

CHARLES D. GINSBURG, DC

Date: 12/22/23

Paul Abosh, D.C.
Board President
Maryland State Board of Chiropractic Examiners
4201 Patterson Avenue
Baltimore, Maryland 21215

RE: Surrender of Chiropractic License
License Number: S01984
Case Number: 21-09C and 22-08C

Dear Dr. Abosh and Members of the Board:

Please be advised that I have decided to **SURRENDER** my license to practice as a chiropractor in the State of Maryland, License Number: S01984 effective immediately. I understand that upon surrender of my license, I may not practice as a chiropractor with or without compensation, or otherwise engage in the practice of chiropractic in the State of Maryland as it is defined in the Maryland Chiropractic Act (the "Act"), Md. Code Ann., Health Occupations. ("Health Occ.") §§ 3-101 *et seq.*, (2021 Repl. Vol. & 2023 Supp.) and other applicable laws. In other words, as of the effective date of this Letter of Surrender, I understand that I am in the same position as an unlicensed individual in the State of Maryland.

I understand that this Letter of Surrender is a **PUBLIC DOCUMENT** and, on the Board's acceptance, becomes a **FINAL ORDER** of the Board.

My decision to surrender my license to practice as a chiropractor in the State of Maryland has been prompted by an investigation of my license by the Maryland State Board of Chiropractic Examiners (the "Board"). The results of the investigation led the Board to issue disciplinary charges against me on or about May 11, 2023, under Case Number: 21-08C.

I have decided to surrender my license to practice as a chiropractor in the State of Maryland to avoid further prosecution of the disciplinary charges now pending before the Board. I acknowledge that the Board initiated an investigation of this matter and issued disciplinary charges against me under the Act and Code of Md. Regs ("COMAR").

After its investigation, the Board charged me with violating the following:

Health. Occ. § 3-313 7-509:

- (19) Violates any rule or regulation adopted by the Board;
- (21) Commits an act of unprofessional conduct in the practice of chiropractic;
- (28) Violates any provision of this title [.]

The Board also charged me with violating the following provisions of COMAR.

COMAR 10.43.13.03 Standards of Practice.

C. A chiropractor and chiropractic assistant shall:

- (8) Cooperate with any lawful investigation conducted by the Board, including:
 - (a) Furnishing information requested in a timely manner as directed by the Board
 - (b) Complying with a subpoena;
 - (c) Responding to a complaint at the request of the Board; and
 - (d) Providing meaningful and timely access to relevant patient records[.]

COMAR 10.43.14.04 Relationship with Patient.

A. A chiropractor shall:

- (5) Make the written records of treatment available to the patient upon request, in compliance with applicable laws for disclosure of medical records[.]

According to the Board's charging document:

The Respondent was originally licensed on or about October 12, 2000. The Respondent's license expires on or about September 1, 2025.

Case Number: 21-09C¹

On or about August 16, 2021, the Board received a complaint from an attorney ("Attorney A"). Attorney A was representing three clients (Patients "A, B, and C"). The complaint alleged that the Respondent failed to provide Attorney A with the billing and medical records for Patients A, B, and C that Attorney A requested.

On or around March 28, 2021, Patients A, B, and C were involved in an automobile accident. Following their accident, Patients A, B, and C retained Attorney A to represent them in their accident-related personal injury claims. Attorney A referred Patients A, B, and C to the Respondent for treatment of their injuries that resulted from their automobile accident. In a letter to the Respondent dated April 13, 2021, Attorney A notified the Respondent that he was representing Patients A, B, and C and would be handling their accident-related personal injury claims. Attorney A also requested that the Respondent provide billing and medical records that pertained to the injuries that Patients A, B, and C sustained in their automobile accident. Between May 2021 and July 2021, Attorney A spoke with the Respondent and left numerous unanswered telephone messages requesting that the Respondent provide him the billing and medical records pertaining to treatment that the Respondent rendered to Patients A, B, and C. During June 10, 2021 and July 21, 2021 telephone conversations with Attorney A, the Respondent indicated that he would provide Attorney A with Patients A, B, and C's billing and medical records. Despite Attorney A's numerous requests, the Respondent failed to provide Attorney A with Patients A, B, and C's billing and medical records.

On or about July 28, 2021, Attorney A's employee spoke with the Respondent regarding the billing and medical records for Patients A, B, and C that Attorney A had previously requested. The Respondent informed Attorney A's employee that he would bring Patients A, B, and C's billing and medical records to Attorney A's office. However, the Respondent failed to do so.

¹ The names of the Patients and the Attorneys in this document have been omitted protect their privacy.

In a letter dated August 17, 2021, Board staff notified the Respondent that the Board had received a complaint from Attorney A. The letter requested that the Respondent submit a response to Attorney A's complaint. The Respondent failed to comply with the August 17, 2021 letter. On August 31, 2021, Board staff sent the Respondent an email notifying him that the Board had received Attorney A's complaint and asked the Respondent to respond to the complaint. A copy of Attorney A's complaint and the August 17, 2021 letter that Board staff had previously mailed to the Respondent was attached to the email. On August 31, 2021, the Respondent responded to Board staff's email indicating that he would send his response to Attorney A's complaint by the end of the day. The Respondent never submitted a response to the Board staff's mailings.

On or about September 14, 2021, the Board issued the Respondent a subpoena ("September 14, 2021 subpoena") demanding that the Respondent provide the Board with all records, communications, and other related data in his possession pertaining to Patients A, B, and C within five (5) business days from receipt. The subpoena was mailed to the Respondent's home and his Practice address. After receiving no response to the mailed subpoenas, on September 30, 2021, Board staff emailed the Respondent a copy of the September 14, 2021 subpoena. Board staff also asked the Respondent in the email if he intended to comply with the subpoena. In his response to September 30, 2021, email, the Respondent stated that he would comply with the September 14, 2021 subpoena and send all requested documents by the end of the next day. The Respondent never provided the information requested in the Board's September 14, 2021 subpoena.

Case Number: 22-08C

On or about May 12, 2022, the Board received a complaint from an attorney ("Attorney B"), Attorney B was representing a client (Patient "D") in his accident-related personal injury claim. Following his automobile accident, Patient D sought treatment with the Respondent. In a letter dated November 12, 2021, an employee at Attorney B's law firm (the "Firm") informed the Respondent that the Firm would be representing Patient D in his accident-related personal injury claims. Attached to the November 12, 2021 letter was an Authorization For Release Of Information signed by Patient D requesting that his medical and billing records be sent to the Firm. Between November 21, 2021 and January 11, 2022, Attorney B and other employees at the Firm made numerous requests for Patient D's

billing and medical records from the Respondent. The Respondent failed to respond to Attorney B's request for Patient D's medical and billing records.

I wish to make clear that I have voluntarily, knowingly, and freely chosen to submit this Letter of Surrender to avoid prosecution of the aforementioned charges under the Act. I acknowledge that if the case were to proceed to an evidentiary hearing, the State would be able to prove by a preponderance of the evidence that I violated the Act and COMAR as charged. I acknowledge that for all purposes relevant to my licensure, the Board's investigative findings will be treated as if proven.

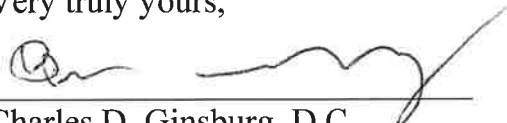
I understand that the Board will advise the National Practitioners' Data Bank of this Letter of Surrender, and in any response to any inquiry, that I have surrendered my license in lieu of further disciplinary action under the Act. I also understand that in the event I would apply for license in any form in any other state or jurisdiction, that this Letter of Surrender and the underlying investigative documents including the Notice of Intent to Revoke may be released or published by the Board to the same extent as a final order that would result from disciplinary action, pursuant to the Maryland Public Information Act, Md. Code Ann., General Provisions 4-101 *et seq.*, and that this Letter of Surrender is considered a disciplinary action by the Board.

I understand that by executing this Letter of Surrender I am waiving any right to contest the charges in a formal evidentiary hearing at which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf and all other substantive and procedural protections provided by law, including the right to appeal.

I affirm that on or before the date of the Board's acceptance of this Letter of Surrender, I will provide Board staff my chiropractic licenses. I understand that I may apply for reinstatement of my license to practice chiropractic no earlier than three (3) years from the Board's acceptance of this Letter of Surrender. If I apply for reinstatement of my Maryland chiropractic license, the Board has full discretion to grant or deny my reinstatement. If the Board does grant reinstatement, it may impose any terms and conditions the Board considers appropriate for public safety and the protection of the integrity and reputation of the profession, such as requiring a Board-approved mentor to perform periodic record reviews and limitations on my ability to practice as a solo practitioner. I understand that when applying for reinstatement, I will approach the Board in the same posture as one whose license has been revoked. I also understand that if I apply for reinstatement, I will bear the burden of demonstrating my professional competence and fitness to practice chiropractic to the satisfaction of the Board.

I understand that I may not rescind this Letter of Surrender in part or in its entirety for any reason. Finally, I wish to make clear that I have been advised of my right to be represented by the attorney of my choice throughout proceedings before the Board, including the right to counsel with an attorney prior to signing this Letter of Surrender. I understand both the nature of the Board's actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning and terms and effect of this Letter of Surrender. I voluntarily choose to surrender my Maryland license to practice chiropractic pursuant to the terms and conditions set out herein. I made this decision knowingly and voluntarily.

Very truly yours,



Charles D. Ginsburg, D.C.

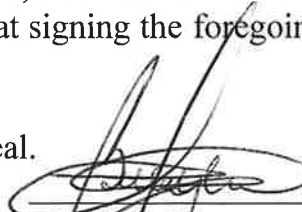
NOTARY

STATE OF Maryland

CITY/COUNTY OF Montgomery

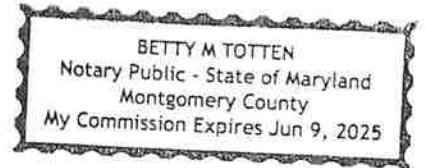
I HEREBY CERTIFY that on this 22nd day of December, 2023, before me, a Notary Public of the State and City/County aforesaid, personally appeared, **CHARLES D. GINSBURGS D.C.**, License Number: S01984 and declared and affirmed under the penalties of perjury that signing the foregoing Letter of Surrender was her voluntary act and deed.

AS WITNESS my hand and Notarial seal.



Notary Public

My Commission expires: 6-9-25



ACCEPTANCE

On this 11th day of JANUARY 2024, I, Paul Abosh, D.C., Board President, on behalf of the Maryland State Board of Chiropractic Examiners, accept the

Charles D. Ginsburg, D.C.
Letter of Surrender
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SURRENDER of the license of **Charles D. Ginsburg** to practice chiropractic in the State of Maryland.



Paul Abosh, D.C.
Board President
Maryland State Board of Chiropractic
Examiners