

CONSTANCE H. BAKER

EXPERIENCE IN HEALTH CARE PROFESSIONAL PEER REVIEW, DISCIPLINARY AND LICENSURE PROCEEDINGS

I have been involved in many health care professional, peer review, disciplinary and licensure proceedings. These span many different specialties and reflect a broad perspective representing physicians, other providers, hospitals and medical staffs. My former role as an Assistant Attorney General and prosecutor for the Maryland Board of Physicians adds to my experience. A sampling of my experience follows:

	Specialty	Client	Role
1.	Gynecology	Physician	Persuaded Maryland Board of Physicians (“MBOP”) to withdraw charges after charges were issued, on basis of failure to follow peer review guidelines and conflict of interest.
2.	Plastic Surgery	Physician	Represented physician before MBOP in several matters, D.C. Board of Medicine, Virginia Board of Medicine, and American Board of Plastic Surgery.
3.	Neurology	Physician	After MBOP imposed probation and network threatened “deselection”, persuaded MBOP to terminate probation and enter into non-public Disposition Agreement requiring continued treatment for substance abuse; successful representation before D.C. Board of Medicine.
4.	Internal medicine / Cardiology / pulmonology	Physician	Represented physician before MBOP which imposed probation, focused CME, proctoring, transcription of medical records; no “down time” required.
5.	Surgery	Physician	Represented physician before MBOP which imposed CME requirements while allowing physician to continue to practice as surgical assistant; persuaded prosecutor and MBOP to drop charge of illegitimate prescribing without valid medical purpose.
6.	Orthopedics	Physician	Represented doctor during investigation of complaint and achieved dismissal without charges by MBOP.
7.	Orthopedics	Physician	Represented through investigation of complaint and achieved dismissal without charges by BPQA.
8.	Gastroenterology	Physician	Represented doctor during investigation and achieved dismissal without charges by MBOP.
9.	Internal Medicine	Physician	Represented doctor during investigation of patient complaint and achieved dismissal without charges by MBOP.
10.	Obstetrics/ Gynecology	Physician	Represented doctor by disgruntled physician who lost privileges; achieved dismissal without charges.

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11.	Anesthesiology	Physician	Represented doctor by disgruntled physician who lost privileges and achieved dismissal without charges.
12.	Ophthalmology	Physician	Represented doctor by patient and achieved dismissal without charges.
13.	Gastroenterology	Physician	Represented doctor before MBOP by patient complaint and achieved dismissal without charges.
14.	Internal Medicine	Physician	Represented physician during investigation of fraud and related charges by MBOP.
15.	Psychiatry	Physician	Represented physician during investigation for illegitimate prescribing; physician retired in lieu of charges.
16.	Urology	Physician	Represented physician during investigation for substandard care and persuaded MBOP to dismiss complaint without filing any charges due to conflicts of interest and bad faith of peer reviewers.
17.	Internal Medicine	Physician	Represented physician during investigation for alleged abandonment and discriminatory treatment and achieved dismissal without charges by MBOP.
18.	Obstetrics/ Gynecology	Physician	Represented physician after MBOP filed charges and successfully persuaded MBOP to close case with non-public, informal warning re medical records.
19.	Obstetrics/ Gynecology	Physician	Represented physician, achieved dismissal without charges by MBOP.
20.	Urology	Physician	Represented physician before MBOP, Special Investigation Unit of Blue Cross Blue Shield and Health Care Fraud Unit of Criminal Investigations Division, Office of the Attorney General. Blue Cross and the Criminal Division dropped charges. Negotiated Consent Order with MBOP
21.	Hyberbaric oxygen therapy	Physician	Represented physician before MBOP in complaint of former employee alleging violation of patient care standards.
22.	Geriatrics	Physician	Assisted in representing physician before MBOP in complaint of daughter of former deceased patient regarding physician's certification of level of hospice care for Medicare reimbursement. MBOP dismissed complaint.
23.	Anesthesiology	Physician	Represented physician in residency program regarding substance abuse charges
24.	Cardiology	Physician	Represented physician at Physician Rehabilitation Committee regarding substance abuse charges.
25.	Dentistry	Dentist	Assisted in representing dentist in investigation by commercial insurer for suspected fraud. Achieved settlement with no reporting.
26.	Psychology	Psychologist	Represented psychologist before Maryland Board of Psychology Examiners. Board dismissed complaint.

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27.	Nurse	Nursing Supervisor	Represented claim before State Board of Examiners of Nurses regarding allegation of inadequate supervision. Board dismissed complaint.
28.	Educational Testing	Education Assessment Specialists	Represented educational assessment specialists before Maryland Board of Psychology Examiners regarding whether educational testing is within the practice of psychology.
29.	Psychiatry	Physician	Represented psychiatrist before MBOP in connection with Order for Summary Suspension. Successful in reversing summary suspension by MBOP. Physician entered into consent order.
30.	Interventional Cardiology	Physician	Represented physician before Board of Trustees of hospital which issued reprimand. Represented physician before MBOP which dismissed complaint.
31.	Chiropractic	Chiropractor	Represented chiropractor before D.C. Board of Chiropractic.
32.	Orthopedics	Physician	Represented physician in connection with on-call privileges at hospital.
33.	Obstetrics/ Gynecology	Physician	Represented physician in connection with contract dispute with hospital.
34.	Psychiatry	Physician	Represented physician before MBOP in connection with lapse of license. MBOP imposed fine.
35.	Internal Medicine	Physician	Ongoing representation of physician before MBOP in connection with continuing medical education deficiencies.
36.	Psychiatry	Physician	Represented physician in Hearing Committee which found in favor of physician.
37.	Internal Medicine/ Family Practice	Physician	Represented physician in proceedings before Maryland Board of Physicians.
38.	Orthopedics	Physician	Represented physician before the American Board of Orthopedic Surgery regarding eligibility for Part II of certifying examination.
39. .	Nuclear Pharmacist	Pharmacist	Represented pharmacist before Maryland Board of Pharmacy regarding reinstatement from suspension.
40. .	Obstetrics/ Gynecology	Physician	Represented physician excluded from participation in federal health care program.
41.	Obstetrics/ Gynecology	Physician	Represented physician in proceedings at county hospital.
42.	Cardiology	Physician	Represented physician in proceedings at Veterans Administration successfully reversing findings of research fraud and exclusion from VA contracts
43.	Family Practice	Physician	Represented physician before Maryland Board of Physicians regarding voluntary surrender of license, and before Drug Enforcement Administration, Department of Justice regarding allegations of improper prescribing.

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44.	Interventional Cardiology	Physician	Represented physician regarding termination from Hospital employment and proceedings before Hospital quality improvement committee.
45.	Psychiatrist	Physician	Represented physician in investigation by Maryland Board of Physicians.
46.	Nurse	Nurse	Represented nurse supervisor in connection with summary suspension and reinstatement by Board of Nursing.
47.	Nephrology	Medical Staff	Advised Hearing Committee which recommended denial of privileges. Board of Trustees denied privileges.
48.	Pediatrics	Medical Staff	Advised 1st Hearing Committee which recommended termination. Advised 2nd Hearing Committee which recommended conditions. Board of Trustees denied privileges.
49.	Gynecology	Medical Staff	Advised Department Chairman, Credentials Committee and MEC which recommended restrictive terms and conditions of continued membership. Board of Trustees terminated privileges of physician.
50.	Internal Medicine	Medical Staff	Advised Hearing Committee of five physicians as to procedures in hearing. Drafted hearing committee report, which recommended extension of privileges to allow board certification. Board of Trustees denied reappointment.
51.	Vascular, thoracic and trauma surgery	Medical Staff	Advised Department Chairman, Credentials Committee and MEC as to reappointment and delineation of privileges. Physician resigned prior to hearing. Assisted in representing individually named physicians in complaint, which was settled.
52.	Psychiatry	Medical Staff	Advised Investigating Committee and MEC, which recommended restrictions on privileges. Physician resigned from Medical Staff.
53.	Psychiatry	Medical Staff	Advised Investigating Committee and MEC, which did not recommend any restrictions on privileges.
54.	Ophthalmology	Medical Staff	Advised Medical Staff leadership on disruptive physician. Matter is pending.
55.	Surgery	Medical Staff	Ongoing representation regarding physician's substandard care.
56.	Nephrology	Medical Staff	Advised Hearing Committee which recommended denial of privileges. Board of Trustees denied privileges.
57.	Obstetrics/ Gynecology	Medical Staff	Advised Department Chairman and Hearing Committee regarding denial of privileges due to failure to complete proctoring requirements. Physician resigned from Medical Staff prior to hearing.
58.	Ear, Nose & Throat	Medical Staff	Represented Medical Staff which denied application of physician for reappointment.

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59.	Obstetrics/ Gynecology	Hospital	Advised Department Chairman and Hearing Committee, which recommended letter of reprimand. Board of Directors issued reprimand.
60.	Obstetrics/ Gynecology	Hospital	Advised Department Chairman and Department Quality Assurance Committee, which recommended certain changes in practice. Board of Directors reappointed physician. Physician resigned.
61.	Obstetrics/ Gynecology	Hospital	Advised Department Chairman and Hearing Committee, which recommended restrictive terms and conditions. Board of Directors terminated privileges. Assisted in representing hospital in suit filed by physician in federal district court, which dismissed complaint. Court of Special Appeals upheld dismissal and Court of Appeals denied certiori.
62.	Gynecologic Oncology	Hospital	Advised Investigating Committee and Medical Executive Committee regarding counseling requirements for failure to respond to pager.
63.	Ear Nose and Throat	Hospital	Advised Hospital Investigating Committee, Medical Executive Committee and Board of Directors regarding physician providing substandard care.
64.	Psychiatry	Hospital	Advised Investigative Committee, which recommended restrictive terms and conditions. Assisted in advising second Investigative Committee and MEC, which recommended stringent co-admissions requirements and other conditions. Physician accepted conditions.
65.	Diagnostic Radiology	Hospital	Advised Department Chairman, Credentials Committee and MEC as to initial appointment and delineation of privileges. Physician withdrew application for privileges.
66.	Gynecology	Hospital	Advised Department Chairman, Departmental Quality Assurance Committee, Investigative Committee, MEC and Board of Trustees; presented evidence before Hearing Committee. Board of Trustees imposed restrictions and physician resigned.
67.	Ophthalmology	Hospital	Advised Department Chairman and Hearing Committee regarding termination of ophthalmology resident. Committee recommended termination. Chief of Staff terminated resident. Assisted in representing hospital in complaint filed by physician. Case was settled.
68.	Ophthalmology	Hospital	Advised Quality Assurance Committee as to appropriate restrictions on HIV-positive ophthalmology resident.
69.	Vascular and Thoracic Surgery	Hospital	Served as Hearing Officer and adviser to Hearing Committee of five (5) physicians; drafted Hearing Committee report, which recommended stringent terms and conditions for physician. Board of Trustees denied reappointment.

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70.	Vascular and Thoracic Surgery	Hospital	Advised Investigative Committee, Credentials Committee, MEC and Hearing Committee in collaboration with Venable litigation team. Board of Directors terminated physician who filed suit. Venable litigation team won dismissal of all counts in case in Baltimore County Circuit Court. Court of Special Appeals upheld dismissal and Court of Appeals denied certiori.
71.	Anesthesiology	Hospital	Advised Department Chairman, Investigative Committee and MEC; presented evidence to Hearing Committee with Venable litigation team. Board of Directors terminated physician, who filed suit in Howard County Circuit Court and federal court in Baltimore. Venable litigation team won dismissal of all counts in cases in state and federal court. Court of Special Appeals upheld dismissal.
72.	Nephrology	Hospital	Advised Department Chairman and Hearing Committee, which recommended denial of privileges. Board of Trustees denied privileges.
73.	Psychiatry	Hospital	Assisted MEC which upheld summary suspension; physician resigned from Medical Staff.
74.	Pediatric Orthopedics	Hospital	Venable health care/litigation team defended lawsuit against Hospital, which had terminated physician's contract; settlement obtained.
75.	Neonatology	Hospital	Assisted in obtaining external peer review of physician. Board of Directors terminated contract.
76.	Internal Medicine/ Addictionology	Hospital	Assisted Department Chairman and Hospital in summary suspension. Physician resigned from Medical Staff prior to hearing.
77.	Obstetrics/ Gynecology	Hospital	Assisted Department Chairman, Hearing Committee and outside expert, all of whom recommended restrictions, which were adopted by Board of Trustees.
78.	Plastic Surgery/ Hand Surgery	Hospital	Assisted Dept. Chairman, MEC and Hearing Committee, which advised terminating privileges. Physician resigned prior to final action by Board of Directors.
79.	Internal Medicine	Hospital	Assisted Department Chairman and MEC in denial of GI/endoscopy privileges to internist, who withdrew request for hearing.
80.	Gynecology	Hospital	Served as Hearing Officer and adviser to Hearing Committee of five (5) physicians; drafted Hearing Committee report, which recommended denial of reappointment. Board of Trustees denied reappointment.

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81.	Gynecology	Hospital	Served as Hearing Officer and advisor to Hearing Committee of seven (7) physicians; drafted Hearing Committee report, which recommended denial of appointment. Board of Trustees denied appointment.
82.	Anesthesiology	Hospital	Advised Hospital regarding termination of physician for alteration of billing records.
83.	Obstetrics/ Gynecology	Hospital	Presented evidence at hearing before hospital panel which upheld termination of resident from residency training program. Participated in defense of hospital in lawsuit filed by physician under Americans With Disabilities Act. Case was settled.
84.	Internal Medicine	Hospital	Advised hearing committee regarding application of physician, who withdrew application prior to hearing.
85.	Gynecology	Hospital	Advised Departmental quality assurance committee in assembling report and recommendations regarding physician. Physician resigned prior to any request for corrective action or other disciplinary action.
86.	Internal Medicine	Hospital	Advised Investigative Committee regarding physician who engaged in disruptive behavior and treated staff poorly. Medical Executive Committee recommended reprimand and probation.
87.	Orthopedic Surgery	Hospital	Advised hearing committee regarding physician who engaged in disruptive and harassing behavior. Settled matter without a hearing.
88.	General Surgery	Hospital	Advised quality assurance committee regarding physician who generated patient complaints. Physician resigned from Medical Staff following investigation.
89.	Anesthesiology/ Critical Care	Hospital	Advised Credentials Committee, MEC regarding applicant for privileges in critical care medicine. MEC recommended additional training, and physician withdrew application.
90.	Psychiatry	Hospital	Advised committees regarding possible impairment of psychiatrist. No corrective action was requested, and the physician was subject to retrospective review of patient charts.
91.	Orthopedic Surgery	Hospital	Advised Hospital and hearing committee regarding physician who was disciplined by state board for inappropriate prescribing of controlled dangerous substances. Hearing Committee recommended probation and Board of Directors reinstated physician on probationary basis with terms and conditions.
92.	Neurology	Hospital	Represented hospital regarding termination of physician's privileges due to false entries on application for licensure and privileges. Matter is pending.
93.	Cardiology	Hospital	Represented hospital regarding physician's disruptive behavior. Hospital reached an amicable settlement following investigation and due process hearing.

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94.	Gynecology	Hospital	Represented hospital in connection with physician's performance of procedures which exceeded his delineation of privileges. Physician resigned.
95.	Surgery (Ear, Nose and Throat)	Hospital	Represented hospital in connection with disagreement with physician regarding medical management of several cases. Physician agreed not to submit an application for reappointment.
96.	Orthopedic Surgery	Hospital	Represented hospital in connection with summary suspension related to differences between Hospital and Physician related to interpersonal relations and patient care. Physician will not apply or reapply to Hospital for appointment or reappointment privileges.
97.	Family Practice	Hospital	Represented hospital in connection with investigation of physician for failure to adhere to standards of care and misrepresentation on applications for reappointment and licensure.
98.	Surgery	Hospital	Represented hospital in connection with summary suspension of physician for substandard care.
99.	Surgery	Hospital	Represented hospital in connection with investigation of physician for substandard care.
100.	Anesthesiology	Hospital	Advised hospital regarding impaired physician.
101.	Ear, Nose and Throat	Hospital	Advised Hospital in connection with investigation and subsequent denial of reappointment application. Board of Directors denied renewal application.
102.	Pharmacy	Pharmacy grocery chain	Represented pharmacy chain before State Board of Pharmacy regarding switch of medications. State Board dismissed case in return for voluntary agreement.
103.	Pharmacy	Pharmacist	Represented pharmacist in proceedings before State Board of Pharmacy regarding switch of medications. State Board dismissed case.
104.	Pharmacy	Pharmacist	Represented pharmacist in proceedings before State Board of Pharmacy regarding erroneous label on prescription.
105.	Interventional Cardiology	Medical Staff	Represented medical staff in investigation, summary suspension and resignation of interventional cardiologist pertaining to unnecessary procedures.
106.	Internal Medicine	Medical Staff	Represented medical staff in connection with investigation, summary suspension and resignation of internist pertaining to fraudulent medical records.
107.	Anesthesiology/ Pain Management	Medical Staff	Represented medical staff in connection with summary suspension and resignation of impaired physician.
108.	Urology	Hospital	Represented hospital in investigation of urologist pertaining to substandard care. Physician's privileges expired without hearing.
109.	Cardio-Thoracic Surgery	Hospital	Represented hospital in connection with investigation and partial summary suspension of physician who performed inappropriate endo-vascular procedures.

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110.	Family Practice	Hospital	Represented hospital in connection with investigation, hearing and suspension of physician pertaining to falsified medical records.
111.	Orthopedics	Hospital	Represented hospital in connection with investigation and monitoring of physician pertaining to inappropriate care
112.	Neurology	Hospital	Represented hospital in connection with denial of privileges for inappropriate care
113.	Hospitalist/Internal Medicine	Medical Staff	Represented medical staff and hospital in connection with summary suspension/medical leave of absence of potentially impaired physician.
114.	Interventional Cardiology	Medical Staff	Represented medical staff in investigation, corrective action and monitoring of interventional cardiologist in connection with performance of inappropriate interventions
115.	Family Practice	Hospital	Represented hospital in investigation, hearing and termination of privileges in connection with inappropriate management of patient and failure to maintain adequate medical records.
116.	Orthopedic Surgery	Physician	Represented physician in investigation and hearing by professional association for ethical violation.
117.	Obstetrics/ Gynecology	Hospital	Represented hospital in proposed denial of privileges to ob/gyn for breach of ethical standards.
118.	Interventional Radiology	Physician	Represented physician before Maryland Board of Physicians in complaint alleging unethical conduct.
119.	Cardiology	Medical Staff	Represented Medical Staff in investigation into physician for violation of standards.