

IN THE MATTER OF

ABNER PASATIEMPO, M.D.

Respondent

License Number: D45431

*
*
*
*

BEFORE THE MARYLAND
STATE BOARD OF PHYSICIANS
Case No. 2004-0811

* * * * *
ORDER STAYING SUSPENSION / ORDER OF REINSTATEMENT

ORDER OF PROBATION

WHEREAS, the Maryland State Board of Physicians (the "Board") issued a Consent Order¹ regarding Abner Pasatiempo, M.D., on April 26, 2006;

WHEREAS, the Consent Order required that Dr. Pasatiempo's license to practice medicine be suspended for a period of five (5) years, with all but eighteen (18) months of the five-year suspension period stayed, to commence on the date the Board executed the Consent Order and continuing until such time as Dr. Pasatiempo completed certain required terms and conditions;

WHEREAS, the Consent Order also required that if Dr. Pasatiempo has fully and successfully complied with certain required terms and conditions, and after the conclusion of the entire eighteen (18) month period of active suspension, Dr. Pasatiempo may apply for a stay of the active suspension and reinstatement of his medical license, and the Consent Order further provided that Dr. Pasatiempo shall be solely responsible for ensuring that he provides the Board with adequate written verification that he has fully and successfully completed those terms and conditions of the Consent Order for which successful completion

¹ The Board's Consent Order, dated April 26, 2006, is incorporated by reference into this Order, and available upon request.

was required as a condition precedent to stay the suspension and reinstate his medical license;

WHEREAS, Dr. Pasatiempo has completed the eighteen-month period of suspension and has appeared before a panel of the Board and demonstrated his full and successful compliance with those terms and conditions of the Consent Order for which successful completion was required as a condition precedent to stay the suspension and reinstate his medical license;

WHEREAS, a panel of the Board has determined that Dr. Pasatiempo has been fully and satisfactorily compliant with the required terms and conditions of the Consent Order and that the suspension of his license can be stayed and his medical license reinstated.

It is therefore:

ORDERED that, beginning on the effective date of this Order Staying Suspension/Order of Reinstatement/Order of Probation (hereinafter "Order"), the five-year suspension imposed under the April 26, 2006 Consent Order, is stayed and his medical license is reinstated; and it is further

ORDERED that Dr. Pasatiempo shall be placed on **PROBATION for a minimum period of FIVE (5) Years**, which shall commence on the effective date of this Order, and shall continue until all the following terms and conditions are satisfactorily met:

1. Dr. Pasatiempo's practice shall be supervised, subject to the following terms:

- a. Within **forty-five (45) days** of the date the Board reinstates the Respondent's medical license, Dr. Pasatiempo shall submit to the Board for its approval, the name and professional credentials of a psychiatrist to supervise Dr. Pasatiempo's practice. The supervising psychiatrist shall not be

associated with Dr. Pasatiempo through any current or past personal, collegial, professional or academic affiliation. Dr. Pasatiempo shall provide the supervising psychiatrist with a copy of the charging document, this Order, and any other documents that the Board deems relevant to his case. Following Board approval, supervision of Dr. Pasatiempo's practice shall continue for the entire five-year probationary period. The Board may terminate any supervisor at its discretion and require that another supervisor be designated;

- b. The Pasatiempo shall assure that the supervising psychiatrist notifies the Board, in writing, within **ten (10) days** of the Board's approval of his or her acceptance of the supervisory role of Dr. Pasatiempo;
- c. At a minimum, supervision shall consist of monthly meetings at which a random sample of at least **ten (10) cases** are discussed and psychiatric ethical issues are addressed. The purpose of supervision shall be to monitor Dr. Pasatiempo's practice; to focus on appropriate diagnosis and treatment modalities; and to discuss the maintenance of professional boundaries and the development of appropriate psychiatrist-patient relationships;
- d. The supervising psychiatrist shall submit quarterly reports to the Board indicating the number and types of cases reviewed and the ethical issues discussed;
- e. Dr. Pasatiempo has sole responsibility for ensuring that the supervising psychiatrist submits the required quarterly reports;
- f. The Board has sole responsibility for any changes in the supervision and must approve any changes in the supervision.
- g. In the event that Dr. Pasatiempo's psychiatric supervisor discontinues supervising Dr. Pasatiempo's practice for any reason, Dr. Pasatiempo shall

immediately notify the Board. Dr. Pasatiempo shall be solely responsible for submitting a replacement candidate to serve as his psychiatric supervisor under the terms specified above.

2. Dr. Pasatiempo shall practice according to the Maryland Medical Practice Act and in accordance with all applicable laws, statutes, and regulations pertaining to the practice of medicine. Failure to do so shall constitute a violation of this Order.

3. Dr. Pasatiempo's practice shall be subject to peer review by an appropriate peer review entity, or a chart review by a Board designee, to be determined at the discretion of the Board. After a random chart review, the Board may recommend a peer review.

AND BE IT FURTHER ORDERED THAT after the conclusion of the entire **FIVE (5) YEAR PERIOD OF PROBATION**, Dr. Pasatiempo may file a written petition for termination of his probationary status without further conditions or restrictions, but only if Dr. Pasatiempo has satisfactorily complied with all conditions of this Order, including all terms and conditions of probation, and including the expiration of the **FIVE (5) YEAR** period of probation, and if there are no pending complaints regarding Dr. Pasatiempo before the Board; and be it further


ORDERED that if Dr. Pasatiempo violates any of the terms or conditions of this Order, after notice, opportunity for a hearing and determination of violation, may impose any other disciplinary sanctions it deems appropriate, including but not limited to, revocation or suspension, said violation being proven by a preponderance of the evidence; and be it further

ORDERED that Dr. Pasatiempo shall not petition the Board for early termination of his probationary period or the terms of this Order; and be it further

ORDERED that Dr. Pasatiempo shall be responsible for all costs incurred in fulfilling the terms and conditions of this Order; and be it further

ORDERED that this Order is a **PUBLIC DOCUMENT** pursuant to State Gov't Code Ann. § 10-611 *et seq.* (2004).

5/15/08
Date



John Papavasiliou, Deputy Director
Maryland State Board of Physicians