

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

**IN RE:**

**ROBERT HARDI, MD**

**License No.: MD14559**

**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**

Dr. Robert Hardi (Respondent) has been licensed to practice as a physician in the District of Columbia since May 18, 1984. Respondent is also licensed in Maryland. His license in the District was summarily suspended on March 20, 2019, following summary suspension in the state of Maryland on March 5, 2019. The Maryland State Board of Physicians (Maryland Board) entered a Final Decision and Order (Maryland Order) on March 20, 2020, which found that Respondent had violated the Maryland Health Occ. § 14-404(a)(3)(i) and (ii) and was guilty of immoral and unprofessional conduct in the practice of medicine. The Maryland Board also found the Respondent in violation of Maryland Health Occ. § 1 – 212 and COMAR 10.32.17 by engaging in sexual misconduct. In short, the Maryland Board found that Respondent had engaged in a sexual relationship with a patient; they specifically found that the patient relationship and the sexual relationship overlapped and that he treated the patient before and during the sexual relationship. The Maryland Order suspended Respondent for one year, retroactive to the date of his summary suspension, and issued a fine of \$10,000 (ten thousand dollars). As his one year of suspension is complete and he has paid the fine, Respondent's license in Maryland is now in an active status. *See Attachment A, Maryland Order.*

Respondent has asked that his District medical license be returned to active status. On April 29, 2020, the D.C. Board of Medicine (Board) reviewed the actions taken against Respondent by the Maryland Board and voted to take reciprocal action against the Respondent. The Board has agreed to lift the Summary Suspension pursuant to the following conditions, to which the Respondent has agreed.

### **Conclusions of Law**

The Board is authorized to sanction Respondent under the HORA for his 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

(23)(B) [Engages in] Sexual contact with a patient or client concurrent with and by virtue of the practitioner-patient . . . relationship; 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 suspended and fined Respondent for his conduct with a patient. Therefore Respondent has had disciplinary action taken against him by the proper licensing authority of another state. Accordingly, 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 is placed on **PROBATION**; and

**ORDERED** that within six (6) months of the effective date of this Consent Order (the date the Board Chair signs the document) Respondent shall complete:

1) Three (3) of the five (5) sections of the exams available through Ethics and

Boundaries Services, LLC (EBAS) ([www.ebas.org](http://www.ebas.org)):

- a. Boundary Violations;
- b. Professional Standards; and
- c. Unprofessional Conduct; and

2) Any training recommended by EBAS, and it is further

**ORDERED** that Respondent shall provide a copy of this Consent Order to EBAS and shall ensure EBAS forwards Respondent's exam scores directly to the Board; and it is further

**ORDERED** that Respondent shall provide proof of completion of any continuing medical education (CME) recommended by EBAS, which CME shall not be used to satisfy the CME requirements for renewal of Respondent's medical license; and it is further

**ORDERED** that Respondent shall pay for all costs associated with fulfillment of this Consent Order; and it is further

**ORDERED** that after successful completion of the three exams and all recommended training, he may petition the DC Board for the termination of his probation; and it is further

**ORDERED** that if Respondent is unable to comply with the terms of this Consent Order he should contact the Board immediately; and it is further

**ORDERED**, that Respondent shall comply with all laws, rules, and regulations of the District of Columbia; 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 this is a public document.

DISTRICT OF COLUMBIA BOARD OF MEDICINE

05/04/2020

Date



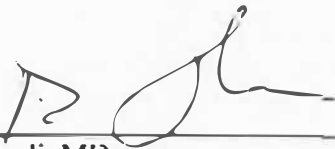
By: Andrea Anderson, MD, FFAFP  
Chairperson

**AGREEMENT OF RESPONDENT**

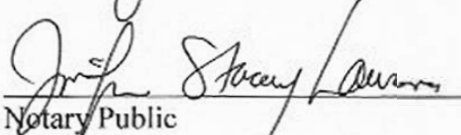
By signing this public consent order, I agree to accept and abide by its terms. I acknowledge its validity and acknowledge that I have agreed to the terms set forth in this agreement. I fully acknowledge that by signing this consent order, I am waiving my right to confront witnesses, to give testimony, 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.

5/4/2020  
Date

  
\_\_\_\_\_  
Robert Hardi, MD  
License No.: MD14559

Sworn to and subscribed before me this 4<sup>th</sup> day of May, 2020.

  
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Notary Public

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

