

IN THE MATTER OF

*

BEFORE THE

WENDOL A. WILLIAMS, M.D.

*

MARYLAND STATE

Applicant for Reinstatement

*

BOARD OF PHYSICIANS

License Number: D45745

*

Case Number: 2221-0033A

* * * * *

CONSENT ORDER

On February 3, 2021, Disciplinary Panel A (“Panel A”) of the Maryland State Board of Physicians (the “Board”) notified Wendol A. Williams, M.D. (the “Applicant” or “Dr. Williams”) of its intent to deny his Application for Reinstatement of Medical License (the “Application”) pursuant to the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. §§ 14-101 *et seq.* (2014 Repl. Vol. & 2019 Supp.).

Panel A based its action on the following provisions of the Act:

Health Occ. § 14-307. Qualifications of applicants.

- (a) *In general.* – To qualify for a license, an applicant shall be an individual who meets the requirements of this section.
- (b) *Moral character.* – The applicant shall be of good moral character. . . .

Health Occ. § 14-205. Miscellaneous powers and duties.

. . .

- (b) *Additional powers.* . . .

- (3) Subject to the Administrative Procedure Act and the hearing provisions of § 14-405 of this title, a disciplinary panel may deny a license to an applicant or, if an applicant has failed to renew the applicant’s license, refuse to renew or reinstate an applicant’s license for:

- (i) Any of the reasons that are grounds for action under § 14-404 of this title[.]

Health Occ. § 14-404. Denials, reprimands, probations, suspensions, and revocations – Grounds.

- (a) *In general.* – Subject to the hearing provisions of § 14-405 of this subtitle, a disciplinary panel, on the affirmative vote of a majority of the quorum of the disciplinary panel, may reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the licensee:

...

- (3) Is guilty of: . . .

(ii) Unprofessional conduct in the practice of medicine; [and]

...

- (43) Except for the licensure process described under Subtitle 3A of this title, violates any provision of this title, any rule or regulation adopted by the Board, or any State or federal law pertaining to the practice of medicine [.]

The pertinent provisions of the Board's regulations in Md. Code Regs. are:

10.32.02.03 Sexual misconduct.

- A. Health care practitioners may not engage in sexual misconduct.
- B. Health Occupations Article, [§] 14-404(a)(3) . . . Annotated Code of Maryland, includes, but is not limited to, sexual misconduct.
- C. Sexual misconduct includes, but is not limited to:

...

- (5) Using the health care practitioner-patient relationship to initiate or solicit a dating, romantic, or sexual relationship;
- (6) Engaging in a dating, romantic, or sexual relationship which violates § D of this regulation or the code of ethics of the American Medical Association, American Osteopathic Association, American Psychiatric Association, or other professional code of ethics;
- (7) Participating in any form of sexual contact with a patient or key third party;

...

- D. Sexual or Romantic Relationships. A health care practitioner may not engage in sexual behavior with:

- (1) A current patient;

...

- (3) A former patient upon consideration of the following factors:
 - (a) Duration of the health care practitioner-patient relationship;
 - (b) Nature of the health care services provided;
 - (c) Lapse of time since the health care practitioner-patient relationship ended;
 - (d) Extent to which the former patient confided personal or private information to the health care practitioner;
 - (e) Degree of emotional dependence that the former patient has or had on the health care practitioner;
 - (f) Extent to which the health care practitioner used or exploited the trust, knowledge, emotions, or influence derived from the previous health care practitioner-patient relationship; and
 - (g) Whether the health care practitioner-patient relationship was terminated in order to enter into a romantic or sexual relationship.

On May 12, 2021, Panel A was convened as a Disciplinary Committee for Case Resolution (“DCCR”) in this matter. Based on the negotiations occurring as a result of this DCCR, the Applicant agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law, Sanction, Order, and Consent.

FINDINGS OF FACT

Panel A finds:

I. BACKGROUND

1. The Applicant was initially licensed to practice medicine in the State of Maryland on or about February 22, 1994, under License Number D47545. The Applicant continuously renewed his Maryland medical license until 2017, at which point he did not apply for renewal of his license. The Applicant’s Maryland medical license expired on or about September 30, 2017.

2. While practicing, the Applicant primarily practiced as a psychiatrist.

3. The Applicant previously held a license to practice medicine in Connecticut. On or about October 6, 2017, the Applicant entered a Voluntary Agreement Not to Renew or Reinstate License in which he agreed not to renew his Connecticut medical license. His Connecticut medical license subsequently expired on or about November 30, 2017.

II. APPLICATION FOR REINSTATEMENT

4. On or about May 28, 2020, the Applicant submitted his Application to the Board in which he sought reinstatement of his Maryland medical license.

5. In his Application, the Applicant answered “Yes” to Questions 13(a), (b), (c), (f), (o), and (p), which state the following:

13. Character and Fitness Questions

Since your last renewal:

- (a) Has a state licensing or disciplinary board (including Maryland), a comparable body in the armed services or the Veterans Administration, denied your application for licensure, reinstatement, or renewal?
- (b) Has a state licensing or disciplinary board (including Maryland), a comparable body in the armed services or the Veterans Administration, taken action against your license? Such actions include, but are not limited to, limitations of practice, required education, admonishment or reprimand, suspension, probation or revocation.
- (c) Has any licensing or disciplinary board in any jurisdiction (including Maryland), a comparable body in the armed services or the Veterans Administration, filed any complaints or charges against you or investigated you for any reason?
- . . .
- (f) Has a hospital, related health care institution, HMO, alternative health care system, or employer denied your application, failed to renew your privileges, including your privileges as a resident, or limited, restricted, suspended, or revoked your privileges in any way?

- ...
- (o) Have you voluntarily resigned or terminated a contract with any hospital, HMO, other health care facility, health care provider, institution, armed services or the Veterans Administration while under investigation by that institution for disciplinary reasons?
 - (p) Have you surrendered your license or allowed it to lapse while you were under investigation by any licensing or disciplinary board of any jurisdiction, any entity of the armed services or the Veterans Administration?

6. The Applicant provided a written explanation of his affirmative answers on the Application. He wrote, among other things, "In the fall of 2017, I became involved in a relationship with a 33-year-old female patient I was treating in my outpatient practice. It was relatively brief ([less than] 6-months), and after ending the relationship, I voluntarily surrendered my CT & MD^[1] medical licenses and registrations." He also wrote that his "application for reinstatement to the CT Department of Public Health is still pending final adjudication, it being under review after receiving an initial Denial for Reinstatement on October 9, 2019."

7. The Applicant also provided a written statement he initially addressed to the Connecticut Department of Public Health. In this statement, the Applicant wrote about the circumstances leading to his intimate relationship with his patient:

In hindsight, I was motivated by my wish to help this unusually precocious patient whom I thought was deserving of my heightened attention, and support. She appeared to be smart, attentive, and highly motivated to work with me on her problems. She was 33 years old. She invited me to monitor her closely as she attempted to reestablish her life in a positive and self-aware manner. Unfortunately, because of the increasing intensity of the relationship, my misplaced hopes for

¹ Board records show that the Applicant did not voluntarily surrender his Maryland medical license pursuant to Health Occ. § 14-403, but instead allowed it to expire in September 2017.

her comprehensive recovery, and her repeated and persistent invitations, I became more intimately involved as the weeks and months progressed.

At this point in the relationship, there had been clear red flags that I should have heeded, but I was smitten, and then, unable or unwilling to seek outside supervision[.] . . . Eventually, when the patient made [certain] demands . . . I refused, which quickly caused a breach and painful fracture of this unhealthy relationship. Subsequently, these circumstances were reported to the [Connecticut] Department of Public Health.

8. The Applicant also provided with the Application numerous documents the Applicant had previously submitted to the Connecticut Board of Registration in Medicine in his Connecticut reinstatement efforts. These documents included an outline of various practice settings that the Applicant believed would be suitable for him based on his prior conduct as well as letters of support from his former colleagues and Connecticut-based treatment providers, among others.

9. The Applicant also provided an outline of certain events starting from around the time he resigned his employment in September 2017 until the time of the Application. The outline included the following information, among other things:

- a. On September 22, 2017, the Connecticut Department of Public Health received a complaint and mandatory report alleging that the Applicant had engaged in an inappropriate sexual relationship with a patient and inappropriately prescribed controlled dangerous substances to her.
- b. On September 29, 2017, the Applicant resigned his positions at a university-based hospital and state-operated hospital in Connecticut.
- c. On October 6, 2017, the Applicant entered a Voluntary Agreement Not to Renew or Reinstatement License with the Connecticut Department of Public Health.

10. On or about July 14, 2020, the Connecticut Department of Public Health wrote a letter to the Applicant's attorney stating, in relevant part, that the "Department's position has not changed, and it will not be reinstating Dr. Williams' license."

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Panel A concludes as a matter of law that Dr. Williams engaged in unprofessional conduct in the practice of medicine, in violation of Health Occ. § 14-404(a)(3)(ii); and engaged in sexual misconduct, in violation of a regulation adopted by the Board, specifically COMAR 10.32.17.03, which thus also violated Health Occ. § 14-404(a)(43). The charge alleging a violation of Health Occ. § 14-307(b) is dismissed.

SANCTION

Although Dr. Williams has violated the grounds set forth in the Conclusions of Law, the Panel has determined that, with the remedial efforts he has made and with the conditions set forth in the Order, his application for reinstatement should be granted.

ORDER

It is by Disciplinary Panel A of the Board hereby:

ORDERED that the Application for Reinstatement of Medical License submitted by the Applicant Wendol A. Williams, M.D. to the Maryland State Board of Physicians is **GRANTED**; and it is further

ORDERED that Dr. Williams is **REPRIMANDED**; and it is further

ORDERED that Dr. Williams is permanently prohibited from treating, evaluating, and meeting with, any female patient individually or one-on-one. This permanent prohibition includes acts Dr. Williams performs by telemedicine; and it is further

ORDERED that, on every January 31st hereafter if Dr. Williams holds a Maryland medical license, Dr. Williams shall provide the Board with an affidavit verifying that he has not engaged in the prohibited individual or one-on-one treatment, evaluation, or meeting with, any female patient in the past year; and it is further

ORDERED that if Dr. Williams fails to provide the required annual verification of compliance with this condition:

- (1) there is a presumption that Dr. Williams has violated the permanent condition; and
- (2) the alleged violation will be adjudicated pursuant to the procedures of a Show Cause Hearing before a disciplinary panel; and it is further

ORDERED that, as a permanent condition, Panel approval is required for any practice setting at which Dr. Williams intends to work as a physician. Therefore, prior to his employment as a licensed physician in Maryland, Dr. Williams shall submit to the Board the pertinent information concerning his intended place of employment, for the Panel's consideration. Dr. Williams may not practice as a physician in Maryland without first obtaining Panel approval of his practice setting. Dr. Williams shall provide the Panel with all information requested concerning his intended employer; and it is further

ORDERED that Dr. Williams is placed on **PROBATION** for a **minimum of FIVE (5) YEARS.**² During probation, Dr. Williams shall comply with the following terms and conditions of probation:

1. Dr. Williams shall enroll in the Maryland Professional Rehabilitation Program (MPRP) as follows:

² If Dr. Williams' license expires during the period of probation, the probation and any conditions will be tolled.

- (a) Within 5 business days, Dr. Williams shall contact MPRP to schedule an initial consultation for enrollment;
- (b) Within 15 business days, Dr. Williams shall enter into a Participant Rehabilitation Agreement and Participant Rehabilitation Plan with MPRP;
- (c) Dr. Williams shall fully and timely cooperate and comply with all MPRP's referrals, rules, and requirements, including, but not limited to, the terms and conditions of the Participant Rehabilitation Agreement(s) and Participant Rehabilitation Plan(s) entered with MPRP, and shall fully participate and comply with all therapy, treatment, evaluations, and screenings as directed by MPRP;
- (d) Dr. Williams shall sign and update the written release/consent forms requested by the Board and MPRP, including release/consent forms to authorize MPRP to make verbal and written disclosures to the Board and to authorize the Board to disclose relevant information from MPRP records and files in a public order. Dr. Williams shall not withdraw his release/consent;
- (e) Dr. Williams shall also sign any written release/consent forms to authorize MPRP to exchange with (i.e., disclose to and receive from) outside entities (including all of Dr. Williams' current therapists and treatment providers) verbal and written information concerning Dr. Williams and to ensure that MPRP is authorized to receive the medical records of Dr. Williams, including, but not limited to, mental health and drug or alcohol evaluation and treatment records. Dr. Williams shall not withdraw his release/consent;
- (f) Dr. Williams' failure to comply with any of the above terms or conditions including terms or conditions of the Participant Rehabilitation Agreement(s) or Participant Rehabilitation Plan(s) constitutes a violation of this Consent Order; and it is further

ORDERED that, after Dr. Williams has complied with all terms and conditions of probation and the minimum period of probation imposed by the Consent Order has passed, Dr. Williams may submit to the Board a written petition for termination of probation. After consideration of the petition, the probation may be terminated through an order of the

disciplinary panel. Dr. Williams may be required to appear before the disciplinary panel to discuss his petition for termination. The disciplinary panel may grant the petition to terminate the probation, through an order of the disciplinary panel, if Dr. Williams has complied with all probationary terms and conditions and there are no pending complaints relating to the charges; and it is further

ORDERED that a violation of probation constitutes a violation of the Consent Order; and it is further

ORDERED that the effective date of the Consent Order is the date the Consent Order is signed by the Executive Director of the Board or her designee. The Executive Director or her designee signs the Consent Order on behalf of the disciplinary panel which has imposed the terms and conditions of this Consent Order; and it is further

ORDERED that Dr. Williams is responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and it is further

ORDERED that, if Dr. Williams allegedly fails to comply with any term or condition imposed by this Consent Order, Dr. Williams shall be given notice and an opportunity for a hearing. If the disciplinary panel determines there is a genuine dispute as to a material fact, the hearing shall be before an Administrative Law Judge of the Office of Administrative Hearings followed by an exceptions process before a disciplinary panel; and if the disciplinary panel determines there is no genuine dispute as to a material fact, Dr. Williams shall be given a show cause hearing before a disciplinary panel; and it is further

ORDERED that after the appropriate hearing, if the disciplinary panel determines that Dr. Williams has failed to comply with any term or condition imposed by this Consent

Order, the disciplinary panel may reprimand Dr. Williams, place Dr. Williams on probation with appropriate terms and conditions, or suspend Dr. Williams' license with appropriate terms and conditions, or revoke Dr. Williams' license to practice medicine in Maryland. The disciplinary panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine on Dr. Williams; and it is further

ORDERED that this Consent Order is a public document. *See* Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

06/08/2021
Date

Signature on file

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians

CONSENT

I, Wendol A. Williams, M.D., acknowledge that I have consulted with counsel before signing this document.

By this Consent, I agree to be bound by this Consent Order and all its terms and conditions and understand that the disciplinary panel will not entertain any request for amendments or modifications to any condition.

I assert that I am aware of my right to a formal evidentiary hearing, pursuant to Md. Code Ann., Health Occ. § 14-405 and Md. Code Ann., State Gov't §§ 10-201 *et seq.* concerning the pending charges. I waive this right and have elected to sign this Consent Order instead.

I acknowledge the validity and enforceability of this Consent Order as if entered after the conclusion of 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 as provided by law. I waive those procedural and substantive protections. I acknowledge the legal authority and the jurisdiction of the disciplinary panel to initiate these proceedings and to issue and enforce this Consent Order.

I voluntarily enter into and agree to comply with the terms and conditions set forth in the Consent Order as a resolution of the charges. I waive any right to contest the Findings of Fact and Conclusions of Law and Order set out in the Consent Order. I waive all rights to appeal this Consent Order.

I sign this Consent Order, without reservation, and fully understand the language and meaning of its terms.

June 2, 2021
Date

Signature on file

Wendol A. Williams, M.D.

NOTARY

STATE OF CT

CITY/COUNTY OF New Haven

I HEREBY CERTIFY that on this 2nd day of June, 2021, before me, a Notary Public of the foregoing State and City/County, did personally appear Wendol A. Williams, M.D. and made oath in due form of law that signing the foregoing Consent Order was his voluntary act and deed.

AS WITNESSTH my hand and seal.

Kristen M. Kilbride
Notary Public

My commission expires: _____

