

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

**IN RE:**

**KENDRA E. BAUER, PA-C**

**License No.: PA031450  
Respondent**

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**CONSENT ORDER**

This matter comes before the District of Columbia Board of Medicine (the “Board” or “D.C. Board”) pursuant to the Health Occupations Revision Act (HORA). D.C. Official Code § 3-1201.01, *et seq.* (2016 Repl.). The HORA authorizes the Board to regulate the practice of medicine in the District of Columbia. The Board has broad jurisdiction to impose a variety of disciplinary sanctions upon a finding of a violation of the HORA. D.C. Official Code, § 3-1201.03; *Mannan v. District of Columbia Board of Medicine*, 558 A.2d 329, 333 (D.C. 1989). The Council of the District of Columbia, in amending the HORA, “intended to strengthen enforcement of its licensing laws.” *Davidson v. District of Columbia Board of Medicine*, 562 A.2d 109, 113 (D.C. 1989). And 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).

**Background**

Respondent has been licensed to practice as a physician assistant in the District of Columbia since July 11, 2018; her license is due to expire on December 31, 2020. Respondent has been licensed in Maryland since September 4, 2014, where she worked as a Surgical

Physician Assistant. The Maryland Board of Physicians (the “Maryland Board”) concluded after investigation that Respondent was guilty of unprofessional conduct in the practice of medicine and failed to meet appropriate standards for the delivery of quality medical and surgical care performed in an outpatient surgical facility, office, and/or hospital within the State of Maryland. Respondent failed to meet the standard of care during one surgical procedure by her choice in surgical sponges. Respondent further failed to meet the standard of care with another patient when Respondent (1) failed to recognize the amount of time needed for a surgical procedure and did not inform the lead surgeon or fellow that more time was needed; (2) failed to recognize large amounts of bleeding coming from a patient’s drain site and did not inform the operative surgeon of the presence of a large hematoma; and (3) failed to implement the standard of quality care when there was excessive bleeding during an endoscopic vessel harvest (“EVH”).

Based on the above, the Maryland Board concluded as a matter of law that Respondent violated the Maryland Physician Assistants Act. Md. Code. Ann., Health Occ. § 15-314(a)(3)(iii) and (22)(2014 Repl. Vol. 2017 Supp.). In a Consent Order dated January 1, 2019, (the Maryland Order), the Maryland Board reprimanded Respondent and further ordered that Respondent be placed on probation for a minimum of one (1) year with the condition that the Respondent enter into a Participant Rehabilitation Plan with the Maryland Professional Rehabilitation Program (“MPRP”).

### **Conclusions of Law**

The Board is authorized to sanction Respondent under the HORA for her actions, which are related to the practice of medicine. The HORA provides, in pertinent part:

Each board, subject to the right of a hearing as provided by this subchapter, on an affirmative vote of a quorum of its appointed members may take one or more of the disciplinary actions provided in subsection (c) of this section against any applicant for a license, registration, or certification, an applicant to establish or operate a school of

nursing or nursing program, or a person permitted by this subchapter to practice a health occupation regulated by the board in the District who:

\* \* \*

(3) is disciplined by a licensing or disciplinary authority or peer review body or convicted or disciplined by a court of any jurisdiction for conduct that would be grounds for disciplinary action under this section; D.C. Official Code § 3-1205.14(a) (3) and

(26) fails to conform to standards of acceptable conduct and prevailing practice within a health profession; D.C. Official Code § 3-1205.14(a) (26)

The Maryland Board reprimanded Respondent and placed her on probation for a minimum of one year due to her unprofessional conduct in the practice of medicine and failure to meet the standard of care. Therefore Respondent has had disciplinary action taken against her by the proper licensing authority of another state for actions for which she could be disciplined had they occurred in the District of Columbia. Therefore, Respondent's conduct has provided the D.C. Board with a basis in law and fact to take reciprocal action against Respondent under the authority of D.C. Official Code § 3-1205.14(a)(3).

### **ORDER**

ACCORDINGLY, based on the foregoing, it is by the District of Columbia Board of Medicine hereby,

**ORDERED**, that Respondent be **REPRIMANDED**; and it is further

**ORDERED**, that Respondent is placed on **PROBATION** for a minimum of **ONE (1) YEAR**. During probation, the Respondent shall comply with all of the terms and conditions of probation stated in the Maryland Order dated January 1, 2019 that was issued by the Maryland Board; and it is further

**ORDERED**, that Respondent shall sign any written release/consent forms to authorize the Maryland Rehabilitation Program (MPRP) to provide quarterly reports the District Board

reporting on Respondent's compliance and progress. The Respondent shall ensure that the first quarterly report is received by the Board no later than four (4) months after the executed date of this Consent Order. All reports shall be sent to Lisa A. Robinson, Compliance Monitor, DC Board of Medicine, 899 North Capitol Street, NE, 2<sup>nd</sup> Floor, Washington, DC 20002; and it is further

**ORDERED**, that Respondent shall comply with all laws, rules, and regulations of the District of Columbia, while within its jurisdiction; and it is further

**ORDERED**, that after the Respondent has complied with all terms and conditions of the probation of the Maryland Order and is released from probation by the Maryland Board, the Respondent may submit a written petition for termination of probation. After consideration of the petition, the probation may be terminated through an order of the D.C. Board; and it is further

**ORDERED**, that a violation of probation constitutes a violation of the Consent Order, and it is further


**ORDERED**, that if Respondent fails to satisfactorily fulfill the terms of this Consent Order the D.C. Board may issue a notice of intent to take additional formal disciplinary action against Respondent's license; 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 this is a public document.

DISTRICT OF COLUMBIA BOARD OF MEDICINE

10/30/19  
Date


  
By: Andrea Anderson, MD, FAAFP  
Chairperson

**AGREEMENT OF RESPONDENT**


By signing this public consent order, I agree to accept and abide by its terms. I acknowledge its validity and acknowledge that I have agreed to the terms set forth in this agreement. I fully acknowledge that by signing this consent order, I am waiving my right to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural protections provided by law. I also recognize that I am waiving my right to appeal any adverse ruling by the Board that might have followed any such hearing. By signing this settlement agreement, I waive all such rights.

I have had the opportunity to review this document and to seek the advice of my own legal counsel. I choose to sign this consent order willingly and without reservation and am fully aware of its meaning and effect.

10/16/19  
Date

  
Kendra E. Bauer, PA-C  
License No.: PA031450

Sworn to and subscribed before me this 16 day of October, 2019.

  
Notary Public

**This Consent Order shall be deemed a public document and shall be distributed as appropriate.**

<b>SPENCER BRENNAN</b> Notary Public Harford County Maryland My Commission Expires Nov. 19, 2019
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