

IN THE MATTER OF

PATRICK H. HARMON, M.D.

Applicant

\*

BEFORE THE MARYLAND

\*

STATE BOARD OF

\*

PHYSICIANS

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Case Number: 2224-0156

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## CONSENT ORDER

### PROCEDURAL BACKGROUND

Based on information received regarding the Application for Initial Medical Licensure (“Application”) of Patrick H. Harmon, M.D., (the “Applicant”) to practice medicine in Maryland, Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Maryland Board”) has grounds to deny the Application under the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. §14-101 et seq. Prior to the issuance of a Notice of Intent to Deny Application for Initial Medical Licensure, the Applicant agreed to enter into with the Maryland Board this public Consent Order, which consists of Procedural Background, Findings of Fact, Conclusions of Law, Order and Consent.

Specifically, Panel B has grounds to deny the Application pursuant to the following provisions of the Act:

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 ... for:

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

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

(a) Subject to the hearing provisions of §14-405 of the 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 the license if the licensee:

- (21) Is disciplined by a licensing or disciplinary authority or convicted or disciplined by a court of any state or country or disciplined by any branch of the United States uniformed services or the Veterans' Administration for an act that would be grounds for disciplinary action under this section[.]

The underlying ground for disciplinary action under Health Occ. §14-04(a)(21) is § 14-404(a):

- (4) Is professionally, physically, or mentally incompetent[.]

#### **FINDINGS OF FACT**

Panel B makes the following findings of fact:

1. On or about September 25, 2023, the Applicant filed with the Maryland Board an Application to practice medicine in Maryland.
2. In his Application, the Applicant answered “yes” to the following character and fitness questions:

“2. Has a state licensing or disciplinary board (including Maryland), a comparable body in the armed services, or the Veterans Administration, ever 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.

“3. Has any licensing or disciplinary board in any jurisdiction (including Maryland), a comparable body in the armed services, or the Veterans Administration, ever filed any complaints or charges against you or investigated you for any reason.”

“9. Are there any charges pending against you in any court of law, are you currently under arrest, released pending trial with or without bond, or is there any outstanding warrant for your arrest?”

3. Based on the Applicant's affirmative responses in the Application, the Maryland Board initiated an investigation of the Applicant, which revealed that, on or about November 26, 2021, the Applicant consumed alcohol and drove an automobile. In the early morning of November 27, 2021, the Applicant was arrested and charged with driving while impaired.
4. As a result, the Applicant underwent an examination by the North Carolina Professionals Health Program ("the NCPHP"). The Applicant signed a one-year monitoring contract with the NCPHP on January 19, 2022. In October 2022, the Applicant consumed alcohol in violation of his NCPHP contract and shortly thereafter stopped practicing medicine so he could address the issues surrounding his alcohol consumption and violation of his NCPHP contract.
5. The Applicant has signed a second contract with NCPHP which is effective until February 2028.
6. In May 2023, the Applicant entered into a Consent Order with the North Carolina Medical Board. In the Consent Order, the Applicant acknowledged that, when abusing alcohol, he is unable to practice medicine with reasonable skill and safety within the meaning of N.C. Gen. Stat. § 90-14(a)(5) and that grounds under this statute authorized the North Carolina Medical Board to discipline the Applicant. Under the Consent Order with the North Carolina Medical Board, the Applicant was ordered, *inter alia*, to comply with all terms and conditions of his participation with the NCPHP.
7. The Applicant returned to the practice of medicine in North Carolina on June 12, 2023.

### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, Disciplinary Panel B concludes as a matter of law that the Applicant was disciplined by a licensing or disciplinary authority for acts that, if committed in Maryland, would be grounds for disciplinary action under Health Occ. §14-404(a),

in violation of §14-404(a)(21). *See* Health Occ. § 14-205(b)(3)(i). The underlying ground for action under Health Occ. §14-404(a)(21), if committed in Maryland, is Health Occ. §14-404(a)(4): Is professionally, physically, or mentally incompetent[.]

### **ORDER**

It is, thus, by Disciplinary Panel B, hereby:

**ORDERED** that the Application for Initial Medical Licensure of Patrick H. Harmon, M.D., to practice medicine in the State of Maryland is hereby **GRANTED**; and it is further

**ORDERED** that the Applicant is **REPRIMANDED**; and it is further

**ORDERED** that the Applicant shall comply with the following terms and conditions:

- a. The Applicant shall comply with the terms and conditions of the May 22, 2023 Consent Order the Applicant entered into with the North Carolina Medical Board and any other orders issued by the North Carolina Medical Board concerning the Applicant;
- b. The Applicant shall comply with the terms and conditions of his Recovery Monitoring Contract with the NCPHP and all rules, requirements, and referrals of the NCPHP;
- c. The Applicant shall sign a release of information in order for the Maryland Board to monitor all aspects of his participation in the NCPHP and with the North Carolina Medical Board and shall keep any and all releases of information current;
- d. The Applicant shall ensure that any and all NCPHP and North Carolina Medical Board reports concerning the Applicant be immediately sent to the Maryland Board;
- e. The Applicant agrees that, should monitoring be required in Maryland, as determined by the Maryland Board, the Applicant will enter into a Participant Rehabilitation Agreement with the Maryland Professional Rehabilitation Program ("MPRP") within ten (10) business days of

written notice to the Applicant by the Board, and the Applicant shall comply with the Participant Rehabilitation Agreement and all rules, requirements, and referrals of MPRP; and it is further

**ORDERED** that this Consent Order goes into effect on the date the Consent Order is signed by the Executive Director of the Maryland Board or her designee, who signs on behalf of Panel B; and it is further

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

**ORDERED** that, if the Applicant allegedly fails to comply with any term or condition of this Consent Order, the Applicant 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, the Applicant 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 the Applicant has failed to comply with any term or condition of this Consent Order, the disciplinary panel may reprimand the Applicant, place the Applicant on probation with appropriate terms and conditions, or suspend the Applicant's license with appropriate terms and conditions, or revoke the Applicant's license. The disciplinary panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine on the Applicant; 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).

05/06/2024  
Date

***Signature On File***

Christine A. Farrelly, Executive Director  
Maryland State Board of Physicians

**CONSENT**

I, Patrick H. Harmon, M.D., acknowledge that I am aware of my right to consult with and be represented by counsel in considering this Consent Order. I have chosen to proceed without counsel and I acknowledge that the decision to proceed without counsel is freely and voluntarily made.

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 have had a formal evidentiary hearing if the Maryland Board had issued charges concerning this matter, pursuant to Md. Code Ann., Health Occ. §14-405 and Md. Code Ann., State Gov't §§10-201 et seq. 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 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, without reservation, and fully understand the language and meaning of its terms.

4/24/24  
Date

***Signature On File***

Patrick H. Harmon, MD  
Applicant

NOTARY

STATE OF North Carolina

CITY/COUNTY OF: Guilford

I HEREBY CERTIFY that on this 24 day of April, 2024,  
before me, a Notary Public of the State and City/County aforesaid, personally appeared Patrick  
H. Harmon, M.D., and made oath in due form of law that the foregoing Consent Order was his  
voluntary act and deed.

AS WITNESS my hand and notarial seal.

[Signature]  
Notary Public



Joanne Farkas Frederick  
NOTARY PUBLIC  
Forsyth County, NC

My Commission expires: Nov 13, 2024

# Attachment 1



BEFORE THE  
NORTH CAROLINA MEDICAL BOARD

In re:	)	
	)	
Patrick Hugh Harmon, M.D.,	)	CONSENT ORDER
	)	
Respondent.	)	

This matter is before the North Carolina Medical Board ("Board") regarding information provided to the Board concerning Patrick Hugh Harmon, M.D. ("Dr. Harmon"). Dr. Harmon makes the following admissions, and the Board makes the following findings and conclusions:

STATUTORY AUTHORITY

The Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted to it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto.

FINDINGS OF FACT

Dr. Harmon was first issued a license to practice medicine by the Board on or about September 16, 2013, license number 2013-01991.

At all times relevant, Dr. Harmon practiced Psychiatry in Winston-Salem, North Carolina.

On November 26, 2021, Dr. Harmon consumed alcohol and drove an automobile. In the early morning of November 27, 2021, Dr. Harmon was arrested and charged with driving while impaired.

As a result, Dr. Harmon was examined by the North Carolina Professionals Health Program ("NCPHP"). On January 19, 2022, Dr. Harmon signed a one-year monitoring contract with NCPHP where he agreed, as part of the contract, to abstain from consuming alcohol. In October 2022, Dr. Harmon consumed alcohol in violation of his NCPHP contract. Shortly thereafter, Dr. Harmon stopped practicing medicine so he could address the issues surrounding his alcohol consumption and violation of his NCPHP contract.

Dr. Harmon obtained a comprehensive examination at the Florida Recovery Center ("FRC") from November 15, 2022, to November 17, 2022. As part of this examination, FRC diagnosed Dr. Harmon with alcohol use disorder and recommended that he obtain treatment for such. Dr. Harmon complied with the FRC recommendations and also signed a second contract with NCPHP on February 2, 2023, which Dr. Harmon is currently in compliance with and will last until February 2028.

Dr. Harmon and NCPHP are currently in the process of working on a return to work plan for Dr. Harmon.

### CONCLUSIONS OF LAW

Dr. Harmon acknowledges that, when abusing alcohol, he is unable to practice medicine with reasonable skill and safety within the meaning of N.C. Gen. Stat. § 90-14(a)(5) and grounds exist under this section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition or limit Dr. Harmon's license to practice medicine or to deny any application he might make in the future.

### PROCEDURAL STIPULATIONS

Dr. Harmon acknowledges and agrees that the Board has jurisdiction over him and over the subject matter of this case.

Dr. Harmon knowingly waives his right to any hearing and to any judicial review or appeal in this case.

Dr. Harmon, with the advice of legal counsel, acknowledges that he has read and understands this Consent Order and enters into it voluntarily.

Dr. Harmon desires to resolve this matter without the need for more formal proceedings.

The Board has determined that it is in the public interest to resolve this case as set forth below.

### ORDER

NOW, THEREFORE, with Dr. Harmon's consent, it is ORDERED that:

1. Dr. Harmon shall maintain his current contract with NCPHP and abide by all of its terms and conditions, including the timely payment of all fees required by NCPHP.

2. Dr. Harmon agrees that he will not return to the practice of medicine until cleared to do so by NCPHP.

3. Unless lawfully prescribed for him by someone other than himself, Dr. Harmon shall refrain from the use and possession of alcohol and all other mind-altering and mood-altering substances and all controlled substances including, but not limited to, sedatives, stimulants, and pain medication.

4. Upon request by the Board, Dr. Harmon shall supply urine, blood, hair, or any other bodily fluid or tissue sample the Board might reasonably require for the purposes of analysis to determine if he has consumed any of the substances mentioned above.

5. Dr. Harmon shall obey all laws. Likewise, he shall obey all rules and regulations involving the practice of medicine.

6. Dr. Harmon shall meet with the Board or members of the Board for an investigative interview at such times as requested by the Board.

7. Upon request, Dr. Harmon shall provide the Board with any information the Board deems necessary to verify compliance with the terms and conditions of this Consent Order.

8. If Dr. Harmon fails to comply with any of the terms of this Consent Order, that failure shall constitute unprofessional

conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and shall be grounds, after any required notice and hearing, for the Board to annul, suspend or revoke his license to practice medicine and to deny any application he might make in the future or then have pending for a license to practice medicine.

9. This Consent Order shall take effect immediately upon its execution by both Dr. Harmon and the Board, and it shall continue in effect until specifically ordered otherwise by the Board.

10. Dr. Harmon hereby waives any requirement under any law or rule that this Consent Order be served on him.

11. Upon execution by Dr. Harmon and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to persons, entities, agencies, and clearinghouses as required and permitted by law including, but not limited to, the Federation of State Medical Boards and the National Practitioner Data Bank.

By Order of the North Carolina Medical Board this the 22nd  
day of May, 2023.

NORTH CAROLINA MEDICAL BOARD

By:   
Michaux R. Kilpatrick, M.D., Ph.D.  
President

Consented to this the 19<sup>th</sup> day of May, 2023.

Patrick Hugh Harmon, M.D.

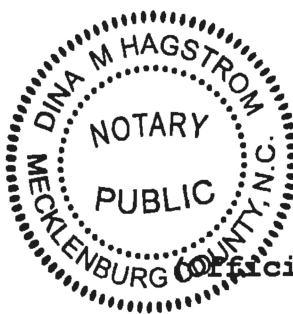
State of North Carolina

County of Mecklenburg

I, Dina M Hagstrom, do hereby certify that Patrick Hugh Harmon, M.D. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 19 day of May, 2023.

Dina M Hagstrom  
Notary Public



(Official Seal)

My Commission Expires: Aug 19, 2024