



DEPARTMENT OF HEALTH AND MENTAL HYGIENE
COMMISSION ON MEDICAL DISCIPLINE

201 W. PRESTON STREET • BALTIMORE, MARYLAND 21201 • Area Code 301 - 383-7058

June 20, 1985

Arthur T. Keefe, Jr., M.D., Secretary
Board of Medical Examiners of Maryland
O'Connor Building, 3rd Floor
201 W. Preston Street
Baltimore, Md. 21201

Re: Reza Feiz, M.D.
Lic. No.: D23753

Dear Dr. Keefe:

Enclosed you will find a copy of the "Findings of Fact, Conclusions of Law and Order" as executed by the Commission on Medical Discipline of Maryland, effective June 18, 1985, in the matter of the above referenced physician.

Sincerely yours,

Karl F. Mech, M.D.
Executive Secretary

KFM:es

- cc: John Sargeant, C.A.E., Executive Director,
 Medical and Chirurgical Faculty of Maryland
 Bryant L. Galusha, M.D., Executive Vice-President,
 Federation of State Medical Boards of the United States
 American Medical Association, Physician Biographic Records Section
 Sharon L. Stewart, Manager, Utilization Review Dept., Blue Cross/Blue Shield
 Charles H. Tregoe, Chief, Division of Drug Control
 Melvina Ford, Director, Medical Assistance Operations Administration
 Lawrence R. Payne, Director, Medical Assistance Compliance Administration
 Henry Schwartz, Chief, Division of Licensing and Certification
 Gary E. Bair, Chief, Medicaid Fraud Control Unit
 Robert J. Bickel, Compliance Group Supervisor, Drug Enforcement Administration
 Jim Patton, Regional Inspector General,
 Office of Health Financing Integrity/Office of Inspector General
 Steven J. Summer, Vice-President, Maryland Hospital Association
 DHMH Rosters and Renewal Unit
 Administrative Prosecutor
 Counsel to the Commission on Medical Discipline
 Barbara Hull Foster, Assistant Attorney General

IN THE MATTER OF
REZA FEIZ, M.D.

* BEFORE THE COMMISSION
* ON MEDICAL DISCIPLINE
* OF MARYLAND

* * * * *

FINDINGS OF FACT
CONCLUSIONS OF LAW AND ORDER

Based upon information coming to its attention, the Commission on Medical Discipline of Maryland (the "Commission") conducted an investigation and subsequently determined to charge Reza Feiz, M.D. ("Respondent") with violation of the Maryland Medical Practice Act, Health-Occupations Article, Maryland Code Annotated, §14-504(6) as follows:

Is convicted of or pleads guilty or
nolo contendere with respect to a crime
involving moral turpitude . . .

Respondent was notified of the charges by letter dated April 22, 1985. A hearing was scheduled for June 18, 1985. On May 21, 1985, a prehearing conference was held. Attending were Respondent, Marna McLendon, counsel for Respondent, Judith K. Sykes, Assistant Attorney General and Administrative Prosecutor, and Karl F. Mech, M.D., Executive Secretary, member and designee of the Commission. As a result of discussions and negotiations at the pre-hearing conference, Respondent agreed to enter into the following Consent Order.

FINDINGS OF FACT

Based upon the information in its files, and otherwise made known to it, the Commission finds:

1. That Respondent, Reza Feiz, M.D., is a physician licensed and practicing in Maryland currently and at all times material to the allegations relating to the above matter.

2. That on July 18, 1984, Respondent pled guilty by way of an Alford Plea, in the District Court of Maryland for the District of Howard County to a criminal charge against him of a 4th degree sexual offense which alleged that he engaged in sexual contact with a certain person against her will and without her consent in violation of Article 27, Section 464C of the Maryland Annotated Code.

3. The Statement of Facts in support of the Plea indicated that on February 11, 1984 Respondent touched a 15 year old girl in her breast area several times and that he did so against her will and without her consent. Respondent, whose specialty is child and adolescent psychiatry, had been the coordinating psychiatrist for the girl during a nine-month period ending in March, 1983 when she was institutionalized in a private facility, and upon her release had prescribed medications for her on three occasions, the last time being in June, 1983. Subsequently, there were several telephone conversations believed to be of a "friendship" type. During one of those conversations the meeting at which the incident occurred was arranged.

4. That said charge related to a crime of moral turpitude.

5. That on August 15, 1984, Respondent was found guilty by the District Court of Maryland for the District of Howard County. The imposition of sentence was suspended, however, and Respondent was placed on non-active probation under the supervision of the Maryland Division of Parole and Probation for a period of 36 months. The Court, having reviewed both a psychiatric and a psychological report as well as numerous letters praising Dr. Feiz's professional competence, felt that Dr. Feiz did not need supervision nor any special conditions of probation. The only condition imposed was that he obey all laws, and a record check was ordered to be made every 6 months.

6. That the incident in question did not involve use of violence or force.

7. That Dr. Feiz's supervisor at the time of the incident, who worked with him for seven years, found him to be a competent, energetic and caring psychiatrist committed to high quality patient care. To the knowledge of that supervisor, the incident which forms the basis of the charges in this case was the only occasion on which Dr. Feiz deviated from a high standard of professional ethics and he was known among those with whom he worked as a dedicated physician with high moral codes and personal integrity.

8. That Respondent has complied with the terms of his probation.

9. That psychiatric evaluations of Respondent on May 31, 1984 and on May 13, 1985 and psychological reports dated July 27 and October 18, 1984 found no evidence of a psychosexual, paraphiliac or personality disorder, and concluded that repetition of the incident was unlikely, but recommended psychotherapy on an ongoing basis to help Respondent deal with certain problems he was having.

10 That Respondent has followed up on that recommendation and except for a period of time when he was out of the country, has been receiving on-going psychotherapy since May 18, 1984.

11. Respondent resigned in April, 1984, from the position he occupied at the time the incident occurred and remained unemployed until April 8, 1985, at which time he assumed the position of staff psychiatrist at Eastern Shore Hospital Center where he is working with adults under supervision.

CONCLUSION OF LAW

Based upon the foregoing Findings of Fact, the Maryland Commission on Medical Discipline, by unanimous vote of those members considering the above case concludes as a matter of law that Respondent violated §14-504(6) of the Maryland Medical Practice Act, Health-Occupations Article, Maryland Code Annotated and finds Respondent GUILTY of that charge.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law it is this 18th day of June, 1985, by unanimous vote of those members of the Maryland Commission on Medical Discipline who considered the above case,

ORDERED that the license of Respondent Reza Feiz, M.D., an individual licensed to practice medicine on Maryland, is hereby SUSPENDED; and be it further

ORDERED that the suspension of Respondent's license shall be immediately STAYED and Respondent placed on PROBATION subject to the following conditions:

1. That Respondent shall not engage in activities of the type that led to his criminal conviction.

2. That Respondent obey all laws.

3. That Respondent arrange for the results of the record checks performed as a condition of his Court-ordered probation to be forwarded to the Commission.

4. That Respondent continue with his treating ~~psychotherapist until the Commission is notified by the treating~~ psychiatrist that such treatment is no longer recommended and the Commission is in agreement with that recommendation.

5. That Respondent shall arrange for the forwarding of a psychiatric report to the Commission every 6 months for the duration of his probation period.

6. That Respondent may practice only under supervision either in his present setting or under an alternative arrangement which has been approved by the Commission.

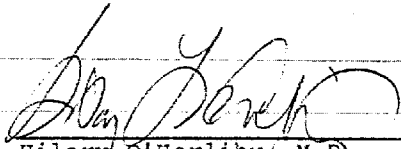
7. That Respondent will not, without Commission approval, undertake to treat on a regular basis, children or adolescents. Respondent may apply to the Commission for such approval at any time during the period of his probation. Approval will be contingent on receipt by the Commission of a written communication from Respondent's psychotherapist in support of the application and may be subject to specified conditions.

8. That Respondent arrange for his supervisor to forward a report as to his performance every 6 months for the duration of his probation; and be it further

ORDERED, that three years from the date of this Order the Commission will entertain a petition for termination of Respondent's probationary status and for restoration of his license to practice without condition or restriction, upon Respondent's demonstrating to the satisfaction of the Commission that he has complied with the terms and conditions of his probation. If the Commission determines that he has not complied with the terms and conditions of his probation, the Commission may modify one or more of the conditions of his probation; and be it further

ORDERED that if Respondent violates any of the foregoing conditions of probation, the Commission, after notification, a hearing, and determination of violation, may impose any disciplinary sanctions it deems appropriate; and be it further

ORDERED that a copy of this Order shall be filed with the Board of Medical Examiners in accordance with §14-507 of the Health Occupations Article of the Maryland Annotated Code.



Hilary O'Herlihy, M.D.
Chairman
Commission on Medical Discipline
of Maryland

CONSENT

By this Consent, I hereby admit the truth of the Findings of Fact and accept and submit to the foregoing Order and its conditions. I have read and acknowledge the validity of the ~~Order as if made after a 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 law. I also recognize that I am waiving my right to appeal any adverse ruling of the Commission that might have followed any such hearing. By this

Consent, I understand that I am waiving all such rights. I sign this Consent without reservation and after conferring with counsel and I fully understand its meaning.

Reza Feiz, M.D.
Reza Feiz, M.D.

STATE OF MARYLAND
CITY/COUNTY

~~I HEREBY CERTIFY that on this~~ 1st day of JUNE,
~~1985, before me the subscriber, a Notary Public of the State of~~
~~Maryland, personally appeared REZA FEIZ, M.D. and made oath in~~
~~due for that the foregoing Consent is his voluntary act and deed.~~

As witness my hand and Notarial Seal.

Chu J. Tencas
Notary Public

My Commission Expires: 7/1/85