

MEDCHI, THE MARYLAND STATE MEDICAL SOCIETY  
HOUSE OF DELEGATES

Resolution 38-18

INTRODUCED BY: MedChi's Board of Physicians Task Force

SUBJECT: Expungement of the Public Reprimands and Probation on a Physician's  
Public Record

---

1 Whereas, the Maryland Board of Physicians investigates complaints concerning Maryland  
2 physicians submitted by the public; and

3  
4 Whereas, once a complaint is received, the Maryland Board of Physicians staff conducts a  
5 preliminary investigation of the complaint, which includes sending a copy of the complaint to the  
6 respondent with a request for a response; and

7  
8 Whereas, the results of the preliminary investigation are then presented to the disciplinary panel,  
9 which may decide to close the case with no action, close the case with an advisory letter (informal,  
10 nonpublic action), or instruct board staff to conduct a full investigation; and

11  
12 Whereas, during the full investigation, the disciplinary panel may also refer the case for peer  
13 review (through its contracted peer review entity) to solicit additional expertise; cases involving  
14 standard of care require two peer reviews; and

15  
16 Whereas, the disciplinary panel of the Maryland Board of Physicians, on the affirmative vote of a  
17 majority of the quorum of the panel, may reprimand any licensed physician, place any licensed  
18 physician on probation, or suspend or revoke a license if a licensed physician violates any 1 of 43  
19 statutory disciplinary grounds, including failure to meet appropriate standards as determined by  
20 appropriate peer review for the delivery of quality medical and surgical care performed in an  
21 outpatient surgical facility, office, hospital, or any other location in this State<sup>i</sup>; and therefore be it

22  
23 Resolved, that MedChi support legislation that states the Maryland Board of Physicians shall  
24 expunge all records of a public reprimand or probation three (3) years after the final disposition of  
25 the case.

---

26  
27  
28 As adopted by the House of Delegates at its meeting on September 22, 2018.  
29

**Exhibit 1**  
**State Board of Physicians – Complaint Investigation Process**

