

IN THE MATTER OF
REGINALD BIGGS, M.D.

Respondent

License Number: D54306

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BEFORE THE

MARYLAND STATE

BOARD OF PHYSICIANS

Case Number: 7720-0073

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ORDER TERMINATING SUSPENSION AND IMPOSING PROBATION

On January 5, 2018, Reginald Biggs, M.D. entered into a consent order with Disciplinary Panel A ("Panel A") of the Maryland State Board of Physicians (the "Board") based on his failure to meet the standards for appropriate medical care (the "standard of care"). Under the terms of the Consent Order, Dr. Biggs was reprimanded and placed on probation for one year with probationary conditions that included a chart/peer review. An unsatisfactory chart and/or peer review would be considered a violation of the 2018 Consent Order.

On August 1, 2019, after an unsatisfactory peer review, Dr. Biggs was charged with violating the 2018 Consent Order. On February 11, 2020, Dr. Biggs entered into a second consent order with Panel A (the "2020 Consent Order"). The 2020 Consent Order reprimanded Dr. Biggs and suspended his license, ordering him to enroll in and undergo a complete and comprehensive evaluation by the Clinical Competence Assessment Program administered by the Center for Personalized Education for Professionals (CPEP). The 2020 Consent Order further required that Dr. Biggs enroll in, and fully and timely cooperate and comply with educational intervention recommended by CPEP. Following the CPEP evaluation, CPEP was to produce a written report to Panel A and Dr. Biggs detailing the results of the evaluation and its recommendation about whether Dr. Biggs's performance was satisfactory or unsatisfactory, and whether he is clinically competent and safe to return to practice. Upon the receipt of the written

reports, Dr. Biggs was permitted to petition Panel A to terminate his suspension. Panel A is required to consider his disciplinary history and the CPEP report and determine whether Dr. Biggs is clinically competent and safe to return to the practice of medicine. If deemed safe to practice, the Panel may terminate his suspension and impose terms and conditions deemed appropriate, including any educational intervention recommended by CPEP, probation, a requirement to work in a structured environment, and other terms and conditions, as appropriate.

On April 29, 2021, Dr. Biggs petitioned to lift his suspension. The State filed a response to the Petition on May 11, 2021 that recommended terminating the suspension, but imposing significant probationary conditions. Dr. Biggs filed a reply on August 6, 2021. In addition to these documents, the Panel also considered an Assessment Report from CPEP received March 26, 2021 and an Educational Intervention Program Education Plan developed May 2021. CPEP opined that Dr. Biggs should review patient charts with a preceptor and engage in self-study, it noted variable clinical judgments and reasoning for adult patients and inadequate in children. The assessment report concluded that Dr. Biggs requires a “structured Educational Intervention . . . to address [his] educational needs while [he] continue[s] to practice.” On August 11, 2021, Dr. Biggs appeared before Panel A for consideration of his Petition.

Panel A finds that Dr. Biggs has complied with the terms of the 2020 Consent Order and that if ordered to comply with probationary terms and conditions providing monitoring and education recommended by the CPEP program Dr. Biggs is safe to return to the practice of medicine. It is, thus, by Panel A, hereby

ORDERED that the suspension imposed under the February 11, 2020 Consent Order is **TERMINATED**; and it is further

ORDERED that the **REPRIMAND** imposed by the January 5, 2018 Consent Order remains in effect; and it is further

ORDERED that Dr. Biggs is **PERMANENTLY PROHIBITED** from treating patients under 18 years old; and it is further

ORDERED that Dr. Biggs is placed on **PROBATION** for a minimum period of **TWO YEARS.**¹ During the probationary period, Dr. Biggs shall comply with the following probationary terms and conditions:

1. Dr. Biggs shall not practice medicine as a solo practitioner for the duration of probation;
2. Dr. Biggs shall be subject to supervision for psychiatry by a disciplinary panel-approved supervisor who is board-certified in psychiatry as follows:
 - (a) the Panel hereby approves the supervisor who Dr. Biggs proposed at his hearing;
 - (b) the disciplinary panel will provide the supervisor with a copy of this Order Terminating Suspension and Imposing Probation, the 2018 Consent Order, the 2020 Consent Order and any other documents the disciplinary panel deems relevant;
 - (c) Dr. Biggs shall grant the supervisor access to patient records selected by the supervisor from a list of all patients, which shall, to the extent practicable, focus on the type of treatment at issue in Dr. Biggs's consent orders and CPEP assessment;
 - (d) if the supervisor for any reason ceases to provide supervision, Dr. Biggs shall immediately notify the Board and shall not practice medicine beyond the 30th day after the supervisor has ceased to provide supervision and until Dr. Biggs has submitted the name and professional background, and written notice of confirmation, from a proposed replacement supervisor to the disciplinary panel;
 - (e) it shall be Dr. Biggs's responsibility to ensure that the supervisor:
 - (1) reviews the records of 10 patients per month, such patient records to be chosen by the supervisor and not Dr. Biggs;

¹ If Dr. Biggs' license expires while Dr. Biggs is on probation, the probationary period and any probationary conditions will be tolled.

(2) meets with Dr. Biggs at least once each month and discuss in-person with Dr. Biggs the care Dr. Biggs has provided for these specific patients;

(3) be available to Dr. Biggs for consultations on any patient;

(4) maintains the confidentiality of all medical records and patient information;

(5) provides the Board and CPEP with quarterly reports which detail the quality of Dr. Biggs's practice, any deficiencies, concerns, or needed improvements, as well as any measures that have been taken to improve patient care; and

(6) immediately reports to the Board any indication that Dr. Biggs may pose a substantial risk to patients;

(7) complies with any other provision of the CPEP Educational Intervention Program detailed in section 4 below;

(f) Dr. Biggs shall follow any recommendations of the supervisor;

(g) if the disciplinary panel, upon consideration of the supervisory reports and Dr. Biggs's response, if any, has a reasonable basis to believe that Dr. Biggs is not meeting the standard of quality care or failing to keep adequate medical records in his or her practice, the disciplinary panel may find a violation of probation after a hearing.

3. The Respondent shall enroll in the Center for Personalized Education for Professionals ("CPEP") and comply with its Educational Intervention Program as follows:

(a) Within 5 business days, Dr. Biggs shall contact CPEP for enrollment;

(b) Within 15 business days, Dr. Biggs shall enter into an arrangement with CPEP to comply with the Educational Intervention Program;

(c) Dr. Biggs shall fully and timely cooperate and comply with all CPEP's referrals, rules, and requirements, including, but not limited to, the terms and conditions of the Educational Intervention Program entered with CPEP, and shall fully participate and comply with all recommendations as directed by Educational Intervention Program;

(d) Dr. Biggs shall sign and update the written release/consent forms requested by the Board and CPEP, including release/consent forms to authorize CPEP to make verbal and written disclosures to the Board and to authorize the Board to disclose

relevant information from CPEP records and files in a public order. Dr. Biggs shall not withdraw his release/consent;

(e) the supervisor approved by this Order Terminating Suspension and Imposing Probation shall also serve as the preceptor required by CPEP and Dr. Biggs is responsible for the supervisor/preceptor complying with all the requirements of this Order and CPEP's Educational Intervention Program;

(f) the Respondent's failure to comply with any of the above terms or conditions including terms or conditions of the Educational Intervention Plan constitutes a violation of this Order Terminating Suspension and Imposing Probation;

4. The disciplinary panel may issue administrative subpoenas to the Maryland Prescription Drug Monitoring Program on a quarterly basis for Dr. Biggs's Controlled Dangerous Substances ("CDS") prescriptions. The administrative subpoenas will request the Dr. Biggs's CDS prescriptions from the beginning of each quarter.

IT IS FURTHER ORDERED that after a minimum period of **TWO YEARS**, Dr. Biggs may submit a written petition to the Board requesting termination of probation. After consideration of the petition, the probation may be terminated through an order of Panel A. Dr. Biggs may be required to appear before Panel A to discuss his petition for termination. Panel A will grant the petition to terminate the probation if Dr. Biggs has complied with all of the probationary terms and conditions, CPEP has deemed Dr. Biggs safe to practice without supervision, and there are no pending complaints related to the charges; and it is further

ORDERED that, if Dr. Biggs allegedly fails to comply with any term or condition of probation or this Order Terminating Suspension and Imposing Probation, Dr. Biggs shall be given notice and an opportunity for a hearing. If 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 the exception process before a disciplinary panel and, if there is no genuine dispute as to a material fact, Dr. Biggs shall be given a show cause hearing before Panel A; and it is further

ORDERED that, after the appropriate hearing, if Panel A determines that Dr. Biggs has failed to comply with any term or condition of probation or this Order, Panel A may reprimand Dr. Biggs, place Dr. Biggs on probation with appropriate terms and conditions, or suspend or revoke Dr. Biggs's license to practice medicine in Maryland. Panel A may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine upon Dr. Biggs; and it is further

ORDERED that there shall be no early termination of probation; and it is further

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

ORDERED that, unless stated otherwise in the order, any time period prescribed in this order begins when this Order goes into effect. This Order goes into effect upon the signature of the Board's Executive Director, who signs on behalf of Panel A; and it is further

ORDERED that this Order is a public document pursuant to Md. Code Ann., Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

09/17/2021
Date

Signature on File

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