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| IN THE MATTER OF | * | BEFORE THE |
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| ELSA I. CORREA, M.D. | * | STATE BOARD OF PHYSICIAN |
| | * | |
| Respondent | * | QUALITY ASSURANCE |
| | * | |
| License Number: D20136 | * | Case Number: 94-0945 |
| * * * * * | | |

TERMINATION OF CONSENT ORDER

On June 28, 1995, the Board of Physician Quality Assurance (the "Board") entered into a Consent Order with the Respondent.¹ Pursuant to the terms and conditions of the Consent Order, the Respondent was suspended for a period of one (1) year, effective July 28, 1995. Conditions precedent to petitioning the Board for a stay of suspension were imposed.

On September 25, 1996, the Board granted the Respondent's Petition for Stay of Suspension and Reinstatement of her Maryland medical license. The Order of Reinstatement served to impose a probationary period of three (3) years, with conditions and terms.² Pursuant to the Order of Reinstatement, the Respondent was eligible to Petition the Board for Termination of Probation on September 25, 1999.

On January 6, 1999, the Board's Case Resolution Conference ("CRC") recommended that the Board grant the Respondent's Petition for Termination of Probation.

At its meeting of January 27, 1999, the full Board reviewed the recommendation of the Case Resolution Conference and voted to grant the Respondent's request for early Termination of Probation.

¹A copy of the Consent Order, dated June 28, 1995, is incorporated by reference and available upon request.

²A copy of the Order of Reinstatement, dated September 25, 1996, is incorporated by reference and available upon request.

FINDINGS OF FACT

1. On June 28, 1995, the Board executed a Consent Order with the Respondent which served to resolve charges issued under the Maryland Medical Practice Act.
2. The Consent Order served to impose terms and conditions imposed during a one (1) year period of suspension, said suspension effective July 28, 1995.
3. On June 28, 1996, the Board received the Respondent's request for stay of the suspension. Attached to the Respondent's Petition was documentation in support of the Respondent's compliance with conditions precedent to the Respondent's eligibility to Petition.
4. The Board granted the Respondent's Petition for Stay of Suspension and Reinstatement of her Maryland medical license, on September 25, 1996.
5. Pursuant to the Order for Stay of Suspension, the Board imposed a three (3) year period of probation, with terms and conditions.
6. The Respondent was eligible to Petition the Board for Termination of Consent Order on September 25, 1999, provided she had complied with all terms and conditions of the Order.
7. On November 30, 1998, the Board received a Petition for early Termination of Probation. Attached to the Respondent's Petition was documentation in support of the Respondent's compliance with terms and conditions precedent to the Respondent's eligibility to Petition.
8. On January 6, 1999, the Board's Case Resolution Conference ("CRC") convened to address the Respondent's Petition for Termination of Probation, and review the documentation

submitted in support of the Respondent's Petition. The CRC recommended that the Board grant the Respondent's request for early Termination of Probation.

9. At its meeting of January 27, 1999, the Board ratified the recommendation of the CRC.

CONCLUSION OF LAW

Based on the circumstances of this case, the Board hereby concludes that termination of probation shall be granted.

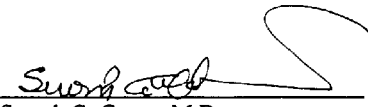
ORDER

Based on the foregoing Findings of Fact and Conclusion of Law, it is this 10th day of February, 1999,

ORDERED that the Consent Order executed by the Board of Physician Quality Assurance, dated June 28, 1995, is hereby **TERMINATED** and therefore of no further force and effect; and it is further

ORDERED that this **TERMINATION OF CONSENT ORDER** is a **PUBLIC DOCUMENT** pursuant to Maryland State Gov't Code §10-611 et. seq.

2/10/99
Date


Suresh C. Gupta, M.D.
Chairman

IN THE MATTER OF * BEFORE THE STATE BOARD OF
MARCIA BETH KRACKOW, MD. * PHYSICIAN QUALITY ASSURANCE
APPLICANT FOR LICENSURE * CASE NUMBER: 98-0487

* * * * *

CONSENT ORDER

The State Board of Physician Quality Assurance (the "Board") initially notified Marcia Beth Krackow, M.D. (the "Applicant") (D.O.B. 11-29-52) of the Board's intent to initially deny her application for licensure under the Maryland Medical Practice Act (the "Act"), Md. Code Ann., Health Occ. ("H.O.") §14-101 *et seq.* (1996 Cum. Supp.) on June 4, 1998.

The pertinent provisions of the Act under H.O. §14-307 provide the following:

(b) The applicant shall be of good moral character.

Md. Code Ann. H.O. §14-205 provides further:

(a)(1) In addition to the powers set forth elsewhere in this title, the Board may:

(iii) Subject to the Administrative Procedure Act, deny a license to an applicant or refuse to renew or reinstate an applicant's license for any of the reasons that are grounds for action under §14-404 of this title.

The applicable grounds under H.O. §14-404(a) are:

- (3) Is guilty of immoral or unprofessional conduct in the practice of medicine;
- (27) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate medical purposes.

On August 12, 1998, a Case Resolution Conference was held. As a result of the Case Resolution Conference, the Board and the Applicant entered into a Stet Agreement. Under the

terms of the Stet Agreement, consideration of the Applicant's application was stettered until the January 1999 meeting of the same Case Resolution Conference Panel at which time the Applicant was to demonstrate her compliance with a number of requirements recommended by the Case Resolution Conference Panel and agreed to by the Applicant. The Stet Agreement also incorporated various conditions that the Board would place on the Applicant's license at such time as the Board accepted the Applicant for licensure. The Board, at its September 23, 1998 meeting, considered the Case Resolution Conference's recommendation and voted to accept this Stet Agreement.

The Applicant appeared before the Case Resolution Conference panel on January 12, 1999. The Applicant demonstrated that she had complied with the requirements of the Stet Agreement. As a result of the Case Resolution Conference, the Case Resolution Panel recommended to the Board that the Applicant be accepted for licensure provided the conditions to which the Applicant had agreed and which were set forth in the Stet Agreement are placed on her license. The conditions to which the Applicant had agreed and which the Case Resolution Conference recommended be placed on the Applicant's licensure are:

- a) to continue and comply with all the terms of her five-year Advocacy Contract with the Physician's Rehabilitation Committee which extends through April 22, 2003;
- b) to provide the Board with quarterly reports from her mental health provider during the full term of the aforementioned Advocacy Contract ;
- c) to report to the Board all employment related to her license during the full term of the aforementioned Advocacy Contract; and
- d) to submit to peer review at the discretion of the Board.

The Board, at its meeting on February 24, 1999, considered the Case Resolution Conference's recommendation and voted to accept the Applicant for licensure with the four (4) conditions listed above placed on her license.

ORDER

Based on the recommendation of the Case Resolution Conference, and by an affirmative vote of the majority of the full authorized membership of those members of the Board of Physician Quality Assurance who considered this case, it is hereby

ORDERED that the Applicant be accepted for licensure; and be it further

ORDERED that the Applicant's license be subject to the four (4) conditions listed above; and be it further

ORDERED that this Order is a Final Order of the Board of Physician Quality Assurance and as such is a public document pursuant to Md. Code Ann., State Gov't §10-611 *et seq.*


Suresh C. Gupta, M.D.
Chair

3.17.99
Date

The Board, at its meeting on February 24, 1999, considered the Case Resolution Conference's recommendation and voted to accept the Applicant for licensure with the four (4) conditions listed above placed on her license.

ORDER

Based on the recommendation of the Case Resolution Conference, and by an affirmative vote of the majority of the full authorized membership of those members of the Board of Physician Quality Assurance who considered this case, it is hereby

ORDERED that the Applicant be accepted for licensure; and be it further

ORDERED that the Applicant's license be subject to the four (4) conditions listed above; and be it further

ORDERED that this Order is a Final Order of the Board of Physician Quality Assurance and as such is a public document pursuant to Md. Code Ann., State Gov't §10-611 *et seq.*


Suresh C. Gupta, M.D.
Chair

3.17.99
Date

CONSENT

By this Consent, I hereby accept the conditions and agree to be bound by the foregoing Order and conditions.

1. By this Consent, I submit to the foregoing Order as a resolution of this matter. By signing this Consent, I waive any rights I may have had to contest the Order.
2. I acknowledge the validity of this Order as if it were made after a hearing in which I would have had the right to counsel, to confront witnesses on my own behalf and to all other substantial procedural protections provided by law.
3. I recognize that I am waiving my right to appeal any adverse ruling of the Board that might have followed any such hearing. By this Consent, I waive all such rights.
4. I sign this Consent freely and voluntarily, after having had the opportunity to consult with counsel. I fully understand the language, meaning and effect of this Consent.

3.5.99
Date

Marcia Beth Krackow, M.D.
Marcia Beth Krackow, M.D.

STATE OF MARYLAND

CITY/COUNTY OF BALTIMORE

I HEREBY CERTIFY that on this 5TH of March, 1999, before me, a

Notary Public for the State and City/County aforesaid, personally appeared Marcia Beth

Krackow, M.D., and made oath in due form of law that the foregoing Consent was her voluntary act and deed.

AS WITNESS my hand and Notarial Seal.

Jane M. Ferrelly
Notary Public

My commission expires: MY COMMISSION EXPIRES MARCH 1, 2002

