

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE**

**Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs**

File No.:

19-49-015207

vs.

**Charles Tita, M.D.,
Respondent**

Department of State

2020 FEB -5 PM 2:19

PROTHONOTARY

CONSENT AGREEMENT AND ORDER

PARTIES

The Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs ("Commonwealth") and **Charles Tita, M.D.** ("Respondent") stipulate as follows in settlement of the above-captioned case.

APPLICABLE LAW

1. This matter is before the State Board of Medicine ("Board") pursuant to the Medical Practice Act of 1985, act of December 20, 1985, P.L. 457, No. 112, ("Act"), *as amended*, 63 P.S. §§ 422.1-422.53; the Medical Care Availability and Reduction of Error ("Mcare") Act, Act of March 20, 2002, P.L. 154, No. 13, *as amended*, 40 P.S. §§ 1303.101-1303.910; and/or the Act of July 2, 1993, P.L. 345, No. 48 ("ACT 48"), *as amended*, 63 P.S. §§ 2201-2207.

LICENSURE STATUS

2. At all relevant and material times, Respondent held the following license to practice as a medical physician and surgeon in the Commonwealth of Pennsylvania: license no. MD438442, which was originally issued on September 21, 2009, and which is currently set to expire on December 31, 2020.

STIPULATED FACTS

3. The Respondent admits that the following allegations are true:

a. Absent additional Board action, Respondent's license may be continually reactivated, renewed, or reinstated upon the filing of the appropriate documentation and payment of the necessary fees.

b. Respondent's last known address on file with the Board is: 406 Firestone Drive, Silver Spring, MD 20905.

c. At all relevant and material times, Respondent was authorized to practice as a physician in the State of Maryland.

d. On or about October 15, 2019, the Maryland State Board of Physicians ("Maryland Board") approved a Consent Order In the Matter of Charles Tita, M.D., Respondent at Case Number: 2218-0040B.

e. A true and correct copy of the Maryland Board's Consent Order is attached as **Exhibit A** and is incorporated by reference.

f. Pursuant to the Consent Order, the Maryland Board issued a reprimand and placed Respondent on probation for a minimum of three (3) years, subject to specific terms and conditions.

ALLEGED VIOLATIONS

4. The Commonwealth alleges that the Board is authorized to suspend or revoke, or otherwise restrict Respondent's license under sections 41 and 42 of the Act, 63 P.S. §§ 422.41 & 422.42; or impose a civil penalty under Section 908 of the Mcare Act, 40 P.S. §§ 1303.908, and/or Section 5(b)(4) of ACT 48, 63 P.S. §2205(b)(4) and/or impose the costs of investigation under Section 5(b)(5) of ACT 48, 63 P.S. § 2205(b)(5), because Respondent violated the Act at

section 41(4), 63 P.S. § 422.41(4), in that Respondent had a license or other authorization to practice the profession disciplined by the proper licensing authority of another state.

PROPOSED ORDER

5. The parties, intending to be legally bound, consent to the issuance of the following Order in settlement of this matter:

a. The Board finds that it is authorized to suspend or revoke, or otherwise restrict Respondent's license under sections 41 and 42 of the Act, 63 P.S. §§ 422.41 & 422.42; or impose a civil penalty under Section 908 of the Mcare Act, 40 P.S. §§ 1303.908, and/or Section 5(b)(4) of ACT 48, 63 P.S. § 2205(b)(4) and/or impose the costs of investigation under Section 5(b)(5) of ACT 48, 63 P.S. § 2205(b)(5), because Respondent violated the Act at section 41(4), 63 P.S. § 422.41(4), in that Respondent had a license or other authorization to practice the profession disciplined by the proper licensing authority of another state.

PROBATION

b. All licenses, registrations, certificates, approvals, permits or any other authorizations issued by the Board (hereinafter referred to collectively as "authorizations to practice the profession") to Respondent are hereby **SUSPENDED** for a period of three (3) years, with said suspension of Respondent's authorizations to practice the profession to be immediately **STAYED IN FAVOR OF PROBATION** subject to the following terms and conditions:

(1) Respondent shall abide by and obey all laws of the United States, the Commonwealth of Pennsylvania and its political subdivisions and all rules and regulations and laws pertaining to

the practice as a medical physician and surgeon in this Commonwealth or any other state or jurisdiction in which Respondent holds an authorization to practice the profession. Provided, however, summary traffic violations shall not constitute a violation of this Order;

(2) Respondent shall at all times cooperate with the Bureau of Professional and Occupational Affairs ("Bureau"), any of its agents or employees and the Bureau of Enforcement and Investigation ("BEI") and its agents and employees, in the monitoring, supervision and investigation of Respondent's compliance with the terms and conditions of this Order, including Respondent causing to be submitted at his own expense written reports, records and verifications of actions that may be required by the Bureau, BEI or any of its agents or employees;

(3) Respondent's failure to fully cooperate with and successfully comply with the terms and conditions of this probation shall be deemed a violation of this Consent Agreement and Order;

(4) Respondent shall not falsify, misrepresent or make material omission of any information submitted pursuant to this Order;

(5) Respondent shall notify BEI, in writing, within twenty (20) days of the filing of any criminal charges, the initiation of any

other legal action (civil or administrative) pertaining to the Respondent's practice as a medical physician and surgeon, and/or the initiation, action, restriction or limitation relating to Respondent by the professional licensing authority of any state or jurisdiction.

(6) Respondent shall notify BEI by telephone within seventy-two (72) hours, and shall notify both BEI and the Board in writing within ten (10) days of any change in the name(s) and address(es) of the place(s) at which Respondent will practice as a medical physician and surgeon and a description of Respondent's duties and responsibilities at such places of practice;

(7) Respondent shall notify BEI by telephone within seventy-two (72) hours, and shall notify both BEI and the Board in writing within ten (10) days of any change in the Respondent's home address and/or telephone number.

(8) During any period of Active Suspension or Ordered Probation, Respondent shall supply any current professional employer with a copy of this Consent Agreement and Order.

(9) Within fifteen (15) days of the date of this Order, and within (15) days of the date of any change in professional employer Respondent shall have his professional employer submit to BEI written verification that the professional employer *a)* has received a copy of this Consent Agreement and Order, *b)*

understands the conditions of this probation, and c) agrees to report any suspected violation by Respondent of this probation. If Respondent is or becomes self-employed, Respondent shall submit a statement to that effect to BEI and shall produce any requisite documentation to BEI to substantiate such a statement,

(10) Respondent consents to the release by the Bureau or BEI of any information or data produced as a result of this probation to any professional employer or prospective professional employer,

(11) Unless otherwise directed, Respondent, his professional employer, and any other person needing or required to make reports under this Order concerning Respondent's practice and contact information shall cause those reports, data or other information to be filed with BEI at:

Probation Compliance Officer Bureau of Enforcement and Investigation PO Box 2649 Harrisburg PA 17105-2649 717-783-7230
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VIOLATION(S) OF PROBATION

c. Notification of a violation of the terms or conditions of this Consent Agreement and Order shall result in the **IMMEDIATE VACATING** of the stay order, **TERMINATION** of the period of probation, and **ACTIVATION** of the entire period of suspension of Respondent's authorizations to practice the profession in the Commonwealth of Pennsylvania as follows:

(1) The prosecuting attorney for the Commonwealth shall file with the Board a Petition which alleges that Respondent has violated any terms or conditions of this Consent Agreement and Order other than failure to complete the Ordered remedial education in a timely manner;

(2) Upon a probable cause determination that Respondent has violated any of the terms or conditions of this Consent Agreement and Order, the Board shall, without holding a formal hearing, issue a preliminary order vacating the stay of the suspension in this matter, terminating the period of probation and activating the entire period of suspension of Respondent's authorizations to practice the profession, without credit for any period of suspension stayed in favor of probation;

(3) Notification of the Board's Preliminary Order shall be mailed to Respondent within three (3) days of its issuance by certified mail and first class mail postage prepaid, sent to the last registered address on file with the Board. If service by mail is unsuccessful, the Commonwealth is authorized to attempt service by personal service and/or publication of legal notice in a newspaper of general circulation in the county of Respondent's last known address.

(4) Within twenty (20) days of mailing of the notification of the Board's action, Respondent may answer

the Commonwealth's Petition and request that a formal hearing be convened concerning Respondent's alleged violation of probation, in which Respondent may seek relief from the Preliminary Order activating the suspension.

The answer shall be set forth in numbered paragraphs corresponding to the numbered paragraphs of the Petition. Respondent shall admit or deny each of the allegations set forth in the paragraphs in the Petition.

Respondent shall mail the original answer and request for hearing, and all other pleadings to

Office of Prothonotary Bureau of Professional and Occupational Affairs 2601 N. 3rd Street P.O. Box 2649 Harrisburg, PA 17105-2649

(5) Respondent shall send a copy of the answer, request for hearing, and all subsequent filings in the matter to the prosecuting attorney for the Commonwealth;

(6) If a request for a formal hearing is received from Respondent, the Board shall convene a formal hearing within forty-five (45) days from the date of the Board's receipt of Respondent's request for a formal hearing;

(7) If Respondent files an answer and request for a hearing within the twenty (20) day period, the Preliminary Order activating

the suspension shall remain in effect unless and until the Board issues a determination favorable to Respondent after holding the formal hearing;

(8) The facts and averments in paragraphs 3 & 4 of this Consent Agreement and Order shall be deemed admitted and uncontested for purposes of the hearing;

(9) If the Board after such hearing makes a determination adverse to Respondent, the Board will issue a Final Order activating the suspension of Respondent's license and imposing any additional disciplinary measures it deems appropriate;

(10) If a request for a formal hearing is not received from Respondent within the prescribed twenty (20) day period, the Board's Preliminary Order shall become a Final Order twenty (20) days after the date of its mailing;

(11) If the stay is terminated, Respondent shall still comply with all terms and conditions of probation during the active suspension, other than those terms and conditions pertaining to the active practice of the profession. Continued failure by Respondent to comply with the unaffected terms and conditions of probation shall result in further disciplinary action against Respondent;

d. Respondent's failure to fully comply with any terms of this Order may also constitute grounds for additional disciplinary action.

e. This Order constitutes disciplinary action by the Board and shall be reported to other licensing authorities and any applicable national licensing databank as a disciplinary action by the Board.

f. This case shall be deemed settled and discontinued upon the Board issuing an Order adopting this Consent Agreement.

REINSTATEMENT

g. Respondent may apply for the reinstatement of Respondent's license to practice as a medical physician and surgeon in the Commonwealth of Pennsylvania to unrestricted, non-probationary status under the following terms and conditions:

(1) As a condition precedent to reinstatement of Respondent's license to practice as a medical physician and surgeon in the Commonwealth of Pennsylvania to non-probationary status, Respondent shall have the burden of showing that the Respondent's license to practice as a physician in the State of Maryland has been reinstatement to non-probationary status.

ADMISSIBILITY OF CONSENT AGREEMENT IN FUTURE PROCEEDINGS

6. Respondent agrees that if Respondent is charged with a violation of an Act enforced by this Board in the future, this Consent Agreement and Order shall be admitted into evidence without objection in that proceeding.

ACKNOWLEDGMENT OF NOTICE AND WAIVER OF HEARING

7. Respondent acknowledges receipt of an Order to Show Cause in this matter. Respondent knowingly and voluntarily waives the right to an administrative hearing in this matter, and knowingly and voluntarily waives the following rights related to that hearing: to be

represented by counsel at the hearing; to present witnesses and testimony in defense or in mitigation of any sanction that may be imposed for a violation; to cross-examine witnesses and to challenge evidence presented by the Commonwealth; to present legal arguments by means of a brief; and to take an appeal from any final adverse decision.

ACKNOWLEDGMENT OF RIGHT TO ATTORNEY

8. Respondent acknowledges that he is aware that he has the right to consult with, and/or be represented by, private legal counsel of Respondent's choosing and at Respondent's expense when reviewing, considering and accepting the terms of this Consent Agreement. Respondent had an opportunity to consult with Attorney Wesley J. Rish regarding this Consent Agreement.

WAIVER OF CLAIM OF COMMINGLING AND OTHER CONSTITUTIONAL CLAIMS

9. Respondent expressly waives any constitutional rights and issues, such as commingling of prosecutorial and adjudicative functions by the Board or its counsel, which may arise or have arisen during the negotiation, preparation and/or presentation of this Consent Agreement. Respondent specifically agrees that if the Board rejects this agreement, it may assume that the facts and averments as alleged in this Consent Agreement are true and correct for the limited purpose of recommending a sanction, based on those assumed facts, that would be acceptable to the Board before hearing the case. In the event that the Board does assume the facts and averments as alleged in this Consent Agreement are true for purposes of making a recommendation as to an acceptable sanction, such action shall not constitute commingling of prosecutorial and adjudicative functions by the Board or its counsel, and the Respondent expressly waives any constitutional rights and issues related to alleged commingling, bias, or violation of due process rights to have an unbiased and impartial adjudicator in any subsequent hearing. If a hearing is subsequently held, neither this Consent Agreement nor the proposed

terms of settlement may be admitted into evidence and any facts, averments, and allegations contained in the Consent Agreement must be proven at hearing unless otherwise separately stipulated. This paragraph is binding on the participants even if the Board does not approve this Consent Agreement.

NO MODIFICATION OF ORDER

10. Respondent agrees, as a condition of entering into this Consent Agreement, not to seek modification at a later date of the Stipulated Order adopting and implementing this Consent Agreement without first obtaining the express written concurrence of the Prosecution Division.

AGREEMENT NOT BINDING ON OTHER PARTIES

11. The Office of General Counsel has approved this Consent Agreement as to form and legality; however, this Consent Agreement shall have no legal effect unless and until the Board issues an Order approving and adopting this Consent Agreement.

EFFECT OF BOARD'S REJECTION OF CONSENT AGREEMENT

12. Should the Board not approve this Consent Agreement, presentation to and consideration of this Consent Agreement and other documents and matters by the Board shall not prejudice the Board or any of its members from further participation in the adjudication of this matter. This paragraph is binding on the participants even if the Board does not approve this Consent Agreement.

AGREEMENT DOES NOT PREVENT ADDITIONAL DISCIPLINE BASED ON OTHER COMPLAINTS

13. Nothing in this Order shall preclude the Prosecution Division for the Commonwealth from filing charges or the Board from imposing disciplinary or corrective measures for violations or facts not contained in this Consent Agreement;

ENTIRE AGREEMENT

14. This agreement contains the whole agreement between the participants; provided however, that the captions printed in the various provisions of this agreement are for ease of reading only and are not to be interpreted as forming any part of this agreement. There are no other terms, obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever concerning this agreement.

VERIFICATION OF FACTS AND STATEMENTS

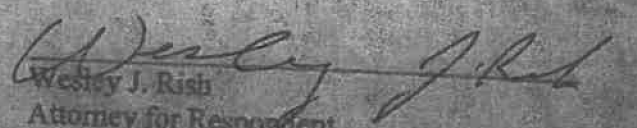
15. Respondent verifies that the facts and statements set forth in this Consent Agreement are true and correct to the best of Respondent's knowledge, information and belief. Respondent understands that statements in this Consent Agreement are made subject to the criminal penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.


Keith E. Bashore
Prosecuting Attorney

DATED: 1/16/20


Charles Tita, M.D.
Respondent

DATED: January 15, 2020


Wesley J. Rish
Attorney for Respondent

DATED: 1/15/2020

**EXHIBIT
A**

IN THE MATTER OF

CHARLES TITA, M.D.

Respondent

License Number: D78496

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BEFORE THE

MARYLAND STATE

BOARD OF PHYSICIANS

Case Number: 2218-0040B

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CONSENT ORDER

On June 28, 2019, Disciplinary Panel B ("Panel B") of the Maryland State Board of Physicians (the "Board") charged Charles Tita, M.D. (the "Respondent"), License Number D78496, under the Maryland Medical Practice Act (the "Act"), Md. Code Ann., Health Occ. ("Health Occ.") §§ 14-101 *et seq.* (2014 Repl. Vol. & 2018 Supp.).

Panel B charged the Respondent under the following provisions of Health Occ. § 14-404:

- (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 a licensee:

...
(3) Is guilty of:

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

On September 25, 2019, Panel B was convened as a Disciplinary Committee for Case Resolution ("DCCR") in this matter. Based on negotiations occurring as a result of the DCCR, the Respondent agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

Panel B finds:

I. BACKGROUND

1. At all times relevant, the Respondent was and is licensed to practice medicine in the State of Maryland. The Respondent was originally licensed to practice medicine in Maryland on September 29, 2014, under license number D78496. The Respondent's license is current through September 30, 2021.
2. The Respondent also has active licenses to practice medicine in the District of Columbia, and Pennsylvania. The Respondent was previously licensed to practice medicine in Michigan, Connecticut, and Rhode Island.
3. The Respondent is currently employed as a Medical Director at a facility in the District of Columbia, as well as a facility in Pennsylvania¹.
4. From approximately July 2016 through March 2018, the Respondent worked as the Medical Director at a health care facility (the "Facility") in Baltimore, Maryland.

II. INVESTIGATION

5. On or about September 26, 2017, Board staff received a complaint regarding the Respondent from a former Office Manager at the Facility ("Individual A"). The complaint alleged that the Respondent treated numerous patients with "poor bedside manor [sic], aggression, disrespect, issuance of wrong medication, and nodding off while

¹ To ensure confidentiality and privacy, the names of individuals and facilities involved in this case, other than the Respondent, are not disclosed in this document. The Respondent may obtain the identity of all individuals and facilities referenced in this document by contacting the administrative prosecutor.

in session." The complaint stated further that Individual A had a video of the Respondent "nodding off."

6. On or about October 10, 2017, board staff conducted a recorded interview under oath with Individual A. During the interview Individual A stated that she was employed at the Facility as a billing specialist and interim office manager from approximately February through August 2017. One of her responsibilities was to bring certain complaints to the Respondent's attention regarding his treatment of numerous patients.

7. Individual A detailed an incident in which she had been "assaulted" by the Respondent. She stated that she went to speak with the Respondent about a particular patient and the Respondent began yelling at her for no apparent reason. She stated that the Respondent "decides to push me with the door, push me up on my left side with the door to shove me out of the door." She continued stating that after she walked away the Respondent followed her to another office while continuing to yell at her until she closed the door behind her at which point "he called me a female dog and walked away." She further stated that this incident was "not the first time [the Respondent] has displayed aggression towards me. And it was making my work environment kind of hostile." Individual A stated that she filed a written complaint about these issues to human resources but no response was received. She ultimately filed a complaint with the Equal Employment Opportunity Commission ("EEOC"). She indicates that subsequent to the filing of that complaint, her employment with the Facility was terminated.

8. On or about October 17, 2017, Board staff conducted a recorded interview under oath with another former employee the Facility ("Individual B"). Individual B is a

medical assistant by training and worked at Facility 1 as a customer care associate from approximately May 2017 through August 2017. She stated that while she was employed there, she would regularly receive complaints from patients about the Respondent's disrespectful demeanor. She stated that one patient complained that the Respondent nodded off during their session.

9. Individual B stated that in addition to being an employee, she began to take her son to see the Respondent in approximately June of 2017. During her son's first session with the Respondent, Individual B stated that she observed the Respondent "nodding off" in the middle of the session. She stated that whenever the Respondent was nodding off, her son would repeatedly call for his attention, after which he would wake up temporarily. Individual B also made a video recording of the Respondent nodding off during the session.

10. Individual B described her son's second session with the Respondent, which took place in September of 2017, wherein the Respondent exhibited flirtatious behavior toward Individual B while he was supposed to be treating her son. "He actually showed me a photo of myself that he saved in his phone from [the internet], and also he looked into my son's chart and he kept trying to pull up my address....When are we going to go out to dinner? When can I take you out?" Individual B states that after this encounter with the Respondent she became uncomfortable at the possibility of the Respondent showing up at her house and decided not to continue her son's treatment at the Facility.

11. On or about April 27, 2018, Board staff interviewed the Director of Human Resources and Administration at the Facility ("Individual C"). Individual C stated that

one of her duties was the handling of any patient complaints and any disciplinary actions flowing therefrom. Board staff asked Individual C about any complaints she received regarding the Respondent and she stated that one patient reported that she got the "wrong medication and she just felt like [the Respondent] wasn't listening." Individual C stated that she was subsequently made aware by another patient that the Respondent was observed "nodding off" during patient sessions.

12. On or about July 31, 2018, Board staff interviewed a family member ("Individual D") who accompanied a patient to see the Respondent. Individual D stated that on or about February 28, 2017, she accompanied the patient to a session with the Respondent who was behaving "a little strange." Individual D stated that, "I was sitting there and he was talking to us and all of a sudden he stopped." Individual D goes on to state that the Respondent's eyes were almost all the way closed so she asked him if he was tired, to which he responded by mumbling unintelligibly.

13. Individual D informed Board staff that she wrote a letter documenting her concerns from this session to the Facility, and provided a copy to Board staff. Individual D closed her letter by stating "[The Respondent] does not represent the profession of mental health with dignity and respect. There should be correction done to correct the issue [sic]."

14. On or about August 23, 2018, the Board, pursuant to Health Occ. §14-402(a)², sent a letter to the Respondent referring him to a Board-approved program (the "Program")

² Health Occ. § 14-402(a) states: In reviewing an application for licensure, certification, or registration or in investigation against a licensed physician or any allied health professional regulated by the Board under

for an evaluation which was scheduled for September 4, 2018. The Respondent failed to appear to the Program for evaluation.

15. On or about September 6, 2018, the Board sent a letter to the Respondent regarding his failure to appear for his appointment at the Program. This appointment was rescheduled for September 5, for which the Respondent also failed to appear. The Respondent contacted the Board and advised of a scheduling conflict that would prevent him from being able to keep the appointments. The Respondent ultimately appeared at the Program on October 4, 2018.

16. On or about October 8, 2018, the Board received the Respondent's neuropsychological evaluation report from the Program. The evaluation "does not reveal any diagnosable disorder in [the Respondent]. Rather, his standing on dimensional traits – of intellect and personality – may make him ill-suited to a career as a psychiatrist."

17. On or about December 12, 2018, the Respondent was interviewed under oath by Board staff. The Respondent stated that he worked at the Facility as a psychiatrist and Medical Director from July 5, 2016, through March 2018. He indicated that he usually worked on Tuesdays and Wednesdays for approximately ten hours per day, seeing approximately 3 patients per hour. The Respondent stated that he resigned from the Facility because he needed a break from working so hard, as well as "some differences in the way that the paperwork there was formatted." The Respondent resigned from the

this title, the Physician Rehabilitation Program may request the Board to direct, or the Board on its own initiative may direct, any physician or any allied health professional regulated by the Board under this title to submit to an appropriate examination.

Facility on or about March 25, 2018. The Respondent does not currently practice psychiatry in the State of Maryland.

18. During the course of the interview Board staffed asked the Respondent about patients complaining that he was nodding off during sessions. The Respondent stated repeatedly that he did not recall nodding off, but concedes that his workload at the time of these incidents was excessive, and that he suffered from fatigue. The Respondent was asked about the incident involving Individual A being hit with the door, to which he responded that he did no such thing.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, Panel B concludes as a matter of law that the Respondent is guilty of unprofessional conduct in the practice of medicine, in violation of Health Occ. § 14-404(a)(3)(ii).

ORDER

It is thus by Disciplinary Panel B of the Board, hereby:

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

ORDERED that the Respondent is placed on **PROBATION** for a minimum of **THREE (3) YEARS**.³ During probation, the Respondent shall comply with the following terms and conditions of probation:

- (1) Within **SIX (6) MONTHS**, the Respondent is required to take and successfully complete two courses: one course in boundaries and one course in Patient-Provider relations. The following terms apply:

³ If the Respondent's license expires during the period of probation, the probation and any conditions will be tolled.

- (a) it is the Respondent's responsibility to locate, enroll in and obtain the disciplinary panel's approval of the course before the course is begun;
- (b) the disciplinary panel will not accept a course taken over the internet;
- (c) the Respondent must provide documentation to the disciplinary panel that the Respondent has successfully completed the course;
- (d) the course may not be used to fulfill the continuing medical education credits required for license renewal;
- (e) the Respondent is responsible for the cost of the course.

(2) The Respondent shall enroll in the Maryland Professional Rehabilitation Program (MPRP) as follows:

- (a) Within 5 business days, the Respondent shall contact MPRP to schedule an initial consultation for enrollment;
- (b) Within 15 business days, the Respondent shall enter into a Participant Rehabilitation Agreement and Participant Rehabilitation Plan with MPRP;
- (c) the Respondent 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) the Respondent 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. The Respondent shall not withdraw his release/consent;
- (e) the Respondent 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 the Respondent's current therapists and treatment providers) verbal and written information concerning the Respondent and to ensure that MPRP is authorized to receive the medical records of the Respondent, including, but not limited to, mental health and

drug or alcohol evaluation and treatment records. The Respondent shall not withdraw his release/consent;

(f) the Respondent's 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 the Respondent shall not apply for early termination of probation; and it is further

ORDERED that, after the Respondent has complied with all terms and conditions of probation and the minimum period of probation imposed by the Consent Order has passed, the Respondent 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. The Respondent may be required to appear before the disciplinary panel to discuss his or her petition for termination. The disciplinary panel may grant the petition to terminate the probation, through an order of the disciplinary panel, if the Respondent 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;

ORDERED that, if the Respondent allegedly fails to comply with any term or condition imposed by this Consent Order, the Respondent 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 Respondent 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 Respondent has failed to comply with any term or condition imposed by this Consent Order, the disciplinary panel may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, or suspend with appropriate terms and conditions, or revoke the Respondent's 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 the Respondent; and it is further

ORDERED that the Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this 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 this Consent Order is a public document. See Md. Code Ann., Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

10/15/2019
Date

Signature on File

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians

CONSENT

I, Charles Tita, 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.

Signature on File

10/08/2019
Date

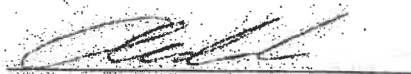
Charles Tita, M.D.
Respondent

NOTARY

STATE OF Maryland
CITY/COUNTY OF Montgomery

I HEREBY CERTIFY that on this 6th day of October 2019, before me, a Notary Public of the foregoing State and City/County, personally appeared Charles Tita, M.D., and made oath in due form of law that signing the foregoing Consent Order was his voluntary act and deed.

AS WITNESSETH my hand and notarial seal.



Notary Public

My Commission expires: 03/22/2021



**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE**

**Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs**

File No.:

19-49-015207

vs.

**Charles Tita, M.D.,
Respondent**

ORDER

AND NOW, this th 4 day of *February*, 2020, the **STATE BOARD OF MEDICINE** ("Board") approves and adopts the foregoing Consent Agreement and incorporates the terms of paragraph 5, which shall constitute the Board's Order and is now issued in resolution of this matter.

This Order shall take effect immediately.

**BUREAU OF PROFESSIONAL AND
OCCUPATIONAL AFFAIRS**


K. Kalonji Johnson
Acting Commissioner

For the Commonwealth:

For the Respondent:

Date of mailing: 2-6-20

**BY ORDER:
STATE BOARD OF MEDICINE**


Keith E. Loiselle
Chair

Keith E. Bashore, Prosecuting Attorney
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