

IN THE MATTER OF	*	BEFORE THE MARYLAND
GIDEON M. KIOKO, M.D.	*	STATE BOARD OF PHYSICIAN
Respondent	*	QUALITY ASSURANCE
License No: D08283	*	Case No: 93-0288

Termination of Probation

On May 28, 1997, the Board of Physician Quality Assurance (the "Board") issued its Final Opinion and Order¹ whereby the Maryland medical license of Gideon M. Kioko, M.D., (the "Respondent") was reinstated and placed on three (3) years probation, subject to various terms and conditions. On October 29, 1997, the Board executed a Modified Final Opinion and Order, which served to amend the original Order.² Pursuant to both the Final Opinion and the Modified Final Opinion and Order, the Respondent's practice was to be subject to a peer review approximately twelve (12) months after the date of the Final Opinion.

On February 22, 1999, the Board received the Respondent's Petition for early termination of probation.

On March 17, 1999, the Board's Case Resolution Conference ("CRC") convened to address the Respondent's request for early termination of probation. On that date, the CRC recommended that probation be terminated and that the Respondent should be licensed to practice medicine without conditions.

On March 24, 1999, the Board voted to ratify the CRC recommendation for an early termination of probation.

FINDINGS OF FACT

1. Respondent's license to practice medicine in the State of Maryland was subject to terms and conditions of probation pursuant to the Final Opinion and Order, executed on May 28, 1997, and the Modified Final Opinion and Order, executed October 29, 1997.
2. The Board received documentation indicating that the Respondent successfully complied with Conditions 1 through 5 as set forth in the Final Opinion and Order and Modified Final Opinion and Order.
3. On March 17, 1999, the Respondent appeared before the Board's CRC with a request for an early

¹A copy of the Final Opinion and Order, dated May 28, 1997, is incorporated by reference and available upon request.

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termination of probation. At that time, the CRC members reviewed evidence and documentation of the Respondent's successful compliance of Conditions 1 through 5. The term "successful compliance," as used in this Order, means that the Respondent complied with the conditions imposed, and that the peer review committee specifically convened to monitor the specific concerns recited in the Final Opinion and Modified Final Opinion, and based solely on the specific records reviewed, resulted in a report concluding that the Respondent met the requirements of the Final Opinion and Modified Final Opinion.

4. The CRC Committee recommended that Respondent's petition be granted.

5. On March 24, 1999, the Board ratified the CRC's recommendation that an early termination of probation be granted.

CONCLUSIONS OF LAW

Based on the circumstances of this case, the Board hereby concludes that termination of probation shall be granted.


ORDER

Based on the foregoing Findings of Fact and Conclusion of Law, it is this 24th day of March, 1999,

ORDERED that the probationary period, with conditions and terms, imposed under the Final Opinion and Order and the Modified Final Opinion and Order, is hereby **TERMINATED** and is of no further force and effect; and it is further

ORDERED that this Order is a Public Document pursuant to Maryland State Gov't Code Ann. §10-611 g.
seq.

3.24.99
Date


Suresh C. Gupta, M.D.
Chairman

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MODIFIED FINAL OPINION AND ORDER

PROCEDURAL BACKGROUND

On May 28, 1997, the Board of Physician Quality Assurance (the "Board") issued its Final Opinion and Order¹ regarding Gideon M. Kioko, M.D. (the "Respondent") (D.O.B. 11/21/39), License No. D08283.

On June 6, 1997, Respondent petitioned the Board for a modification of Condition three (3) of the Final Opinion and Order. On October 22, 1997, the Board voted to approve modification of the Final Opinion and Order as requested by the Respondent.

FINDINGS OF FACT

1. On May 28, 1997, the Board issued its Final Opinion and Order regarding the Respondent. The Findings of Fact, Conclusions of Law and Order are incorporated by reference into this Modified Final Opinion and Order.
2. On June 6, 1997, Respondent petitioned the Board for modification of the Final Opinion and Order.

CONCLUSIONS OF LAW

The Board incorporates by reference those Conclusions of Law set forth in the Final Opinion

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and Order, dated May 28, 1997.

ORDER

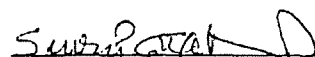
ORDERED that Condition three (3) of the May 28, 1997 Final Opinion and Order shall be modified as follows:

(3) Respondent shall not perform outpatient abortions after eighteen (18) weeks of gestation.

ORDERED that all other conditions in the May 28, 1997 Final Opinion and Order remain unmodified and in full force and effect; and it is further

ORDERED that this Modified Final Opinion and Order is a PUBLIC DOCUMENT pursuant to Maryland State Gov't Code Ann. §10-611 et seq.

10.29.97
Date


Suresh C. Gupta, M.D.
Chair