

IN THE MATTER OF
BRIAN J. BELGIN, D.P.M.
Respondent

License Number: 01403

*** BEFORE THE MARYLAND**
*** BOARD OF PODIATRIC**
*** MEDICAL EXAMINERS**
*** Case Number: 2021-009**

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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 J. BELGIN, D.P.M.** (the “Respondent”), License Number 01403, 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) (2014 Repl. Vol. & 2020 Supp.), 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:¹

¹ 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.

I. BACKGROUND

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 May 5, 2004, under License Number 01403. The Respondent's license is current through December 31, 2021.

2. At all times relevant, the Respondent practiced podiatry at large podiatry practice (the "Practice")² with multiple locations throughout Maryland. The Respondent practice podiatry at one of the Practice's locations in Baltimore, Maryland.

3. On or about May 12, 2021, the Board opened an investigation of the Respondent after receiving a referral from the Maryland Office of Controlled Substances Administration ("OCSA"). The OCSA referral reported that during a pharmacy audit, it discovered that the Respondent wrote numerous controlled dangerous substance ("CDS") prescriptions to a family member ("Family Member A").

4. Based on the OCSA referral, the Board initiated an investigation of the Respondent's prescribing practices.

II. BOARD INVESTIGATION

5. As part of its investigation, the Board conducted prescription drug surveys, obtained relevant documents, and interviewed relevant witnesses, including the Respondent.

² 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.

6. The Board's investigation revealed that between approximately October 31, 2018, and April 22, 2021, the Respondent wrote the following CDS prescriptions to a Family Member A: thirty-one (31) prescriptions for oxycodone 10 to 20 mg (#15 to #25) and twelve prescriptions for narcotic cough suppressant.

7. The Board's investigation also revealed that between approximately January 13, 2020, to April 19, 2021, the Respondent wrote ten (10) prescriptions for prescription-only medications to a second family member ("Family Member B").

8. The Board's investigation further revealed that between approximately August 5, 2019, to April 3, 2021, the Respondent wrote ten (10) prescriptions for prescription-only medications to a third family member "Family Member C").

9. On June 9, 2021, the Board's investigator interviewed the Respondent under oath. During the interview, the Respondent admitted to writing CDS prescriptions to Family Member A and non-CDS prescriptions to Family Members B and C from approximately 2018 to 2021. The Respondent admitted that the three family members were not his patients and that he did not keep medical records of them except for copies of the prescriptions he wrote. The Respondent further admitted that the prescriptions that he wrote to the three family members were not related to and outside the scope of his training in podiatric medicine. The Respondent expressed remorse for having written those prescriptions.

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) (2014 Repl. Vol. and 2020 Supp.).

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 01403, any wallet card and 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.* (2014).



8/27/2021
Date

Yvonne U. Umezurike, D.P.M.
President
Maryland State Board of
Podiatric Medical Examiners