

IN THE MATTER OF	*	BEFORE THE
JAMES S. KEHLER, M.D.	*	MARYLAND STATE
Respondent	*	BOARD OF PHYSICIANS
License Number: D08616	*	Case Number: 2017-0158B

\* \* \* \* \*

**ORDER FOR SUMMARY SUSPENSION OF LICENSE TO PRACTICE MEDICINE**

Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) hereby **SUMMARILY SUSPENDS** the medical license of **JAMES S. KEHLER, M.D.** (the “Respondent”), License Number D08616. Disciplinary Panel B takes such action pursuant to its authority under the Administrative Procedure Act (the “APA”), Md. Code Ann., State Gov’t § 10-226(c)(2)(i) (2014 Repl. Vol. & 2015 Supp.), concluding that the public health, safety, or welfare imperatively requires emergency action.

**INVESTIGATIVE FINDINGS<sup>1</sup>**

Based on information received by, and made known to Disciplinary Panel B of the Board, and the investigatory information obtained by, received by and made known to and available to Disciplinary B and the Office of the Attorney General, including the instances described below, Disciplinary Panel B has reason to believe that the following facts are true:

1. At all relevant times, the Respondent was and is a physician licensed to practice medicine in the State of Maryland. The Respondent was initially licensed in Maryland on September 18,

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<sup>1</sup> The statements regarding the Respondent’s conduct are intended to provide the Respondent with notice of the basis of the suspension. They are not intended as, and do not necessarily represent a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with this matter.

1970. His Maryland license is active through September 30, 2018.
2. The Respondent is board-certified in psychiatry and neurology.
  3. The Respondent practices medicine at a private practice in Annapolis, Maryland.
  4. On September 8, 2016, the Board received a complaint from a former patient ("Patient A") of the Respondent alleging that the Respondent routinely fell asleep and slurred his words during her appointments. Patient A also alleged concerns regarding the Respondent's care and billing practices.
  5. On September 16, 2016, the Board notified the Respondent of the complaint and its preliminary investigation and requested a written response within 10 business days.
  6. By letter dated January 10, 2017, the Board notified the Respondent that it had opened a full investigation.
  7. By letter dated December 15, 2017, the Board notified the Respondent that the Board required him to attend an examination pursuant to Health Occ. II § 14-402(a), specifically a neuropsychological examination.
  8. On January 3, 2018 and January 9, 2018, the Respondent underwent a neuropsychological examination with a licensed psychologist ("Evaluator"), who is board-certified in clinical neuropsychology.
  9. The Evaluator, in a written report dated January 20, 2018, concluded that the Respondent is "unable to practice medicine competently and safely." The Evaluator determined that based on the results of the examination, the Respondent lacks the ability to "diagnose patients, prescribe medication and engage in psychotherapy effectively."

### CONCLUSION OF LAW

Based on the foregoing facts, Disciplinary Panel B concludes that the public health, safety or welfare imperatively require emergency action in this case, pursuant to Md. Code Ann., State Gov't. § 10-226 (c)(2)(i).

### ORDER

Based on the foregoing, it is, by a majority of the quorum of Disciplinary Panel B,

**ORDERED** that pursuant to the authority vested by Md. Code Ann., State Gov't § 10-226(c)(2), the Respondent's license to practice medicine in the State of Maryland be and is hereby **SUMMARILY SUSPENDED**; and it is further

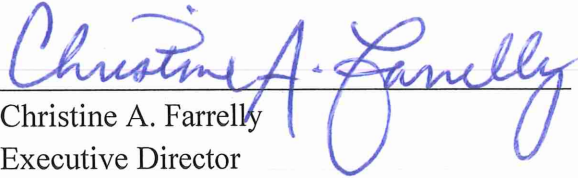
**ORDERED** that a post-deprivation hearing in accordance with Md. Code Regs. 10.32.02.08B(7)(c), D and E on the Summary Suspension, in which Panel B will determine whether the summary suspension will continue, has been scheduled for **February 28, 2018, at 1:00 p.m.**, at the Maryland State Board of Physicians, 4201 Patterson Avenue, Baltimore, Maryland 21215-0095; and be it further

**ORDERED** that after the **SUMMARY SUSPENSION** hearing held before Panel B, the Respondent, if dissatisfied with the result of the hearing, may request within ten (10) days an evidentiary hearing, such hearing to be held within thirty (30) days of the request, before an Administrative Law Judge at the Office of Administrative Hearings, Administrative Law Building, 11101 Gilroy Road, Hunt Valley, Maryland 21031-1301; and be it further

**ORDERED** that a copy of this Order of Summary Suspension shall be filed with the Board in accordance with Md. Code Ann., Health Occ. § 14-407 (2014 Repl. Vol.& 2015 Supp.); and it is further

**ORDERED** that this Order for Summary Suspension of License to Practice Medicine is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* and § 4-333 (2014).

02/20/2018  
Date

  
Christine A. Farrelly  
Executive Director  
Maryland State Board of Physicians