

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF MEDICINE**

IN THE MATTER OF :
 :
Alice O. Adams, M.D. :
 :
License No.: MD17481 :
 :
Respondent :

FINAL ORDER OF REVOCATION

Jurisdiction

This matter comes before the District of Columbia Board of Medicine (“the Board”) pursuant to the Health Occupations Revision Act (HORA), D.C. Official Code § 3-1201.01 *et seq.* (2016 Repl.). The Board has broad jurisdiction to regulate the practice of medicine and to impose a variety of disciplinary sanctions upon a finding of a violation of the HORA. D.C. Official Code, § 3-1202.03; *Mannan v. District of Columbia Board of Medicine*, 558 A.2d 329, 333 (D.C.1989).

Background

Dr. Adams was trained as a neurologist, but is not board-certified in any specialty. She has been licensed to practice medicine in the District of Columbia since 1988, and recently renewed her license on January 1, 2018. Currently, Dr. Adams’ District license is summarily suspended. Dr. Adams was also licensed to practice medicine in Maryland until the Maryland State Board of Physicians (“the Maryland Board”) revoked Dr. Adams’ license to practice medicine in that state by a Final Decision and Order dated

March 27, 2019. **See Attachment A – Maryland State Board of Physicians Final Decision and Order (“Maryland Order”).**

The Maryland Board summarily suspended the medical license of Dr. Adams on March 13, 2018 pursuant to Md. Code Ann., State Gov’t § 10-226(c)(2)(i) (2014 Repl. Vol. & 2017 Supp.), concluding that the public health, safety, or welfare imperatively required emergency action. The Maryland Board found that Dr. Adams has a substance abuse issue which impaired her ability to practice. As a result of the summary suspension in Maryland, the D.C. Department of Health summarily suspended Dr. Adams’ medical license for the District of Columbia on April 27, 2018 pursuant to D.C. Official Code § 3-1205(a)(1)(A).

Dr. Adams entered into a Consent Order with the Maryland Board on July 10, 2018. The Consent Order included a requirement that Dr. Adams enroll in and comply with the Maryland Professional Rehabilitation Program (MPRP). Dr. Adams subsequently withdrew from the MPRP prior to completion of the program, contrary to the requirement of the Consent Order. Following an extensive hearing before an Administrative Law Judge, the Maryland Board entered an order on March 27, 2019, revoking Dr. Adams’ Maryland license,

On October 7, 2019, the Board issued a Notice of Intent to Take Disciplinary Action (NOI) against Dr. Adams. The NOI charged the following as bases for disciplinary action:

- a. Dr. Adams was disciplined by the Maryland State Board of Physicians (Maryland Board) for conduct that would be grounds for disciplinary action under D.C. Official Code § 3-1205.14 (a)(3), (6) and (27), for which the Board may take action under D.C. Official Code 3-1205.14(c).**

The NOI was served on Dr. Adams NOI by certified mail, return receipt requested, to Dr. Adams' address of record in accordance with 17 DCMR § 4105.2(c).

The District of Columbia Municipal Regulations provides that the Respondent may request a hearing within twenty (20) days after the service of the notice. 17 DCMR § 4102.4(c)(1). To date, Dr. Adams has not requested a hearing. In accordance with 17 DCMR § 4103.1, the Board may, without a hearing, take the action contemplated in the notice.

Findings of Fact

Based upon the preponderance of the evidence, the Board hereby makes the following findings of fact:

- 1) On September 20, 2017, the Maryland Board received a complaint from the wife of a former patient of Dr. Adams, alleging that during her husband's appointment, the Respondent appeared to be impaired by exhibiting slurred speech and repetitive questioning. The complainant further alleged that the Respondent's office was "dirty."
- 2) On November 1, 2017, the Maryland Board initiated an investigation.
- 3) On February 26, 2018, the Maryland Board staff received a substance use evaluation of the Respondent that concluded the Respondent's personal and professional judgment was impaired and that she posed a risk to her patients in the practice of medicine
- 4) On March 13, 2018, the Maryland Board summarily suspended the medical license of the Respondent to practice in Maryland. The Maryland Board took such action pursuant to its authority under Md. Code Ann., State Gov't § 10-

226(c)(2)(i) (2014 Repl. Vol. & 2017 Supp.), concluding that the public health, safety, or welfare imperatively required emergency action.

- 5) On April 27, 2018, the D.C. Department of Health summarily suspended Respondent's license to practice medicine as a physician in the District of Columbia, License No. MD17481, pursuant to D.C. Official Code § 3-1205.15(a) (1) (A).
- 6) On July 10, 2018, the Respondent entered into a Consent Order with the Maryland Board. The Maryland Board concluded that the Respondent was professionally, physically, or mentally incompetent in violation of Md. Health Occ. § 14-404(a)(4). Under the terms of the Consent Order, Dr. Adams agreed to enroll in the MPRP and that her license would remain suspended until MPRP found that she was safe to return to practice and she fully and satisfactorily complied with several conditions, including the requirement that she enroll in MPRP and fully and timely cooperate and comply with all of MPRP's referrals, rules, requirements, and recommendations.
- 7) On October 3, 2018, the Respondent withdrew from the MPRP in violation of the Consent Order. On March 27, 2019, the Maryland Board revoked the Respondent's license to practice medicine due to noncompliance with the Consent Order.
- 8) On or about October 7, 2019, the District of Columbia Board issued an NOI to Dr. Adams based on being disciplined by the Maryland Board for conduct that would be grounds for disciplinary action under D.C. Official Code §§ 3-1205.14(a)(6) and (27).

9) Dr. Adams did not request a hearing.

CONCLUSIONS OF LAW

The Board has determined that Dr. Adams was disciplined by the Maryland State Board of Physicians (Maryland Board) for conduct that would be grounds for disciplinary action under D.C. Official Code § 3-1205.14 (a)(3), (6) and (27). Therefore the Board may take action under D.C. Official Code 3-1205.14(c).

D.C. Official Code § 3-1205.14(c) provides, in pertinent part:

Upon determination by the board that an applicant, licensee, or person permitted by this subchapter to practice in the District has committed any of the acts described in subsection (a) of this section, the board may:

- (1) Deny a license to any applicant;
- (2) Revoke or suspend the license of any licensee;
- (3) Revoke or suspend the privilege to practice in the District of any person permitted by this subchapter to practice in the District;
- (4) Reprimand any licensee or person permitted by this subchapter to practice in the District;
- (5) Impose a civil fine not to exceed \$5,000 for each violation by any applicant, licensee, or person permitted by this subchapter to practice in the District;
- (6) Require a course of remediation, approved by the board, which may include:
 - (A) Therapy or treatment;
 - (B) Retraining; and
 - (C) Reexamination, in the discretion of and in the manner prescribed by the board, after the completion of the course of remediation;

(7) Require a period of probation; or

(8) Issue a cease and desist order pursuant to § 3-1205.16.

In fashioning the sanction, the Board is guided by the established case law in the District. Health licensing boards have discretion concerning an array of statutory sanctions or remedies to apply. *Falkenstein v. District of Columbia Bd. of Med.*, 727 A.2d 302, 308 (D.C. 1999). In determining the appropriate sanction in this case, the Board is conscious that its decision should be supported by the record and is not an abuse of discretion. *See, e.g. Gropp v. District of Columbia Bd. of Dentistry*, 606 A.2d 1010, 1014 (D.C. 1992); *see also Kegley v. District of Columbia*, 440 A.2d 1013, 1020 n. 11 (D.C. 1982). The court reasoned further that a “health professional maintains a position of trust toward not only his patients but to the community.” Disciplinary proceedings are held to determine whether a health professional is fit to continue practicing his profession. A betrayal of that trust which a practitioner is required to maintain “demands appropriate discipline.” *Id.* at 1017. The Board’s ultimate decisions must always be guided by its mandate to protect the public. The HORA “was designed to ‘address modern advances and community needs *with the paramount consideration of protecting the public interest.*’” *Joseph v. District of Columbia Board of Medicine*, 587 A.2d 1085, 1088 (D.C.1991) (*quoting* Report of the D.C. Council on Consumer and Regulatory Affairs on Bill 6-317, at 7 (November 26, 1985) (emphasis added by court)). Courts have found that a licensing agency has broad discretion to suspend or revoke a license for reasonable cause in order to protect public health, safety, or morals. *Arthur v. DC Nurses’ Examining Bd.*, 459 A.2d 141, 147 (D.C. 1983); *Proctor v. District of Columbia Hackers’ License Appeal Bd.*, 268 A.2d 267, 269 (D.C.1970).

The Board has concluded that Respondent’s medical license in the District of Columbia should be revoked.

ORDER

Based upon the aforementioned it is hereby

ORDERED that **ALICE O. ADAMS'** medical license, **MD17481**, be and is hereby **REVOKED**,¹ effective as of the date of service.

DISTRICT OF COLUMBIA BOARD OF MEDICINE

08/10/2020

Date



By: Andrea Anderson, MD, FAAFP
Chairperson

¹ Pursuant to D.C. Official Code § 3-1201.01(12A), “revocation” means termination of the right to practice a health profession and loss of licensure for five (5) years or more.

Attachment A: Maryland State Board of Physicians Final Decision and Order

IN THE MATTER OF * BEFORE THE
ALICE O. ADAMS, M.D. * MARYLAND STATE
Respondent * BOARD OF PHYSICIANS
License Number D52085 * Case Number 7719-0001

* * * * *

ORDER AFTER SHOW CAUSE HEARING

On July 10, 2018, Alice O. Adams, M.D. entered into a Consent Order with Disciplinary Panel B ("Panel B") of the Maryland State Board of Physicians (the "Board") wherein she agreed to enroll in the Maryland Professional Rehabilitation Program ("MPRP") and comply with all of the MPRP's recommendations. Dr. Adams enrolled in MPRP, but subsequently withdrew from the program, and, therefore, on October 3, 2018, MPRP closed her case for cause due to her unwillingness to follow MPRP's recommendations.

FINDINGS OF FACT

Background

On or about September 20, 2017, the Board received a complaint alleging that Dr. Adams's office was dirty, and that Dr. Adams appeared to be impaired during an office visit by exhibiting slurred speech and repetitive questioning. The Board opened an investigation into the allegations. During the course of the investigation, the Board conducted two site visits and issued a subpoena to the Prescription Drug Monitoring Program ("PDMP") for a list of controlled dangerous substances (CDS) prescribed to Dr. Adams. The PDMP and pharmacy records revealed prescriptions for opioids and benzodiazepines. On January 24, 2018, the Board ordered Dr. Adams to be evaluated by MPRP. The evaluation concluded that Dr. Adams's personal and professional judgment was impaired and that she posed a risk to her patients.

As a result of the Board's investigation and MPRP evaluation, on March 13, 2018, Panel B summarily suspended Dr. Adams's license to practice medicine.¹ On April 6, 2018, Panel B charged Dr. Adams with violating the Maryland Medical Practice Act, Md. Code Health Occ. §14-404(a)(4) (is professionally, physically, or mentally incompetent). On July 10, 2018, Dr. Adams entered into a Consent Order with Panel B to resolve the summary suspension and the April 6, 2018 charges.

Consent Order

In the Consent Order, Panel B concluded that Dr. Adams was professionally, physically, or mentally incompetent, in violation of Health Occ. §14-404(a)(4). Panel B suspended Dr. Adams's medical license.² Under the terms of the Consent Order, Dr. Adams agreed that her license would remain suspended until MPRP found that she was safe to return to practice and she fully and satisfactorily complied with several conditions, including the requirement that she enroll in MPRP and fully and timely cooperate and comply with all of MPRP's referrals, rules, requirements, and recommendations.

The Consent Order also:

ORDERED that if the Respondent allegedly fails to comply with any term or condition of this Consent Order, the Respondent 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. If there is no genuine dispute as to a material fact, the Respondent shall be given a show cause hearing before the Board or Panel B[.]

ORDERED that if the Respondent fails to comply with any term or condition of this Consent Order, the Board or Disciplinary Panel may reprimand the Respondent, place the Respondent on probation with appropriate terms or conditions, or suspend or revoke the Respondent's license to practice medicine in Maryland. The Board or Disciplinary Panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine upon the Respondent[.]

¹ A post-deprivation hearing was held on May 23, 2018 and Panel B continued the summary suspension.

² The summary suspension was terminated as moot based on the resolution of the charges and the imposition of the suspension.

Dr. Adams agreed and accepted to be bound by the Consent Order and its terms and conditions.

Violation of the Consent Order

In accordance with the Consent Order, Dr. Adams enrolled in MPRP on July 27, 2018. Dr. Adams signed a Participant Rehabilitation Agreement wherein she agreed to follow all treatment recommendations made by MPRP. On September 25, 2018, the Board received a critical event report from MPRP. As a result of the critical event, MPRP made additional recommendations for Dr. Adams's treatment plan. On October 3, 2018, Dr. Adams informed MPRP that she was withdrawing from MPRP. Thereafter, MPRP discharged Dr. Adams from the program for cause due to Dr. Adams's unwillingness to follow the program's recommendations. Dr. Adams, through her attorney, informed the Board that her withdrawal from MPRP was due to concerns about cost and convenience.

Show Cause Hearing

On February 7, 2019, Panel B issued a Violation of Consent Order and Notice to Show Cause alleging a violation of the Consent Order based on Dr. Adams's failure to comply with MPRP's recommendations. The Notice informed Dr. Adams that a show cause hearing was scheduled for February 27, 2019 at 11:15 a.m. at the Board. The letter that accompanied the Notice informed Dr. Adams that she was not required to attend the show cause hearing but advised that Panel B may take further disciplinary action if she or her attorney did not attend the hearing. On February 7, 2019, the State also mailed a list of documents to be offered as exhibits at the show cause hearing to Dr. Adams's attorney. On the morning of the hearing, Dr. Adams's attorney notified the administrative prosecutor that neither he nor Dr. Adams would be appearing at the show cause hearing. Panel B held the show cause hearing, as scheduled. Neither Dr. Adams nor her attorney were present at the hearing. The administrative prosecutor appeared on

behalf of the State and submitted the exhibits, which were admitted by the panel, and, which were previously sent to Dr. Adams's attorney. The administrative prosecutor recommended to Panel B that Dr. Adams's license be revoked based on the undisputed violation of the Consent Order and her decision to withdraw from MPRP.

CONCLUSIONS OF LAW

Panel B concludes that Dr. Adams violated Condition 1 of the July 10, 2018 Consent Order by withdrawing from MPRP and, thereby, failing to comply with MPRP's recommendations. Pursuant to the terms of the Consent Order, the panel is authorized to impose additional sanctions on Dr. Adams's license, including revocation.

ORDER

On an affirmative vote of a majority of a quorum of Disciplinary Panel B, it is hereby

ORDERED that Alice O. Adams, M.D.'s license to practice medicine in Maryland, License Number D52085, is **REVOKED**; and it is further

ORDERED that the suspension imposed by the July 10, 2018 Consent Order is hereby terminated as moot based upon the revocation; and it is further

ORDERED that this Order is a public document.

03/27/2019
Date


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

Judicial and Administrative Review of Actions of Board

Pursuant to D.C. Official Code § 3-1205.20 (2016 Repl.):

Any person aggrieved by a final decision of a board or the Mayor may appeal the decision to the **District of Columbia Court of Appeals** pursuant to D.C. Official Code § 2-510 (2001).

Pursuant to D.C. Court of Appeals Rule 15(a):

Review of orders and decision of an agency shall be obtained by filing with the clerk of this court a petition for review within thirty (30) days after the notice is given.

This Order is the Final Order of the Board in this disciplinary matter and a public record and, as mandated by federal law, 42 USC § 11101 and 45 CFR § 60, “the National Practitioner Data Bank – Health Integrity and Protection Data Bank,” this disciplinary action shall be reported to the U.S. Department of Health and Human Services.

Copies to:

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