

IN THE MATTER OF	*	BEFORE THE MARYLAND
CARLOS J. MARTINEZ, M.D.	*	STATE BOARD OF
Applicant	*	PHYSICIANS
	*	Case Number: 2225-0077

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## CONSENT ORDER

### PROCEDURAL BACKGROUND

Based on information received regarding the Application for Initial Medical Licensure (“Application”) of Carlos J. Martinez, M.D., (the “Applicant”) to practice medicine in Maryland, Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Maryland Board”) has grounds to deny the Application under the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. §14-101 et seq. Prior to the issuance of a Notice of Intent to Deny Application for Initial Medical Licensure, the Applicant agreed to enter into, with the Maryland Board, this public Consent Order, which consists of Procedural Background, Findings of Fact, Conclusions of Law, Order and Consent.

Specifically, Panel B has grounds to deny the Application pursuant to the following provisions of the Act:

Health Occ. §14-205. Miscellaneous powers and duties.

(b) Additional powers.

(3) Subject to the Administrative Procedure Act and the hearing provisions of §14-405 of this title, a disciplinary panel may deny a license to an applicant ... for:

(i) Any of the reasons that are grounds for disciplinary action under §14-404 of this title[.]

Health Occ. §14-404. Denials, reprimands, suspensions and revocations – Grounds.

(a) Subject to the hearing provisions of §14-405 of the subtitle, a disciplinary panel, on the affirmative vote of a majority of the quorum of the disciplinary panel, may reprimand any licensee, place any licensee on probation or suspend or revoke the license if the licensee:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;
- (3) Is guilty of:
  - (ii) Unprofessional conduct in the practice of medicine;
- (11) Willfully makes or files a false report or record in the practice of medicine;
- (21) Is disciplined by a licensing or disciplinary authority or convicted or disciplined by a court of any state or country or disciplined by any branch of the United States uniformed services or the Veterans' Administration for an act that would be grounds for disciplinary action under this section;
- (36) Willfully makes a false representation when seeking or making application for licensure or any other application related to the practice of medicine[.]

The underlying grounds for disciplinary action under Health Occ. §14-04(a)(21) are § 14-404(a):

- (4) Is professionally, physically, or mentally incompetent[.]

### **FINDINGS OF FACT**

Panel B makes the following findings of fact:

1. On or about July 3, 2024, the Applicant filed with the Maryland Board an Application to practice medicine in Maryland.
2. In his Application, the Applicant answered “yes” to the following postgraduate training questions:

“A. During your years of postgraduate training, did you have a break in training?

- C. During your years of postgraduate training, was any action taken against you by any training program, hospital, medical board, licensing authority, or court?"
- D. Did you ever start a postgraduate training, but not complete it?"
3. In his Application, the Applicant answered "yes" to the following character and fitness questions:
- "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.
3. Has any licensing or disciplinary board in any jurisdiction (including Maryland), a comparable body in the armed services, or the Veterans Administration, ever filed any complaints or charges against you or investigated you for any reason."
6. Has a hospital, related health care institution, HMO, or alternative health care system ever denied your application; failed to renew your privileges, including your privileges as a resident; or limited, restricted, suspended, or revoked your privileges in any way?
7. Have you ever pleaded guilty or nolo contendere to any criminal charge, been convicted of a crime, or received probation before judgment because of a criminal charge?
8. Have you ever committed an offense involving alcohol or controlled dangerous substances to which you pled guilty or nolo contendere, or for which you were convicted or received probation before judgment?
14. Has your employment or contractual relationship with any hospital, HMO, other health care facility, health care provider, institution, armed services, or the Veterans Administration ever been terminated for disciplinary reasons?"
4. Based on the Applicant's affirmative responses in the Application, the Maryland Board initiated an investigation, which revealed that the Applicant was convicted of Driving Under the Influence ("DUI") of alcohol in 1997 in Fairfax, Virginia, 2004 in Springfield, Connecticut, and 2012 in Norwood, Massachusetts.
5. On May 31, 2012, based on the above DUI convictions, the Applicant's inappropriate use of controlled substances prescribed to him, and the false statements and representations he had made on his 2009 Virginia Application for a License to Practice Medicine and Surgery, the

Applicant entered into a Consent Order with the Virginia Board of Medicine (the “VA Board”). In the Consent Order, the Applicant was reprimanded and ordered to continue to comply with the terms of his Participation Contract with Virginia’s Health Practitioners’ Monitoring Program (“HPMP”).

6. On October 24, 2012, after receiving verification of compliance with the Consent Order, the VA Board closed the matter and ordered the Applicant to continue to comply with the terms and conditions of his Recovery Monitoring Contract with HPMP.

7. On May 19, 2017, the Applicant successfully completed his monitoring with HPMP.

8. On April 18, 2021, the Applicant was arrested and charged in the Prince William County, Virginia Juvenile and Domestic Relations District Court (the “Court”) with assault and battery of a family member (Case Number JA093346-02-00).

9. On September 20, 2021, the Applicant pled nolo contendere to the charge. The Court deferred adjudication and placed the Applicant on probation. On September 21, 2023, the Court dismissed the case.

10. The Applicant failed to disclose the April 18, 2021 charge and September 20, 2021 plea of nolo contendere on his Application filed with the Maryland Board.

#### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, Disciplinary Panel B concludes as a matter of law that the Applicant: fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another, in violation of Health Occ. §14-404(a)(1); is guilty of unprofessional conduct in the practice of medicine, in violation of Health Occ. §14-404(a)(3)(ii); willfully makes or files a false report or record in the practice of medicine, in violation of Health Occ. §14-404(a)(11); was disciplined by a licensing or disciplinary authority for acts that, if

committed in Maryland, would be grounds for disciplinary action under Health Occ. §14-404(a), in violation of §14-404(a)(21); and willfully makes a false representation when seeking or making application for licensure or any other application related to the practice of medicine, in violation of Health Occ. §14-404(a)(36). See Health Occ. § 14-205(b)(3)(i). The underlying ground for action under Health Occ. §14-404(a)(21), if committed in Maryland, are Health Occ. §14-404(a)(4): Is professionally, physically, or mentally incompetent[.]

### **ORDER**

It is, thus, by Disciplinary Panel B, hereby:

**ORDERED** that the Application of Carlos J. Martinez, M.D., to practice medicine in the State of Maryland is hereby **GRANTED**; and it is further

**ORDERED** that the Applicant is **REPRIMANDED**; and it is further

**ORDERED** that this Consent Order goes into effect on the date the Consent Order is signed by the Executive Director of the Maryland Board or her designee, who signs on behalf of Panel B; and it is further

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

01/17/2025  
Date

***Signature On File***

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

### **CONSENT**

I, Carlos J. Martinez, M.D., have chosen to proceed without legal counsel, and I acknowledge that the decision to proceed without legal counsel is freely and voluntarily made.

By this Consent, I agree to be bound by this Consent Order and all its terms and conditions and understand that the disciplinary panel will not entertain any request for amendments or modifications to any condition.

I assert that I am aware of my right to have had a formal evidentiary hearing if the Maryland Board had issued charges concerning this matter, pursuant to Md. Code Ann., Health Occ. §14-405 and Md. Code Ann., State Gov't §§10-201 et seq. I waive this right and have elected to sign this Consent Order instead.

I acknowledge the validity and enforceability of this Consent Order as if entered after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural protections as provided by law. I waive those procedural and substantive protections. I acknowledge the legal authority and the jurisdiction of the disciplinary panel to initiate these proceedings and to issue and enforce this Consent Order.

I waive any right to contest the Findings of Fact and Conclusions of Law and Order set out in the Consent Order. I waive all rights to appeal this Consent Order.

I sign this Consent, without reservation, and fully understand the language and meaning of its terms.

01/16/2025  
Date

***Signature On File***

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Carlos J. Martinez, M.D.  
Applicant

**NOTARY**

STATE OF VA

CITY/COUNTY OF: Prince William

I HEREBY CERTIFY that on this 16<sup>th</sup> day of January, 2025, before me, a Notary Public of the State and City/County aforesaid, personally appeared Carlos J. Martinez, M.D., and made oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

Marisa Judith Gonsalves  
Notary Public

My Commission expires: Aug 31<sup>st</sup> 2025

