

IN THE MATTER OF
BEDE I. NNOLIM, M.D.

Applicant

License Number: UNLICENSED

*** BEFORE THE**
*** MARYLAND STATE**
*** BOARD OF PHYSICIANS**
*** Case Number: 2224-0121**

* * * * *

ORDER OF DEFAULT

On June 25, 2024, Disciplinary Panel B of the Maryland State Board of Physicians (“Board”) issued a Notice of Intent to Deny Application for Initial Medical Licensure, under the Maryland Medical Practice Act, Md. Code Ann., Health Occ. §§ 14-101—14-702, to Bede I. Nnolim, M.D. (“Dr. Nnolim” or “the Applicant”) under Health Occ. § 14-205(b)(3)(i), alleging violations of Health Occ. § 14-404 for fraudulently or deceptively obtains or attempts to obtain a license for the applicant, *see* Health Occ. § 14-404(a)(1); unprofessional conduct in the practice of medicine, *see* Health Occ. § 14-404(a)(3)(ii); willfully making or filing a false report or record in the practice of medicine, *see* Health Occ. § 14-404(a)(11); willfully making a false representation when seeking or making application for licensure, *see* Health Occ. § 14-404(a)(36); and failing to meet the qualifications for licensure under Subtitle 3 of the Medical Practice Act, *see* Health Occ. § 14-404(a)(44); and for lack of good moral character, which is a requirement of licensure, *see* Health Occ. § 14-307(b). On October 8, 2024, the case was referred to the Office of Administrative Hearings (“OAH”) for an evidentiary hearing.

On October 25, 2024, OAH mailed a Notice of Remote Scheduling Conference to each party at their address of record. The notice informed Dr. Nnolim that a Scheduling

Conference would be held on December 2, 2024, at 9:00 a.m., by video-conference. The scheduling conference notice was not returned as undeliverable. On December 2, 2024, at 9:00 a.m., the Administrative Law Judge (“ALJ”) commenced the Scheduling Conference by video-conference. The administrative prosecutor appeared on behalf of the State. Dr. Nnolim was represented by counsel, but did not appear himself. During the Scheduling Conference, the parties selected dates for a prehearing conference, scheduled for January 17, 2025, at 9:00 a.m., and a hearing on the merits, scheduled for March 21, 2025, at 9:00 a.m.

On December 4, 2025, the ALJ issued a Scheduling Order, and, on December 11, 2024, OAH sent a notice of the remote prehearing conference and merits hearing. OAH sent the notices to the same address, and the notices were not returned as undeliverable.

On January 17, 2025, the ALJ convened the remote prehearing conference by video-conference. The administrative prosecutors appeared on behalf of the State. Dr. Nnolim was represented by counsel but did not attend. At the hearing, the parties requested a postponement to further settlement efforts and confirmed their availability for a rescheduled remote prehearing conference on February 27, 2025, at 9:00 a.m. The ALJ granted the joint postponement request until February 27, 2025, at 9:00 a.m.

On January 17, 2025, the ALJ issued a Notice of Remote Prehearing Conference, rescheduling the prehearing conference to February 27, 2025, at 9:00 via video-conference. The Notice stated that failure to attend the remote prehearing conference might result in a decision against the non-appearing party. OAH sent the notice to the same mailing address

that it previously used, and the notice was not returned as undeliverable. Dr. Nnolim further did not notify OAH of any change of mailing address.

On February 27, 2025, at 9:00 a.m., the ALJ convened the remote prehearing conference. The administrative prosecutors appeared for the state, and neither Dr. Nnolim nor his counsel appeared at the scheduled start time or at any point before 9:55 a.m. when the ALJ adjourned the matter. Dr. Nnolim did not request a postponement or notify OAH of any technical issues with logging on. The ALJ found that Dr. Nnolim failed to appear despite having received proper notice.

The State proffered that the settlement negotiations had failed and that Dr. Nnolim sought to withdraw his application, but his request was denied by the Board. The State proffered that Dr. Nnolim's counsel communicated to him that Dr. Nnolim and his counsel would no longer participate in the proceedings. The State proffered that Dr. Nnolim's counsel reiterated that he and Dr. Nnolim would not appear for the prehearing conference. The State made a motion for default against Dr. Nnolim.

Under OAH's rules of procedure, "[i]f, after receiving proper notice as provided in Regulation .05C of this chapter, a party fails to attend or participate, either personally or through a representative, in a Prehearing Conference, hearing, or other stage of a proceeding, the ALJ may proceed in that party's absence or may, in accordance with the hearing authority delegated by the agency, issue a final or proposed default order against the defaulting party." COMAR 28.02.01.23A.

On March 12, 2025, the ALJ issued a Proposed Default Order. In the Proposed Default Order, the ALJ found that Dr. Nnolim failed to appear or participate in the rescheduled remote Prehearing Conference. The ALJ proposed that the Panel find Dr. Nnolim in default and found that by failing to appear he has withdrawn his challenge to the Notice of Intent to Deny Application. The ALJ proposed that the Board adopt as findings of fact the statements set forth in the allegations of fact section of the Notice of Intent to Deny Application for Initial Medical License and conclude as a matter of law that Dr. Nnolim violated sections 14-307(b), 14-404(a)(1), (3)(ii), (11), (36), and (44) of the Maryland Medical Practice Act. The ALJ recommended denying Dr. Nnolim's application for licensure.

The ALJ mailed, by regular first-class mail, copies of the Proposed Default Order to Dr. Nnolim, Dr. Nnolim's counsel, the administrative prosecutor, and the Board at each respective address of record. The Proposed Default Order notified the parties that they may file written exceptions to the proposed order but must do so within 15 days of the date of the Proposed Default Order. The Proposed Default Order stated that any exceptions and requests for a hearing must be sent to the Board with a copy provided to the opposing party. Neither party filed exceptions. On May 14, 2025, this case came before Disciplinary Panel A ("Panel A") of the Board for final disposition.

FINDINGS OF FACT

Because Panel A concludes that Dr. Nnolim has defaulted and has not filed exceptions to the ALJ's Proposed Default Order, the following findings of fact are adopted

from the allegations of fact in the charging document and are deemed proven by the preponderance of the evidence:

I. APPLICATION FOR INITIAL MEDICAL LICENSURE

1. On or about December 11, 2023, the Applicant submitted his *Application for Initial Medical Licensure* (the “Application”) to the Board.

2. The Applicant answered “YES” to Question C on page six of the Application in the section entitled, “Licensing History.” Question C asked, “Has any disciplinary action been taken against your license?”

3. In his answer to Question C on page six of the Application, the Applicant explained that the type of adverse action was “STATE LICENSURE OR CERTIFICATION.” He stated that the action was taken on January 18, 2013, and the reason for the action was the following:

DR. NNOLIM FAILED TO DISCLOSE A 2006 MISDEMEANOR ARREST AND PRIOR PRIVATE ACTION TAKEN BY [NORTH CAROLINA] MEDICAL BOARD ON HIS LICENSE APPLICATION. HE WAS ALLOWED TO WITHDRAW HIS APPLICATION.

4. In the “Character and Fitness” section on page seven of the Application, the Applicant answered “NO” to questions 2, 4, and 7. The questions read as follows:

2. Has a state licensing or disciplinary board (including Maryland), a comparable body in the armed services, or the Veterans Administration, ever taken action against your license? Such actions include but are not limited to, limitations of practice, required education admonishment or reprimand, suspension, probation or revocation.

....

4. Have you ever withdrawn your application for a medical license or other health professional license?

....

7. Have you ever pleaded guilty or nolo contendere to any criminal charge, been convicted of a crime, or received probation before judgment of a criminal charge?

5. On page ten of the Application, in the section entitled, "Certification," the Applicant affirmatively checked the box which stated:

Under penalties of perjury, I attest that I have personally reviewed all responses to the items in the application and that the information I have given is true and correct to the best of my knowledge, information, and belief. I understand that providing any false, misleading, or incomplete information may result in disciplinary action or denial of licensure by the Maryland Board of Physicians (the Board). I also understand and agree that I may not practice, attempt to practice, or offer to practice medicine in Maryland unless licensed by the Board.

6. The Applicant signed the Application electronically beneath the "Certification" section.

7. By email dated December 18, 2023, the Applicant, through a licensing agency application specialist, sent a letter ("Letter 1") to the Board, which stated that he wanted to "address a discrepancy in [his] responses within the Character and Fitness section of [his] application." He "unintentionally provided incorrect answers to questions 2, 4, and 7, despite the appropriate response being 'yes.'"

8. In Letter 1, the Applicant also stated, "There has been disciplinary action against my license." He did not provide further details about this disciplinary action in Letter 1.

9. By email dated December 21, 2023, the Applicant told Board staff that he “was never arrested for any misdemeanor in 2006.”

10. In this email, the Applicant also stated that he “applied for North Carolina license and it was granted in 2007[.] I practiced in North Carolina from 2007 to 2012.” He stated that he did not apply for a North Carolina license in 2013.

11. The Applicant sent another letter to the Board dated December 22, 2023 (“Letter 2”). In Letter 2, the Applicant stated he was writing to “provide clarification on my responses to questions 2, 4, and 7, as there appears to be a discrepancy in my NPDB Report.”¹ He stated, “It seems that there may be a case of mistaken identity.” Again, he stated that he has “never been arrested or charged in court for any misdemeanor in 2006[.]” and he again denied that he applied for a license in North Carolina in 2013.

12. The Board initiated an investigation of the Applicant after reviewing the inconsistencies in the information included in his Application and in his subsequent correspondence with the Board.

II. BOARD INVESTIGATIVE FINDINGS

13. The Applicant's profile on the North Carolina Medical Board's website shows that he was initially licensed to practice medicine in North Carolina on or about February 21, 2007, and that his North Carolina license expired on or about April 11, 2012.

¹ “NPDB” stands for National Practitioner Data Bank. The NPDB is a confidential database operated by the U.S. Department of Health and Human Services that contains reports on certain adverse actions taken against health care practitioners and providers.

14. The Board investigation revealed that the North Carolina Medical Board (“NC Board”) reported that adverse action was taken against the Applicant on or about January 18, 2013. Specifically, the investigation found that Dr. Nnolim failed to disclose a 2006 misdemeanor arrest and prior private action taken by the NC Medical Board on his license application but was allowed to withdraw the application.

15. By email dated January 30, 2024, Board staff requested any information from the NC Board resulting in the January 18, 2023 withdrawal of the Applicant's North Carolina application for medical licensure.

16. By email dated February 1, 2024, NC Board staff provided the Board with the requested records.

17. The records provided by the NC Board showed that the Applicant submitted an *Application for License to Practice Medicine Through Reactivation* (“NC Application”) to the NC Board on or about May 11, 2012. The Applicant did not disclose his 2006 arrest on his NC Application.

18. The Applicant did disclose his 2006 arrest to NC Board staff by email dated December 14, 2006.

19. The records also showed that, after receiving correspondence from the NC Board on or about October 11, 2012, the Applicant made a request to withdraw his NC Application for personal reasons on or about October 19, 2012, and the NC Board granted this request in January 2013.

20. By email dated February 6, 2024, the Applicant informed Board staff that he was “glad you received the documents regarding the so called misdemeanor arrest in 2006.” He stated, “[I]t was a pure domestic dispute between me and my now ex wife(.)” The Applicant further stated, “I was not the person that initiated the NC License when it was supposedly done in 2012.”

CONCLUSIONS OF LAW

Panel A finds Dr. Nnolim in default based upon his failure to appear or participate at the Prehearing Conference on February 27, 2025, at OAH. *See* State Gov’t § 10-210(4). Panel A finds, under Health Occ. § 14-205(b)(3)(i), reasons that are grounds for the denial of Dr. Nnolim’s application for medical licensure in Maryland under Health Occ. § 14-404. Based upon the foregoing findings of fact, Panel A concludes that Dr. Nnolim: fraudulently or deceptively attempted to obtain a license for the applicant, in violation of Health Occ. § 14-404(a)(1); committed unprofessional conduct in the practice of medicine, in violation of Health Occ. § 14-404(a)(3)(ii); willfully made or filed a false report or record in the practice of medicine, in violation of Health Occ. § 14-404(a)(11); willfully made a false representation when seeking or making application for licensure, in violation of Health Occ. § 14-404(a)(36); and failed to meet the qualifications for licensure under Subtitle 3 of the Medical Practice Act, in violation of Health Occ. § 14-404(a)(44). Finally, the Board finds that Dr. Nnolim does not possess good moral character, which is a requirement of licensure. *See* Health Occ. § 14-307(b).

SANCTION

Based on the entirety of the findings of fact, Panel A concludes that the denial of Dr. Nnolim's application for a license to practice medicine in Maryland is warranted.

ORDER

It is, on the affirmative vote of a majority of the quorum of Panel A, hereby

ORDERED that the application of Bede I. Nnolim, M.D. for a license to practice medicine in Maryland is **DENIED**; and it is further

ORDERED that this Order of Default goes into effect upon the signature of the Board's Executive Director. The Board's Executive Director signs this Order of Default on behalf of Panel A; and it is further

ORDERED that this is a public document.

5/21/2025
Date

Signature On File

Christine A. Farrelly, Executive Director
Maryland State Board of Physicians

NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW

Pursuant to Md. Code Ann., Health Occ. § 14-408, Dr. Nnolim has the right to seek judicial review of this Order of Default. Any petition for judicial review shall be filed within thirty (30) days from the date of mailing of this Order of Default. The date of the cover letter accompanying this Order is the date the decision was 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 Dr. Nnolim files a petition for judicial review, the Board is a party and should be served with the court's process at the following address:

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

Notice of any petition should also be sent to the Board's counsel at the following address:

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