions. Prescribers can check their PDMP registration status from the PDMP Registration homepage under the “*Am I Already Registered for PDMP?*” tab or may contact CRISP (1-877-952-7477 or [support@crisphealth.org](mailto:support@crisphealth.org)) and will receive a unique PDMP Registration code to confirm registration status.

**Technical assistance with PDMP registration or access through CRISP:** CRISP Support at 1-877-952-7477 or [support@crisphealth.org](mailto:support@crisphealth.org).

**For general inquiries, policies, or legal questions about the PDMP:** Call the PDMP Office at 410-402-8686 or send an e-mail to [dhmh.pdmp@maryland.gov](mailto:dhmh.pdmp@maryland.gov).

## LEGAL UPDATES (*continued*)

### Criminal History Records Check Requirement

During the 2015 Maryland General Assembly session, the law was changed to require physicians and allied health professionals regulated by the Maryland Board of Physicians (the Board) to submit to criminal history records checks (CHRCs).

Effective October 1, 2016, a full CHRC became a qualification of licensure and a requirement for **all** Board applicants and licensees. The Board may not issue a new license or renew or reinstate an existing license of any applicant, physician, or allied health practitioner if criminal history record information has not been received.

A CHRC includes both State and national criminal history record information conducted by the Maryland Department of Public Safety and Correctional Services (DPSCS), Criminal Justice Information System (CJIS). **The Board is not involved in conducting the CHRC.** Under the law, the Board **only** receives the completed CHRC report for review and consideration of the criminal history record information. See the Board's Website for more specific information on the process at <http://www.mbp.state.md.us/pages/chrc.html>.

Should you have any questions or concerns, or to check the status of a criminal history record information request, please contact the CJIS Call Center at 410-764-4501 or 1-888-795-0011, Monday-Friday, 8 a.m. to 5 p.m. The Board cannot assist you in this regard.

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#### *Need Additional Information?*

Call CJIS at 410-764-4501 or visit the DPSCS Website at:  
<http://news.maryland.gov/dpscs/home/>


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### *Copying Fees for Medical Records*

Under Health-General Article, §4-304, Annotated Code of Maryland, health care providers are permitted to charge patients (or the patient's authorized representative) a fee for copying medical records. Currently, the fee for copying is not to exceed **76 cents for each page** of the medical record and the actual cost of postage and handling.

Health care providers may charge a **preparation fee of \$22.88**, if the records are sent to another provider. Federal HIPAA regulations do not allow a charge for a preparation fee for records provided directly to the patient.

Note that a health care provider may not refuse to provide records because of unpaid fees for medical services.



#### *Please note...*

Certain provisions of Maryland law that went into effect on October 1, 2016 address medical records in an electronic format.

Click [here](#) for House Bill 724 (Chapter 724 of 2016) to learn about medical records used or maintained in an electronic format and requested in an electronic format.

# REGULATIONS UPDATES

## NEW REGULATIONS: MANDATED REPORTING TO THE BOARD

New regulations - “Mandated Reporting to the Board” - became effective on November 7, 2016.

The purpose of the regulations is to define and clarify precisely for hospitals and other reporting entities what changes in employment or privileges require reporting to the Board. Based on the 2013 amendments to the Maryland Medical Practice Act, Health Occupations Article, §§14-413 and 14-414, Annotated Code of Maryland, and a recommendation by the Department of

Legislative Services in its 2011 sunset report, the Board conducted extensive outreach and received helpful input from all interested parties and stakeholders before and during development of the regulations.

The regulations are codified in the Code of Maryland Regulations (COMAR) 10.32.22. COMAR Online can be accessed via the [Division of State Documents Website at www.dsd.state.md.us](http://www.dsd.state.md.us).

## NEW REGULATIONS: NATUROPATHIC DOCTORS

Regulations on the licensure and discipline of naturopathic doctors went into effect on September 12, 2016. This new chapter of COMAR (10.32.21) is available at [COMAR Online](#).

## AMENDED REGULATIONS: CONTINUING EDUCATION

The Board is in the process of amending regulations to revise the timeframe for licensees to earn continuing medical education. For renewals, the proposed changes would allow licensees to earn credits up to the date of license expiration instead of licensees being required to earn the credits prior to the date when an application for license renewal is submitted. The amended regulations affect the following licensees: physicians, physician assistants, polysomnographic technologists, radiation therapists, radiographers, nuclear medicine technologists, and radiologist assistants.

The proposed changes, not yet in effect, were published in a Notice of Proposed Action in the October 28, 2016 *Maryland Register*. The 30-day comment period ended on November 28, 2016. The effective date of the regulations will be announced when a Notice of Final Action is published in the *Maryland Register*. Please check the Board’s Website for updates as the amended regulations move through the process.

## REMINDER ABOUT TELEMEDICINE REGULATIONS

The Board regularly receives calls setting forth a variety of “telemedicine” factual scenarios. While many organizations are evaluating the potential use of telemedicine, the current Maryland regulations on telemedicine, the Code of Maryland Regulations (COMAR) 10.32.05.03, state that:

Except as specified in Health Occupations Article, §14-302, Annotated Code of Maryland, an individual shall be a ***licensed Maryland physician\**** in order to practice telemedicine if one or both of the following occurs:

- A. The individual practicing telemedicine is physically located in Maryland;
- B. The patient is in Maryland.

All organizations seeking to utilize telemedicine are encouraged to review and familiarize themselves with the regulations. If necessary, please seek legal guidance from your attorney to confirm that any contemplated structure conforms to Maryland law and regulations.

*\* (emphasis added)*

# REMINDERS FOR PHYSICIANS

## Physician Retirement from Practice

The Board often receives inquiries from physicians about steps they should take if they are preparing to retire from practice. There are two topics that the Board can address: maintenance of medical records and licensure.

State law requires that a health care provider or a designee who agrees to provide for the maintenance of medical records must write, within a reasonable time, to notify the Board that the records will be properly maintained. See Health-General Article, §4-403(e), Annotated Code of Maryland, for information on record retention or disposal.

Retiring physicians who intend to keep their licenses active must follow all requirements related to maintaining the license, such as completing continuing medical education (CME) and updating profile information that appears on the Board's Website. See the article "Updating Practitioner Profiles" on Page 14 of this newsletter. For information on CME requirements for physicians, see the Code of Maryland Regulations (COMAR) 10.32.01.10.

Physicians who established business entities may wish to contact the Maryland Department of Assessments and Taxation with questions about business matters.

Another resource is MedChi, the Maryland State Medical Society, which offers practice services for its members. On the MedChi Website ([www.medchi.org](http://www.medchi.org)), "Starting/Moving/Closing Your Practice" is listed as a topic under the "Assessment" category of practice services.

Physicians with questions on these and other retirement topics may also wish to consult legal counsel.

## Physicians Supervising Physician Assistants or Athletic Trainers

### Physician Assistant Delegation Agreements

Hospitals, related institutions, alternative health care systems, or employers are required to report to the Board any termination of employment of the physician assistant for any reason, including quality of care issues, within 5 days of the termination.

Hospitals, related institutions, alternative health care systems, or employers also are required to report to the Board within 5 days any limitation, reductions, or other changes of employment of the change of employment that might be grounds for disciplinary actions under Health Occupations Article, §15-314.

### Athletic Trainer Evaluation and Treatment Protocols

Supervising physicians are required to notify the Board within 10 days of a termination of an evaluation and treatment protocol with an athletic trainer if the reasons for the termination were:

- Grounds for disciplinary action under Health Occupations Article, §14-5D-14; or
- Reasons unrelated to grounds for disciplinary action, e.g., voluntary resignation, change in supervising physician, etc.



4201 Patterson Avenue  
Baltimore, Maryland 21215

[www.mbp.state.md.us](http://www.mbp.state.md.us)

410-764-4777

1-800-492-6836

E-mail: [mbpmail@rcn.com](mailto:mbpmail@rcn.com)



# PROGRAMS TO ASSIST LICENSEES

## Mental Health Diagnosis and Treatment... *Do I have to report to the Board of Physicians?*

*Contributed by Chae Kwak, LCSW-C, Director, Maryland Physician Health Program*

Mental illness has long been stigmatized in our society, leading to many not seeking necessary mental health treatment. Numerous studies have indicated that this even applies to physicians and healthcare professionals. A recently published study in the “General Hospital Psychiatry” consisted of a survey of 2,100 female physicians and found that two-thirds of physicians who reported mental health related conditions cited the fear of stigma associated with receiving treatment as preventing them from getting help. Reasons (higher for male physicians) included judgment by colleagues, privacy, and autonomy concerns, **and** a fear of administrative consequences by the medical licensing body.

One of the Board of Physicians’ questions on the initial licensure application and subsequent renewals is the following: *Do you currently have any condition or impairment (including, but not*

*limited to, substance abuse, alcohol abuse, or a physical, mental, emotional, or nervous disorder or condition) that in any way affects your ability to practice your profession in a safe, competent, ethical, and professional manner?*

An applicant has to affirmatively answer this question only if a current condition affects their **ability to practice medicine**. Diagnosis and/or treatment of mental health issues such as depression or anxiety is **not** the same as “impairment” in the practice of medicine.

Given the numerous stressors associated with modern practice of medicine contributing to an epidemic of physician burnout, the Board of Physicians (the Board) believes that early intervention and treatment, before a condition potentially interferes in the practice of medicine, is the best course for Maryland physicians and allied health professionals.

### Voluntary Programs

#### (Not affiliated with the Board)

The Maryland Physician Health Program (MPHP) is a private, confidential, non-disciplinary program that advocates for the health and well-being of all physicians and physician assistants in the state of Maryland and provides an appropriate setting to address issues that may potentially impact the ability to practice medicine. The MPHP assists with problems such as alcoholism, drug abuse/dependence, psychiatric illness, cognitive impairment, stress, disruptive behavior, and boundary violations.

Another voluntary program is the Maryland Healthcare Professionals Program (MHPP), which is similar to the MPHP but is reserved for allied health practitioners (other than physician assistants).

The goal of both the MPHP and MHPP is to intervene *before* a life problem becomes an impairment.

#### Non-Voluntary Program (Mandated by the Board)

#### Maryland Professional Rehabilitation Program (MPRP)

The MPRP is reserved for physicians and allied health professionals who already are known to the Board and have entered into an agreement for rehabilitation services based on Board orders or disposition agreements. It is distinct and separate from the voluntary programs MPHP and MHPP.

***The Board strongly encourages licensees to seek treatment for mental health or other issues with the MPHP or the MHPP. Participation in the voluntary programs is not shared with the Board.***

# ALLIED HEALTH NEWS

## Recruitment for the Polysomnography Professional Standards Committee

The Board is recruiting to fill two vacant physician positions on the [Polysomnography Professional Standards Committee \(PPSC\)](#). One physician must be a specialist in psychiatry or internal medicine, and one physician must be a specialist in neurology. Both physicians must be certified in sleep medicine. *Successful candidates must be licensed in Maryland and have an unencumbered Maryland license.*

The PPSC consists of three polysomnographic technologists, one consumer member, and three physicians with specialties in psychiatry or internal medicine, pulmonary medicine, and neurology. All physicians must be board certified in sleep medicine.

The role of the PPSC is to advise the Board on matters related to the practice of polysomnography. PPSC duties include, but are not limited to, making recommendations to the Board in the following areas:

- ♦ Developing and recommending regulations;
- ♦ Developing and recommending standards of care for the practice of polysomnography;
- ♦ Developing and recommending the requirements of licensure;
- ♦ Evaluating credentials of applicants and recommending licensure of applicants who fulfill the requirement of licensure.

Meetings are held from 4 – 6 p.m. on the fourth Thursday of every other month, beginning in February, at the Board's office in Baltimore.

Additional information on PPSC membership is available in the recruitment notice on the [Board's Website](#). To submit a curriculum vitae, please e-mail Cecilia Laurent, Allied Health Analyst, at [cecilia.laurent@maryland.gov](mailto:cecilia.laurent@maryland.gov).

## REMINDER

### *Practicing Naturopathic Medicine*

**Before an individual practices naturopathic medicine in Maryland, the individual must be licensed by the Board.**

Maryland law regarding [naturopathic doctors](#) (§14-5F of the Health Occupations Article, Annotated Code of Maryland) can be found on the [Maryland General Assembly Website](#).

## Allied Health Practitioners

### 2017 License Renewals and CHRCs

The following allied health groups are due to renew licenses in 2017. Criminal History Records Checks (CHRCs) are required to renew. It is the responsibility of the licensee to apply for a CHRC in order to renew a license.

***See Page 3 of this newsletter and the CHRC [special notice](#) on the Board's Website.***

*Radiographers, radiation therapists, nuclear medicine technologists, and radiologist assistants\**

**Licenses expire 4/30/17**

*Polysomnographers*  
**Licenses expire 5/30/17**

*Physician Assistants*  
**Licenses expire 6/30/17**

*Athletic Trainers*  
**Licenses expire 9/30/17**

\* Renewals for this group are expected to start on or about March 6, 2017.

# Sanctions: *April through September 2016*

Case names and actions are listed below. All Board orders are public documents.  
To view a document, click on the individual's name.

## April 2016

### Tasha M. Anderson, PA-C

Termination of Suspension.  
Probation for a minimum of five (5) years with terms and conditions.

### Barbara A. Byers, M.D.

Fine satisfied.

### Brittany Nichols

Fine satisfied.

### Prafull K. Dave, M.D.

Reprimand. Probation for a minimum of one (1) year with terms and conditions.

### Dov Frankel, M.D.

Reprimand with terms and conditions.

### Grace E. Ziem, M.D.

Permanent Surrender of medical license.

### Robert B. Kroopnick, M.D.

Termination of Probation.  
Permanently prohibited from treating new chronic pain patients. Reprimand remains in effect.

### Melanie Simmons

Fine satisfied.

### Orin M. Zwick, M.D.

Fine satisfied. Reprimand remains in effect.

### Arnold Brenner, M.D.

Termination of Probation.  
Reprimand and certain terms and conditions remain in effect.

### Aris Urbanes, M.D.

Administrative fine of \$3,825.00.

### Lincoln K. Dover, PA-C

Fine satisfied. Reprimand remains in effect.

### Walter E. Kozachuk, M.D.

Reprimand. Probation for a minimum of two (2) years with terms and conditions. During the probationary period, the physician is prohibited from prescribing controlled dangerous substances.

### Vicki Reese, M.D.

Administrative fine of \$1,925.00.

### Jonathan E. Gottlieb, M.D.

Administrative fine of \$2,150.00.

### Emily Porter Gerson, M.D.

Reprimand with terms and conditions. Monetary penalty of \$1,050.00.

## May 2016

### Lisa M. Cohen, M.D.

Reprimand.

### Jose A. Hernandez, M.D.

Reprimand with terms and conditions.

### David Posner, M.D.

Administrative fine of \$5,000.00.

### Katherine L. Ball, M.D.

Surrender of medical license.

### Kevin M. Meadowcroft, P.A.

Satisfied the terms and conditions of Consent Order. Reprimand remains in effect.

### Karl J. Stoffel, RCP

Surrender of license to practice respiratory care.

### Sammy S.W. Kang, M.D.

Fine satisfied. Reprimand remains in effect.

### Emily P. Gerson, M.D.

Fine satisfied. Reprimand remains in effect.

### John F. Eisold, M.D.

Surrender of medical license.



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### May 2016 (continued)

**Darlene L. Jones, D.O.**

Application for Initial Medical Licensure Granted with terms and conditions.

**Andrew W. Loftus, M.D.**

Suspension Stayed.

**Bryan S. Williams, M.D.**

Summary Suspension.

**Kevin L. Carr, M.D.**

Reprimand with terms and conditions.

**Samuel S. Stopak, M.D.**

Administrative fine of \$900.00.

**Ron Mark, M.D.**

Reprimand.

**Alyse M. Beck, RCP**

Suspension of license to practice respiratory care with terms and conditions.

**Eric C. Greenberg, M.D.**

Application Denied for a license to practice medicine.

**Kamal K. Pourmoghadam, M.D.**

Reprimand.

**Linda J. Whitby, M.D.**

Reprimand. Probation for a minimum of two (2) years with terms and conditions.

**Daniel B. Levy, M.D.**

Reprimand. Probation for a minimum of 18 months with terms and conditions.

**Bryan S. Williams, M.D.**

Summary Suspension  
Affirmed.

**Jaime F. Marquez, M.D.**

Administrative fine of \$2,300.00.

**Hadi M. Rassael, D.O.**

Suspension Continued with terms and conditions.

**Michael K. Hise, M.D.**

Reprimand. Probation for a minimum of one (1) year with terms and conditions.

**Harry L. Marable, RCP**

Suspension of license to practice respiratory care.

**Veronica L. Shawyer, Radiographer**

Suspension of license to practice radiography.

**Paul G. Prunier, M.D.**

Surrender of medical license.

**Katherine Ann Martin, D.O.**

Reprimand. Probation for a minimum of one (1) year with terms and conditions.

### June 2016

**Donna Lee, M.D.**

Satisfied Consent Order.  
Reprimand remains in effect.

**Olubayo Oludara-Fadare, M.D.**

Fine satisfied. Reprimand remains in effect.

**Leila I. Kump, M.D.**

License to practice medicine is Reinstated. Probation for 18 months.

**Raymond J. Altieri, M.D.**

Reprimand. Probation for a minimum of one (1) year with terms and conditions.

**Susan B. Brinkley, M.D.**

Termination of Probation.  
Reprimand remains in effect.

**Virginia M. Vesay, PA-C**

License Surrendered.

**Fred R.W. Bailor, D.O.**

Probation Terminated.

**Rodney L. Ellis, M.D.**

Reprimand. Civil fine of \$1,050.00.

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## June 2016 (continued)

### **Gary J. Sprouse, M.D.**

Probation and terms of the 2013 Probation Order are terminated. Reprimand and Probation for a minimum of 18 months with terms and conditions.

### **J. Michael Anchors, M.D.**

Civil fine of \$1,000.00.

### **Allison L. Conley, PA-C**

Suspension with terms and conditions; retroactive from November 10, 2015.

## July 2016

### **Bradley R. Belmont, NMT**

Order terminating probation.

### **Rebecca L. Ospital, PA-C**

Civil fine of \$3,000.00.

### **Jennifer S. Cecil, PA-C**

Revocation.

### **Kinga Michelle Huzella, M.D.**

Order terminating probation.

### **Gary J. Sprouse, M.D.**

Amended Final Decision and Order. Reprimand. Probation for 18 months with terms and conditions.

### **Robert John Davis, M.D.**

Reprimand. Civil fine \$5,000.00.

### **Howard I. Pressman, M.D.**

Reprimand with terms and conditions.

### **Joseph C. Randall, Jr., M.D.**

Voluntary Surrender.

### **Ndubuisi J. Okafor, M.D.**

Final Decision and Order. The Application for Reinstatement of medical licensure is denied, and the January 6, 2016 Amended Notice of Intent to Deny Reinstatement Application is upheld.

### **David Vitberg, M.D.**

Administrative fine of \$575; terms and conditions.

### **J. Michael Anchors, M.D.**

Termination of Consent Order.

### **Rica B. Brown, M.D.**

Termination of Consent Order. Reprimand remains in effect.

### **Rodney L. Ellis, M.D.**

Termination of Consent Order. Reprimand remains in effect.

### **Ronald E. Thomas, M.D.**

Termination of Final Order. Reprimand remains in effect.

### **Mark Birns, M.D.**

Fine paid. Satisfied the terms and conditions of the February 23, 2016 Consent Order.

### **Jonathan Gottlieb, M.D.**

Fine paid. Satisfied the terms and conditions of the April 26, 2016 Consent Order.

### **Sharon Neibel-Pondek, M.D.**

Administrative fine of \$1,200.00; terms and conditions.

### **Reza Ghorbani, M.D.**

Civil fine of \$1,000.00; terms and conditions.

### **James E. Mouldsdale, M.D.**

Surrender of license.

### **John J. Koehler, M.D.**

Reciprocal action taken by the New York Board of Medicine.

### **Lynette Brown-Sladden, M.D.**

Termination of Probation. Reprimand remains in effect.

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## August 2016

### **Tiffany Kaetzel**

Cease and Desist. Monetary fine of \$1,000.00.

### **January Garrett**

Cease and Desist. Monetary fine of \$1,000.00.

### **Martin Liss, M.D.**

Civil fine of \$3,000.00.

### **Erik S. Kass, M.D.**

Fine of \$5,000.00.

### **Hadi M. Rassael, D.O.**

Order terminating suspension and imposing probation for three (3) years; terms and conditions.

### **Reza Ghorbani, M.D.**

Fine paid.

### **John C. Baldinger, M.D.**

Termination of Order.

### **Cecilia M. Tibery, PA-C**

Civil fine of \$1,250.00.

### **Nicholas J. Dudas, M.D.**

Reprimand; terms and conditions.

### **Glenn S. Price, M.D.**

Reprimand; probation for a minimum of 18 months with terms and conditions.

### **Sidney B. Barnes, M.D.**

Reprimand; probation for a minimum of two (2) years with terms and conditions.

### **John Sheehan, M.D.**

Cease and Desist.

### **Victor Y. Kim, M.D.**

Termination of Order.

### **Erik S. Kass, M.D.**

Fine paid.

### **Martin Liss, M.D.**

Fine paid.

### **Ralph B. Epstein, M.D.**

Amendments to the Consent Order of January 21, 2016.

### **Gig Fitzgerald Young,**

### **Radiographer**

Suspension for Delinquent Child Support.

### **Matthew T. Davis, RCP**

Reprimand; probation for a minimum of one (1) year; prohibited from the clinical practice of respiratory care; terms and conditions.

### **Robert John Davis, M.D.**

Termination of Order.  
Reprimand remains in effect.

### **Andrea N. Bailey, M.D.**

Reprimand. Probation for four (4) years with terms and conditions.

### **Rebecca L. Ospital, PA-C**

Fine paid.

### **Jonathan W. Klingler, D.O.**

Termination of suspension; probation for a minimum of five (5) years; terms and conditions.

### **Deborah Jane Bland, RCP**

Administrative fine of \$900.00; terms and conditions.

### **Courtney McCluskey, M.D.**

Administrative fine of \$1,400.00; terms and conditions.

## Did You Know...

*Regarding sanctions, pursuant to Health Occupations Article, §14-411.1(b)(2) and (3), Annotated Code of Maryland, the public profiles maintained by the Board (on the Website) must include a description of any disciplinary action taken by the Board or a disciplinary panel against the licensee within the most recent 10-year period that includes a copy of the public order. The profiles also must include a description in summary form of any final disposition taken by a licensing board in any other state or jurisdiction against the licensee within the most recent 10-year*

# Sanctions: April through September 2016

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## September 2016

### Vincent J. Vaghi, M.D.

Suspension for a minimum of one (1) year; terms and conditions.

### Robert Gerner, M.D.

Reciprocal action taken by the California Board of Medicine.

### Kamal G. Bangoria, M.D.

Termination of Probation.

### George Omala, RPSGT

Civil fine of \$250.00.

### Tiffany Kaetzel

Fine satisfied. Must continue to Cease and Desist from the practice of medicine.

### January Garrett

Fine satisfied. Must continue to Cease and Desist from the practice of medicine.

### John K. Yacoub, M.D.

Application for reinstatement of license to practice medicine denied.

### Darlene L. Jones, D.O.

Termination of Order.

### Nagbhushan S. Rao, M.D.

Termination of Probation.  
Reprimand remains in effect.

### Michelle R. Levy, PA-C

Civil fine of \$1,000.00.

### Benjamin Carr III, M.D.

Suspension for Delinquent Child Support.

### Ravinder Rustagi, M.D.

Summarily Suspended.

### Dov Frankel, M.D.

Termination of Order.

### Howard I. Pressman, M.D.

Termination of Order. Reprimand remains in effect.

### Benjamin Carr III, M.D.

Suspension lifted; medical license reinstated.

### Harinder Gill, M.D.

Fine paid.

### Harbhajan S. Ajrawat, M.D.

Reprimand; civil fine of \$2,500.00.

### Ralph J. Gemelli, M.D.

Termination of Order.

### Erin Rose Variano, AT

Civil fine of \$250.00.

### Michelle R. Levy, PA-C

Fine paid.

### Zubair Abdul Latif, M.D.

Suspension for a minimum of 18 months. Reciprocal action taken by the Virginia Board of Medicine.

### Harbhajan S. Ajrawat, M.D.

Fine paid. Reprimand remains in effect.

### George Omala, RPSGT

Fine paid.

### Richard Green, M.D.

Fine paid.

### Ravinder Rustagi, M.D.

Summary Suspension Affirmed.

*The mission of the Board of Physicians is to assure quality health care in Maryland through the efficient licensure and effective discipline of health providers under its jurisdiction, by protecting and educating clients/customers and stakeholders, and enforcing the Maryland Medical Practice Act.*

# DHMH NEWS

## Information

### *Available on the DHMH Website*

#### **Zika Virus**

Information regarding the Zika Virus is available on the following Department of Health and Mental Hygiene (DHMH) Web page:

<http://phpa.dhmh.maryland.gov/pages/zika.aspx>.

This Web page offers – in part – updated numbers of Zika cases in Maryland and links to additional resources.

#### **West Nile Virus**

DHMH also offers information regarding the West Nile Virus on the following Web page:

<http://phpa.dhmh.maryland.gov/OIDEOR/CZVBD/Pages/west-nile-virus.aspx>.

#### **New Name for the Division of Drug Control**

The Division of Drug Control is now the Office of Controlled Substances Administration (OCSA).

Along with the name change, which took effect July 1, 2016, there is a new Website address (<http://dhmh.maryland.gov/ocsa/Pages/home.ASPX>) and a new e-mail address ([Maryland.OCSA@maryland.gov](mailto:Maryland.OCSA@maryland.gov)).

#### **New Location for the Division of Vital Records**

The Division of Vital Records (DVR) has moved. Its new address at the Reisterstown Road Plaza is:

6764-B Reisterstown Road  
Baltimore, Maryland 21215

Click [here](#) for DVR contact information.

### **New Lyme Disease Notice Requirement**

[DHMH](#) would like to make health care providers and medical laboratories aware of a recent change in the law regarding laboratory testing for Lyme disease. Section 20-1701 of the Health-General Article, Annotated Code of Maryland, requires that patients receiving a laboratory test for the presence of Lyme disease receive the following notice at the time that blood is drawn:

*Your health care provider has ordered a laboratory test for the presence of Lyme disease for you. Current laboratory testing for Lyme disease can be problematic and standard laboratory tests often result in false negative and false positive results and, if done too early, you may not have produced enough antibodies to be considered positive because your immune response requires time to develop antibodies. If you are tested for Lyme disease and the results are negative, this does not necessarily mean you do not have Lyme disease. If you continue to experience unexplained symptoms, you should contact your health care provider and inquire about the appropriateness of retesting or initial or additional treatment.*

#### **Who Must Provide the Notice?**

- A licensed health care provider who draws the blood of a patient to perform a laboratory test for Lyme disease; or
- A medical laboratory that performs a laboratory test for the presence of Lyme disease.

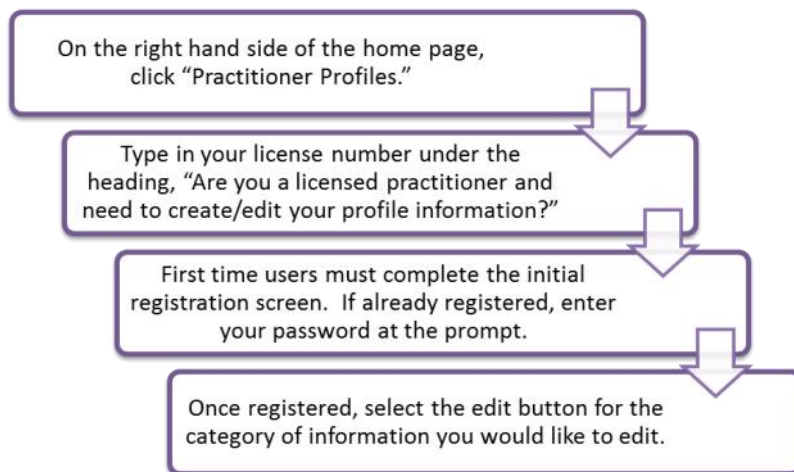


## Updating Practitioner Profiles

All licensed practitioners can edit their demographic information through the online practitioner profile on the Board's Website. Licensees can update their nonpublic, primary practice, and public addresses, and they can add postgraduate training programs or specialty board certifications. Self-designated practice areas also can be added or removed.

The Board requests that practitioners **update their e-mail addresses via the Website**. This will assist the Board in communicating more efficiently through electronic means. Updated profiles also provide important public information for consumers. Board research indicates that approximately 60% of licensees who are eligible to update their profiles have **never** done so. "Eligible" licensees include individuals with a license status of active or inactive, and also those on probation.

Please note that the Board no longer processes paper or e-mail requests for address changes. Changes submitted through the profile are updated on the Board's internal database within 24 hours. To edit your profile, go to the [Board's Website](#) and follow the steps below.



## Maryland Board of Physicians Board Members

**Damean W.E. Freas, D.O.**  
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**Arun Bhandari, M.D.**  
*Panel A Chair*

**Jonathan Lerner, PA-C**  
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Charles Gast  
Jacqueline M. Golden  
Avril M. Houston, M.D.  
Celeste M. Lombardi, M.D.  
Jacek Mostwin, M.D.  
Mark D. Olszyk, M.D.  
Kevin Damien Pereira, M.D.  
Robert P. Roca, M.D.  
Beryl J. Rosenstein, M.D.  
Martha Schaerr  
Thomas M. Walsh, M.D.

## Inclement Weather Policy

Sometimes inclement weather may force the delay, cancellation, or early dismissal of a meeting scheduled at the office of the Board. The Board's inclement weather policy, which typically follows the decision of the Baltimore City School System, is posted on the Board's Website:

<http://www.mbp.state.md.us/forms/inclement.pdf>