

**IN THE MATTER OF**

**\* BEFORE THE MARYLAND**

**BRIAN BACH, D.P.M.**

**\* BOARD OF PODIATRIC**

**Respondent**

**\* MEDICAL EXAMINERS**

**License Number: 00908**

**\* Case Numbers: 2020-005  
2020-006  
2021-007**

**\* \* \* \* \***

**ORDER FOR SUMMARY SUSPENSION  
OF LICENSE TO PRACTICE PODIATRIC MEDICINE**

The Maryland State Board of Podiatric Medical Examiners (the “Board”) hereby **SUMMARILY SUSPENDS** the license of **BRIAN BACH, D.P.M.** (the “Respondent”), License Number 00908, to practice podiatric medicine in the State of Maryland.

The Board takes such action pursuant to its authority under Md. Code Ann., State Gov’t § 10-226(c) (2021 Repl. Vol.), concluding that the public health, safety or welfare imperatively requires emergency action.

**INVESTIGATIVE FINDINGS**

Based on information received by, and made known to the Board, and the investigatory information obtained by, received by and made known to and available to the Board, including the instances described below, the Board has reason to believe that the following facts are true:<sup>1</sup>

**I. BACKGROUND**

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<sup>1</sup> The statements regarding the Board’s investigative findings are intended to provide the Respondent with notice of the basis of the suspension. They are not intended as, and do not necessarily represent, a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with this matter.

1. At all times relevant, the Respondent was and is licensed to practice podiatric medicine in the State of Maryland. The Respondent was originally licensed to practice podiatric medicine in Maryland on June 13, 1985, under License Number 00908. The Respondent's license is current through December 31, 2021.

2. At all times relevant, the Respondent practiced as a podiatrist in an office in Clinton, Maryland (the "Practice").<sup>2</sup>

### **COMPLAINTS**

3. On or about March 5, 2020, the Board received notice of a civil Health Care Claim by a patient against the Respondent. Based on this complaint, the Board opened an investigation of the Respondent under case number 2020-005.

4. On or about March 11, 2020, the Board received a second complaint from a patient against the Respondent. Based on this complaint, the Board opened an investigation of the Respondent under case number 2020-006.

5. On or about April 9, 2021, the Board received a third complaint from a patient against the Respondent. Based on this complaint, the Board opened an investigation of the Respondent under case number 2021-008.

### **BOARD INVESTIGATION**

6. In the course of its investigation, the Board referred the Respondent for an evaluation by a licensed physician (the "Expert").

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<sup>2</sup> For confidentiality and privacy purposes, the names of witnesses, patients, health care providers, health care facilities, and other institutions are not disclosed in this document. The Respondent may obtain the identity of the referenced individuals, facilities, or institutions by contacting the assigned administrative prosecutors.

7. On or about July 6, 2021, the Expert completed a report (the “Expert Report”). The Expert Report was based on direct evaluation of the Respondent by the Expert, as well as consultation with the Respondent’s primary care physician, a review of the Respondent’s medical history, and interviews with the Respondent’s office staff.

8. The Report also relied on and incorporated a report (the Neuropsychological Report”), completed on June 20, 2021, by a licensed psychologist. The Neuropsychological Report was based on the psychologist’s evaluation of the Respondent, conducted on or about May 19, 2021, which included neuropsychological testing of the Respondent as well as interviews with a close family member of the Respondent and a member of the Respondent’s office staff.

9. The Expert concluded, in summary, that the Respondent’s condition allows him to “largely hide the extent of his impairment” in brief day-to-day interactions. However, in reality, the Respondent is “clearly impaired” and “not currently capable of functioning as a podiatrist.”<sup>3</sup>

### **CONCLUSIONS OF LAW**

Based upon the foregoing Investigative Findings, the Board concludes as a matter of law that the public health, safety, or welfare imperatively requires emergency action, pursuant to Md. Code Ann., State Gov’t § 10-226(c)(2) (2021 Repl. Vol.).

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<sup>3</sup> In an effort to respect the Respondent’s privacy, additional details of the Respondent’s impairment, while known to the Board, have been omitted from this document. The Respondent may obtain further details by contacting the administrative prosecutor.

**ORDER**

It is, by a majority of the Board, hereby:

**ORDERED** that pursuant to the authority vested in the Board by Md. Code Ann., State Gov't § 10-226(c)(2), the Respondent's license to practice podiatric medicine in the State of Maryland is hereby **SUMMARILY SUSPENDED**; and it is further

**ORDERED** that the Respondent has the opportunity to appear before the Board for a post-deprivation show cause hearing. The request for a post-deprivation show cause hearing must be made in writing **WITHIN THIRTY (30) DAYS** of service of this Order. The written request should be made to Eva Schwartz, Executive Director, Maryland State Board of Podiatric Medical Examiners, 4201 Patterson Avenue, Baltimore, Maryland 21215; and it is further

**ORDERED** that if the Respondent fails to request a post-deprivation show cause hearing in writing, the Respondent's license will remain suspended; and it is further

**ORDERED** that on presentation of this Order, the Respondent **SHALL SURRENDER** to the Board his original podiatry license number 00908, any wallet card, and/or wall certificate; and it is further

**ORDERED** that at the conclusion of the post-deprivation show cause hearing, the Respondent, if dissatisfied with the result of the hearing, may request within ten (10) days an evidentiary hearing, such hearing to be set promptly before the Board; and it is further

**ORDERED** that this is an Order of the Board, and as such, is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Provisions § 4-101 *et seq.* (2021).

10/27/2021

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Date



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Adam Silverman, D.P.M., President  
State Board of Podiatric Medical Examiners