

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF MEDICINE**

IN RE:

CHARLES TITA, MD

License No.: MD038351

Respondent

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CONSENT ORDER

This matter comes before the District of Columbia Board of Medicine (the “Board” or “D.C. Board”) pursuant to the Health Occupations Revision Act (HORA). D.C. Official Code § 3-1201.01, *et seq.* (2016 Repl.). The HORA authorizes the Board to regulate the practice of medicine in the District of Columbia. The Board has broad jurisdiction to impose a variety of disciplinary sanctions upon a finding of a violation of the HORA. D.C. Official Code, § 3-1201.03; *Mannan v. District of Columbia Board of Medicine*, 558 A.2d 329, 333 (D.C. 1989). The Council of the District of Columbia, in amending the HORA, “intended to strengthen enforcement of its licensing laws.” *Davidson v. District of Columbia Board of Medicine*, 562 A.2d 109, 113 (D.C. 1989). And the HORA “was designed to ‘address modern advances and community needs *with the paramount consideration of protecting the public interest.*’” *Joseph v. District of Columbia Board of Medicine*, 587 A.2d 1085, 1088 (D.C.1991) (*quoting* Report of the D.C. Council on Consumer and Regulatory Affairs on Bill 6-317, at 7 (November 26, 1985)) (emphasis added by court).

Background

Dr. Charles Tita (Respondent) has been licensed to practice as a physician in the District of Columbia since October 1, 2009. Respondent is also licensed in Maryland and Pennsylvania. His practice is currently primarily based in the District and Pennsylvania but he also worked from approximately July 2016 through March 2018 at a health care facility in Maryland. The Maryland State Board of Physicians (Maryland Board) entered into a Consent Order (Maryland Consent Order) with Respondent, effective October 15, 2019, after finding that Respondent had violated the Maryland Health Occ. § 14-404(a)(3)(ii) and was guilty of unprofessional conduct in the practice of medicine. The Maryland Board investigated the Respondent for appearing to fall asleep during appointments and conduct with staff. The Maryland Consent Order reprimanded Respondent and placed him on probation for a minimum of three (3) years with specific terms of compliance. *See Attachment A, Maryland Consent Order.*

Subsequently, on January 16, 2020, the Pennsylvania Board entered into a Consent Order (Pennsylvania Consent Order) with the Respondent as a reciprocal action to the Maryland Consent Order. The Pennsylvania Consent Order suspended Respondent's license but stayed the suspension, and placed him on probation.

On December 11, 2019, the D.C. Board of Medicine (Board) reviewed the actions taken against respondent by the Maryland Board and voted to take reciprocal action against the Respondent.

Conclusions of Law

The Board is authorized to sanction Respondent under the HORA for his actions, which are related to the practice of medicine. The HORA provides, in pertinent part:

disciplinary actions provided in subsection (c) of this section against any applicant for a license, registration, or certification, an applicant to establish or operate a school of nursing or nursing program, or a person permitted by this subchapter to practice a health occupation regulated by the board in the District who:

* * *

(3) is disciplined by a licensing or disciplinary authority or peer review body or convicted or disciplined by a court of any jurisdiction for conduct that would be grounds for disciplinary action under this section; D.C. Official Code § 3-1205.14(a) (3) and

(26) fails to conform to standards of acceptable conduct and prevailing practice within a health profession; D.C. Official Code § 3-1205.14(a) (26).

The Maryland Board reprimanded Respondent for his conduct during sessions with his patients. Therefore Respondent has had disciplinary action taken against him by the proper licensing authority of another state, authorizing the Board to impose disciplinary or corrective measure on him pursuant to D.C. Official Code § 3-1205.14 (2016 Repl.).

Accordingly, Respondent's conduct has provided the D.C. Board with a basis in law and fact to take reciprocal action against Respondent under the authority of D.C. Official Code § 3-1205.14(a)(3) as evidenced by this Consent Order between the Board and the Respondent.

ORDER

ACCORDINGLY, based on the foregoing, it is by the District of Columbia Board of Medicine hereby,

ORDERED that Respondent be **REPRIMANDED**;

ORDERED that Respondent is placed on **PROBATION** for a period of not less than three (3) years; and

ORDERED that the requirements of the Maryland Consent Order are hereby attached to and incorporated within this Order as if fully stated (*see* Attachment A); and it is further

ORDERED that Respondent shall comply with all requirements found in the Maryland Consent Order to include:

- 1) Successful completion of the continuing medical education (CME) in boundaries and patient-provider relations, which is satisfactory to the Maryland Board and shall be in addition to the mandatory CME for renewal of licensure in the District, within the six (6) months required by the Maryland Consent Order, and provide proof to the Board of completion within six (6) months of the effective date (the date the Consent Order is signed by the Chair of the Board) of this Consent Order; and
- 2) Full compliance and cooperation with the Maryland Professional Rehabilitation Program (MPRP) as required by the Maryland Consent Order; and it is further

ORDERED that Respondent consents to the release by the MPRP of any information, or data produced as a result of this probation, including written treatment provider evaluations, to any treatment provider, employer, and the DC Board and staff upon request; and it is further

ORDERED that Respondent shall sign any required waivers or release forms requested by the MPRP for any and all records, including medical or other health related and psychological records pertaining to treatment and monitoring rendered to Respondent during this probation and any employment, personnel, peer review or review records pertaining to Respondent's practice of the profession during this probation to be released to the DC Board and Board staff; and it is further

ORDERED that Respondent shall provide a copy of this Consent Order to the MPRP within ten (10) days of its effective date; and it is further

ORDERED that Respondent shall ensure the MPRP provides quarterly (every three (3)

to be provided to D.C. Board of Medicine, 899 North Capital St. NE, 2nd floor, Washington D.C. 20002; and it is further

ORDERED that Respondent may not request termination of his probation until he has been released from the period of probation by the Maryland Board, after which time he may petition the DC Board for the termination of his probation; and it is further

ORDERED that Respondent may be called in to interview with the DC Board on an annual basis during the period of probation; and it is further

ORDERED, that Respondent shall comply with all laws, rules, and regulations of the District of Columbia; and it is further

ORDERED, that if Respondent fails to satisfactorily fulfill the terms of this Consent Order the D.C. Board may issue a notice of intent to take additional formal disciplinary action against Respondent's license; and it is further

ORDERED, that this is a public document.

DISTRICT OF COLUMBIA BOARD OF MEDICINE

04/10/2020



Date

By: Andrea Anderson, MD, FAAFP
Chairperson

AGREEMENT OF RESPONDENT

By signing this public consent order, I agree to accept and abide by its terms. I acknowledge its validity and acknowledge that I have agreed to the terms set forth in this agreement. I fully acknowledge that by signing this consent order, I am waiving my right to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural protections provided by law. I also recognize that I am waiving my right to appeal any adverse ruling by the Board that might have followed any such hearing. By signing this settlement agreement, I waive all such rights.

I have had the opportunity to review this document and to seek the advice of my own legal counsel. I choose to sign this consent order willingly and without reservation and am fully aware of its meaning and effect.

03/10/2020

Date



Charles Tita, MD
License No.: MD038351

Sworn to and subscribed before me this 10th day of March, 2020.

NATASHA SHUDIAN MCDONALD
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND
My Commission Expires 01-08-2022



Notary Public

This Consent Order shall be deemed a public document and shall be distributed as appropriate.