

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

IN RE:

MARCIA BENNETTE LOBRANO, MD

License No.: MD039199

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. Marcia Bennette LoBrano (Respondent) has been licensed to practice as a physician in the District of Columbia since January 26, 2011. She is board certified in emergency medicine and recently renewed her license which is now current through December 31, 2022. Respondent is also licensed in Maryland (License D53661). On October 26, 2020, the Maryland State Board of Physicians (Maryland Board) entered a Final Decision and Order (Maryland Order), which found that Respondent had violated the Maryland Health Occ. Act § 14-404(a)(3)(ii) by engaging in the unprofessional conduct in the practice of medicine. The Maryland Order is attached to and incorporated into this Consent Order.

The Maryland Board found that Respondent worked as the Chief Medical Officer (CMO) for a federally qualified health center (FQHC) with multiple locations in Montgomery and Prince George's Counties, Maryland. In addition to her administrative duties as CMO, Respondent spent about 20% of her time in clinical work. There was no evidence of concern with Respondent's clinical work. However her employment was terminated by the FQHC on September 27, 2017¹ due to multiple complaints regarding her behavior with other employees of the FQHC. According to the factual record, three physicians resigned due to belittling, condescending and harsh treatment by Respondent. The Maryland Board found that "Respondent's statement and actions often demeaned and embarrassed her work colleagues at the Health Center. These incidents demonstrate a pattern of behavior that was unprofessional." *See Maryland Order, p. 18.*

Conclusions of Law

¹ Respondent provided the date of termination for this Order.

The Board is authorized to sanction licensees under the HORA for actions which are related to the practice of medicine. The Maryland Board concluded that “respondent’s conduct was distracting, demoralizing, and threatened patient care at the Health Center. Further, the Respondent’s conduct was systemic. There was a clear pattern to the Respondent’s behavior.”

Id., p. 35.

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).

The Maryland Board reprimanded Respondent and placed her on probation for engaging in unprofessional conduct in the practice of medicine. Therefore, Respondent has had disciplinary action taken against her by the proper licensing authority of another state. These acts violate D.C. Official Code § 3-1205.14(a)(26) (Fails to conform to standards of acceptable conduct and prevailing practice within a health profession). 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 the Respondent is **REPRIMANDED**; and it is further

ORDERED that the Respondent is placed on **PROBATION** for a minimum period of one year. During probation, the Respondent shall comply with all the terms of probation in the Maryland Order and shall:

1. Provide a copy of this Consent Order to the Maryland Professional Rehabilitation Program (MPRP) and ensure that she signs and updates all necessary release of information/consent forms requested by the Board and by MPRP to ensure that the Board can receive relevant information and reports;
2. Ensure that the MPRP provides quarterly reports to the Board regarding Respondent's compliance with the MPRP program and recommendations made by MPRP. These reports shall be mailed to: DC Board of Medicine, Health Regulation and Licensing Administration, DC Health, 2d Floor, 899 North Capital NE, Washington D.C. 20002. The reports are also to be e-mailed to Health Licensing Specialist Lisa Robinson at Lisaa.Robinson@dc.gov. The quarterly reports are to start within three (3) months after the effective date of this Consent Order (i.e. the date that Consent Order is signed by the Board Chair) and continue until respondent has been released due to satisfactory completion from the MPRP, or her probation with the DC Board has terminated; and
3. Provide proof to the D.C. Board at the address above in para. 2 of completion of the course in professionalism mandated by the Maryland Order; proof is required within six (6) months of the effective date of this Consent Order; and this course shall not be used to satisfy any continuing education requirements; and

4. Respondent may not request termination of this probation until the Maryland Board has terminated her probation due to satisfactory completion of all terms; and it is further

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

ORDERED, that Respondent is responsible for all costs incurred with compliance with the Consent Order; 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 disciplinary action against Respondent's license; and it is further

ORDERED, that this is a public document.

DISTRICT OF COLUMBIA BOARD OF MEDICINE

03/18/21

Date



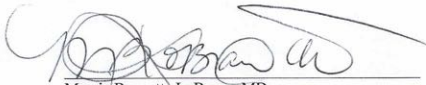
By: Andrea Anderson, MD, FAAFP
Chairperson

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.

3/8/2021
Date



Marcia Bennette-LoBrano, MD
License No.: MD039199

Sworn to and subscribed before me this 8th day of MARCH, 2021.



SEONG HEE SHIN
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires Sept. 24, 2023
Montgomery County



Notary Public

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