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BEFORE THE MARYLAND

SUSAN RICH, M.D.

BOARD OF PHYSICIANS

LICENSE NUMBER D62027 (expired)

✻

CASE NUMBER 2014-0823

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 medical education credits filed with the Application for Reinstatement of Medical licensure of Susan Rich, M.D. (the "Respondent"), License Number D62027 (expired). The audit findings provided sufficient evidence to conclude that the Respondent violated the Maryland Medical Practice Act (the "Act"), Md. Health Occ. Code Ann. §14-404(a)(3)(ii) and (36) by failing to complete fifty (50) continuing medical education credits reinstatement of her license as required by §14-317 and Code of Maryland Regulations ("COMAR") 10.32.01.

H.O. §14-317 provides:

The Board shall reinstate the license of a physician who has failed to renew the license for any reason if the physician:

- (1) Meets the renewal requirements of §14-316 of this subtitle;
- (2) Pays to the Board a reinstatement fee set by the Board; and
- (3) Submits to the Board satisfactory

The pertinent provision of H.O. §14-316 provides:

- (c) *Applications for renewal.*-- Before the license expires, the licensee periodically may renew it for an additional term, if the licensee:
- (1) Otherwise is entitled to be licensed;
 - (2) Pays to the Board a renewal fee set by the Board; and

(3) 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 requirements set under this section for license renewal.

The pertinent provisions of COMAR under 10.32.01 provide:

.10 Reinstatement of Expired or Inactive License.

- C. A physician applying for reinstatement shall complete the required number of CME hours for reinstatement as defined in Regulation .09 of this chapter.

.09 Continuing Medical Education

B. Requirements.

- (1) A physician applying for renewal or reinstatement shall earn at least 50 credit hours of Category I CME during the 2-year period immediately preceding the licensee's submission of the renewal or reinstatement application.
- C. On the application form for renewal or reinstatement, a physician shall attest to the fact that the physician has completed the continuing medical education requirement.

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. The Respondent was licensed to practice medicine in the State of Maryland. She was initially licensed in Maryland on June 29, 2004. The Respondent's license expired on September 30, 2013.
2. On April 5, 2014, the Respondent signed the certification in an Application for Reinstatement of Medical Licensure that she had obtained the required 50- Category 1 CME credit hours.
3. As part of the reinstatement application, the Board required the Respondent to provide to the Board documentation of at least 50 Category I CME credit hours within the two years immediately preceding her application for reinstatement.

5. Based upon the information received from the Respondent, she had obtained only 37.25 hours of the required 50 credit hours of Category I CME, not 50 hours as affirmed by the Respondent in her application for reinstatement.

6. The Respondent's failure to provide documentation of 50 credit hours of Category I CME and signing the certification regarding CME requirements on the application for reinstatement 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 committed prohibited acts under §14-404(a)(3)(ii) and (36) with respect to completion of continuing medical education credits as required by §14-317 and COMAR 10.32.01.

ORDER

It is hereby:

ORDERED that the Respondent shall pay an administrative fine of One Thousand Two Hundred Seventy-five Dollars (\$1275) (One Hundred Dollars per missing CME credit 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 immediately preceding the 2015 renewal (2013-2015 renewal), the Respondent shall obtain the required 50 credit hours of Category I CME mandatory for the 2015 renewal and the outstanding 12.75 hours of Category I CME credits that were not obtained during the two year period immediately preceding the reinstatement application, a total of 62.75 Category I CME credit hours;

2. The Respondent shall send verification of all continuing medical education credits prior to sending in the 2015 renewal to the Board. Board staff will verify the 62.75 hours of Category I CME credits that are sent to the Board. All 62.75 hours of the Category I CME credits must be ACCME-approved;

3. The Respondent's license shall not be renewed in 2015 unless the requirements of paragraphs 1 and 2 are met;

4 If the Board determines that the Respondent has violated any conditions 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., State Gov't §10-611 *et seq.*

Date

5/6/14


Christine A. Farrelly
Acting Executive Director

CONSENT

I, Susan Rich, M.D., 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.

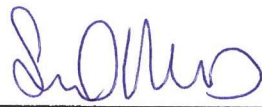
I acknowledge the validity of this Consent Order and I acknowledge that I am waiving my right to a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural protections 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.

05-06-2014
Date


Susan Rich, MD
Respondent

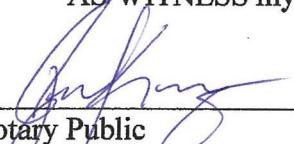
NOTARY

STATE OF Maryland

CITY/COUNTY OF Montgomery

I HEREBY CERTIFY that on this 6 day of May, 2014, before me, a Notary Public of the State and City/County aforesaid, personally appeared Susan Rich, M.D. 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.


Notary Public

My Commission expires: 11-19-2017

