

IN THE MATTER OF	*	BEFORE THE MARYLAND
BENJAMIN ALAN FEINZIMER, D.O.	*	STATE BOARD OF
Respondent	*	PHYSICIANS
Maryland License Number: H0093316	*	Case Number: 2225-0070

* * * * *

ORDER

PROCEDURAL BACKGROUND

The Maryland Board of Physicians (the “Maryland Board”) received information that Benjamin Alan Feinzimer, D.O. (the “Respondent”), Maryland License Number H0093316, a physician licensed to practice medicine in Maryland via the Interstate Medical Licensure Compact (the “Compact”), was disciplined by the Mississippi State Board of Medical Licensure (the “Mississippi Board”). In a Determination and Order, dated May 9, 2024, the Mississippi Board suspended the Respondent’s license for a period of six (6) months, with an immediate stay, with the start date of the suspension on December 8, 2023, with terms and conditions.

Based on the above-mentioned Mississippi Board sanction, the Maryland Board is authorized to discipline the Respondent, pursuant to the following:

Health Occ. §14-3A-01, Interstate Medical Licensure Compact, Section 10 Disciplinary Actions provides:

- (a) Any disciplinary action taken by any member board against a physician licensed through the Compact shall be deemed unprofessional conduct that may be subject to discipline by other member boards, in addition to any violation of the Medical Practice Act or regulations in that state.

....

- (c) If disciplinary action is taken against a physician by a member board not in the state of principal license, any other member board may deem the action conclusive as to matter of law and fact decided; and

(1) Impose the same or lesser sanction(s) against the physician so long as such sanctions are consistent with the Medical Practice Act of that state[.]

Maryland Board Disciplinary Panel B (“Panel B”) has determined that the acts for which the Respondent was disciplined in Mississippi would be grounds for disciplinary action under H.O. § 14-404(a)(3)(ii) and (18). Pursuant to Health Occ. § 14-3A-01 Section 10(a), the grounds for disciplinary action under H.O. § 14-404(a) are as follows:

(3) (ii) Is guilty of:

Unprofessional conduct in the practice of medicine.

(18) Practices medicine with an unauthorized person or aids an unauthorized person in the practice of medicine.

FINDINGS OF FACT

Panel B makes the following findings of fact and deems it conclusive as a matter of fact decided pursuant to Health Occ. § 14-3A-01 Section 10(c):

1. The Respondent was licensed to practice in Maryland on or about January 25, 2022, under License Number H0093316, pursuant to the Compact. On November 15, 2023, the Respondent applied for an Inactive License Status. The Respondent’s Inactive License Status is effective through September 30, 2026.

2. In its Determination and Order, the Mississippi Board determined that as the medical director of iDrip¹, the Respondent prescribed, administered, or dispensed prescription medications without performing patient examinations and any medical indication.

¹ iDrip is a company that provides support to individuals who set up IV hydration practices in many different states.

3. The Mississippi Board also determined that the Respondent was guilty of unprofessional conduct, including knowingly performing any act that assists in the unlicensed practice of medicine.

4. By Order dated May 9, 2024, the Mississippi Board suspended the Respondent's license for six months, with an immediate stay, with the start date of the suspension on December 8, 2023.

A copy of the Mississippi Board Determination and Order is attached hereto.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, based on the Mississippi Board, and Health Occ. §14-3A-01 Section 10(a) and (c), Panel B concludes as a matter of law that the Respondent is guilty of unprofessional conduct in the practice of medicine, in violation of Health Occ. §14-404(a)(3)(ii); and Practices medicine with an unauthorized person or aids an unauthorized person in the practice of medicine, in violation of Health Occ. §14-404(a)(18).

ORDER

Pursuant to Health Occ. §14-3A-01, Interstate Medical Licensure Compact, Section 10(c)(1), the Maryland Board hereby imposes the same sanction as the Mississippi Board.

It is, thus, by Panel B, hereby:

ORDERED that the Respondent is suspended from the practice of medicine in Maryland for six (6) months with an immediate stay, with the start date of the suspension on the date of this Order.²

² Because the Respondent's license is inactive, the suspension period will be tolled until the Respondent's license is reinstated to active status.

ORDERED that the effective date of the Final Order is the date the Final Order is signed by the Executive Director of the Board or her designee. The Executive Director or her designee signs the Final Order on behalf of the disciplinary panel which has imposed the terms and conditions of this Final Order; and it is further

ORDERED that the Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this Final Order; and it is further

ORDERED that, if the Respondent allegedly fails to comply with any term or condition imposed by this Final Order, the Respondent shall be given notice and an opportunity for a hearing. If the disciplinary panel determines there is a genuine dispute as to a material fact, the hearing shall be before an Administrative Law Judge of the Office of Administrative Hearings followed by an exceptions process before a disciplinary panel; and if the disciplinary panel determines there is no genuine dispute as to a material fact, the Respondent shall be given a show cause hearing before a disciplinary panel; and it is further

ORDERED that, after the appropriate hearing, if the disciplinary panel determines that the Respondent has failed to comply with any term or condition imposed by this Final Order, the disciplinary panel may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, or suspend Respondent's license with appropriate terms and conditions, or revoke the Respondent's license. The disciplinary panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine on the Respondent; and it is further

ORDERED that this Final Order is a public document. *See* Health Occ. §§1-607, 14-411.1(b)(2) and Gen. Prov. §4-333(b)(6).

10/07/2024
Date

Signature On File

Christine A. Farrelly
Executive Director
Maryland Board of Physicians

NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW

Pursuant to Health Occ. §14-408, the Respondent has the right to seek judicial review of this Final Order. Any petition for judicial review shall be filed within thirty (30) days from the date of mailing of this Final Order. The cover letter accompanying this Final Order indicates the date the decision is mailed. Any petition for judicial review shall be made as provided for in the Administrative Procedure Act, Md. Code Ann., State Gov't §10-222 and Title 7, Chapter 200 of the Maryland Rules of Procedure.

If the Respondent files a petition for judicial review, the Board is a party and should be served with the court's process at the following address:

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians
4201 Patterson Avenue, 4th Floor
Baltimore, Maryland 21215

Notice of any petition should also be sent to Board Counsel at the following address:

David Finkler
Assistant Attorney General
Maryland Office of the Attorney General
Maryland Department of Health
300 West Preston Street, Suite 302
Baltimore, Maryland 21201