

IN THE MATTER OF
Harold O. Alexander, M.D.
Respondent

* BEFORE THE MARYLAND
* STATE BOARD OF
* PHYSICIANS

License Number: D22219

* Case Number: 7713-0016

ORDER STAYING SUSPENSION AND IMPOSING PROBATION

On January 13, 2014, the Maryland State Board of Physicians (the "Board") charged Harold O. Alexander, M.D. (the "Respondent") for violating the probationary terms and conditions of the April 4, 2013, Consent Order and with unprofessional conduct in the practice of medicine, see Md. Code Ann., Health Occ. § 14-404(a)(3)(ii). On April 14, 2014, the Board's Disciplinary Panel A and the Respondent entered into a Consent Order in which the Disciplinary Panel A concluded that Dr. Alexander was guilty of unprofessional conduct in the practice of medicine, see Health Occ. § 14-404(a)(3)(ii) and that he violated the April 4, 2013, Consent Order. As a sanction, Disciplinary Panel A ordered a three month period of active suspension after which a stay of the suspension would be imposed for a minimum three year period and the Respondent placed on probation with certain terms and conditions. Three months have passed since the active suspension went into effect. It is thus

ORDERED that the active suspension of the Respondent's license to practice medicine is **STAYED** for a minimum period of **THREE YEARS** and the Respondent is placed on **PROBATION** for a minimum period of **THREE YEARS** subject to the following terms and conditions:

- a. Within **NINETY (90) DAYS**, the Respondent shall satisfactorily complete the recordkeeping course already commenced with John Steinberg, M.D. After 90 days, if the Respondent does not satisfactorily complete the recordkeeping course, the Board may reimpose an active suspension of his medical license until he satisfactorily completes the course. The course shall not be counted towards the Respondent's Continuing Medical Education ("CME") requirements for licensure ;
- b. The Respondent shall be subject to a chart or peer review in six months to one year after he resumes medical practice. An unsatisfactory review may be considered a violation of Probation and the Stay of Suspension;
- c. The Respondent cannot be employed as a sole practitioner for a minimum period of one year. The Respondent's practice shall be supervised for a minimum period of one year by a Maryland licensed supervisor ("supervisor") approved by Disciplinary Panel A ("Panel A"). The Respondent is responsible for submitting the name and credentials of a Maryland-licensed physician for Panel A approval to supervise his practice as follows:
 1. The purpose of the supervision shall be to monitor the Respondent's medical practice by reviewing patient charts, and to focus on (1) the quality of patient care delivered by the Respondent; and (2) the Respondent's recordkeeping;
 2. The supervising physician shall submit **monthly** reports to Panel A for a period of **12 months**, detailing the issues discussed and the Respondent's progress. Each report shall include, but not be limited to, a report of the Respondent's participation in the supervisory process and sufficient information to provide meaningful feedback to Panel A concerning the Respondent's progress;
 3. The Respondent has sole responsibility for ensuring that the supervising physician submits the required monthly reports in a timely manner;
 4. If, as determined by Panel A, the reports are untimely or inadequate to provide meaningful feedback, Panel A reserves the right to require the Respondent to submit for approval the name and credentials of another Maryland-licensed physician to supervise the Respondent's practice;

5. In the event that the Respondent's supervising physician discontinues supervising the Respondent's practice for any reason during the 12-month supervisory period, the Respondent shall immediately notify Panel A or the Board's agents or designees. The Respondent shall be solely responsible for submitting a replacement candidate to serve as his supervisor under the terms specified above;
 6. Panel A has sole authority over any changes in supervision and must approve and ratify any changes in supervision or the frequency of supervision;
 7. If the Respondent fails to complete the supervision in a timely manner as set out above, the Respondent will be deemed in violation of probation and of the Stay of Suspension;
 8. An unsatisfactory report from the Respondent's supervisor may be considered a violation of probation and of the Stay of Suspension;
 9. After Panel A has received a minimum of 12 satisfactory supervisory reports from the physician supervisor, the Respondent may petition Panel A for the termination of the supervisory condition; and
 10. If Panel A terminates the supervisory condition described in (c), and the Respondent becomes self-employed, in order to perform surgical abortions his facility shall be licensed by the Office of Health Care Quality.
- d. The Respondent shall not self-prescribe or prescribe any medications to family members or close friends. Any prescriptions issued by the Respondent to himself, to family members or close friends shall be considered a violation of his probation and of the Stay of Suspension; and
 - e. The Respondent shall maintain a medical record for each patient. A failure to maintain a medical record shall be considered a violation of probation and of the Stay of Suspension; and it is further

ORDERED that a violation of any of the requirements in the preceding paragraphs shall constitute a violation of Probation and/or the Stay of Suspension and, a disciplinary panel of the Board, in its discretion, after notice

and opportunity for a show cause hearing before a disciplinary panel of the Board or an evidentiary hearing at the Office of Administrative Hearings, may impose additional sanctions authorized under the Medical Practice Act, including a reprimand, active suspension, an additional period of probation, revocation and/or a monetary fine; and it is further

ORDERED that, no earlier than three years, the Respondent may submit a written petition to Disciplinary Panel A requesting termination of probation, but only if the Respondent has fully and satisfactorily complied with the all of the probationary terms and conditions set forth above and there are no pending complaints against the Respondent related to the allegations in the charges; and it is further

ORDERED that the Respondent shall not petition the Disciplinary Panel A for early termination of the terms and conditions of this except for the probationary condition specified in (c); and it is further

ORDERED that the Respondent shall comply with all laws governing the practice of medicine under the Maryland Medical Practice Act and all rules and regulations promulgated thereunder; and it is further

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

ORDERED that this is a **PUBLIC DOCUMENT**.

July 21, 2014
Date


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