

IN THE MATTER OF  
RAYMOND SCHMIDT, L.Ac., P.T.

License Number: U941

RESPONDENT

\* BEFORE THE  
\* MARYLAND STATE  
\* BOARD OF ACUPUNCTURE  
\* Case Number: 02-04

\* \* \* \* \*

**FINAL CONSENT ORDER**

**BACKGROUND**

On April 14, 2004, the Maryland State Board of Acupuncture (the "Board") and Raymond Schmidt, L.Ac., P.T. ("Respondent") entered into a Consent Order (the "Order") which, as amended is incorporated by reference as if fully set forth herein.

The aforementioned Consent Order provided for, among other things, a suspension of six (6) months; successful completion of a Board approved individual education tutorial in professional ethics, specifically focused on boundary violations by health care providers; a probationary period of one year following reinstatement;

**FINDINGS OF FACT**

1. On, April 1, 2004, Respondent entered into a Consent Order with the Board.
2. Respondent has successfully completed the aforementioned tutorial;

3. Respondent is eligible for reinstatement of his Maryland acupuncture license.

**CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Maryland State Board of Acupuncture concludes as a matter of law that Respondent, subject to certain pre-conditions, is eligible for reinstatement of his Maryland acupuncture license.

**ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is, this 30<sup>th</sup> day of May, 2007, by the Maryland State Board of Acupuncture hereby:

**ORDERED** that prior to reinstatement Respondent shall:

- a) no later than thirty (30) days from the date of this Order submit a current copy of his Curriculum Vitae for Board acceptance;
- b) no later than thirty (30) days from the date of this Order Respondent shall submit, for Board approval, the proposed language relating to the practice of acupuncture he intends to use in the acupuncture portion of any advertising, including brochures;
- c) no later than 30 days from the date the Board approves the acupuncture language, Respondent shall submit, for Board approval, a draft of any advertising, including brochures, he intends to use in his practice of acupuncture and physical therapy;
- d) have met Continuing Education Requirements for reinstatement; and it is further

**ORDERED** that upon reinstatement, a one (1) year period of **PROBATION** shall commence; and it is further

**ORDERED** that Respondent's acupuncture practice, shall be supervised, at Respondent's expense, by a Board approved acupuncture clinical supervisor, who shall be chosen either from a list provided by the Respondent or from a list compiled by the Board; and it is further

**ORDERED** that said practice reviewer shall monitor the Respondent's scope of practice of acupuncture, including obtaining sexual health histories, draping procedures, and patients' removal of under garments; and it is further

**ORDERED** that Respondent shall have bi-monthly meetings with the Clinical Supervisor, who will review a random selection of respondent's patient charts to be garnered from each location where the Respondent practices acupuncture; and it is further

**ORDERED** that the practice reviewer will contact the patients directly, and review with Respondent his evaluation and treatment of these patients and provide mentoring as deemed necessary; and it is further

**ORDERED** that Respondent shall ensure that the clinical supervisor submit monthly written reports to the Board; and it is further

**ORDERED** that Respondent shall authorize the Board to provide the clinical supervisor with copies of the Board's investigative file pertaining to this

case, Dr. Plaut's reports and correspondence, the Board's charges, the amended Consent Order and this Order; and it is further

**ORDERED** that Respondent shall not represent himself as a women's health expert in acupuncture and is prohibited from presenting women's health as an area of practice within the scope of the practice of acupuncture; and it is further

**ORDERED** During the period of probation, should Mr. Schmidt be scheduled to address groups or organizations regarding aspects of his acupuncture practice, he shall submit for Board review copies announcements, his prepared comments, handouts, and graphics including power point presentations; and it is further

**ORDERED** that Respondent shall provide each of his employers with a copy of this Order; and it further

**ORDERED** that if Respondent has satisfactorily complied with all terms and conditions of this Order, and there are no outstanding complaints regarding Respondent's practice, Respondent may petition the board for termination of probation without further terms or conditions after the one (1) year period imposed under this Order; and it is further

**ORDERED** that if the Board has probable cause to believe that Respondent presents a danger to the public, health, safety or welfare, or that Respondent has violated any of the terms and conditions of this Order, the Board without prior notice and an opportunity for a hearing, may **REVOKE**

Respondent's license to practice acupuncture provided that Respondent is given notice of the Board's action and an opportunity for a hearing; and it is further

**ORDERED** that this document is a public document pursuant to Md. Code Ann., State Gov't Article, § 10-611 *et seq.*

2/30/07

Date



David Paton, L.Ac.  
President

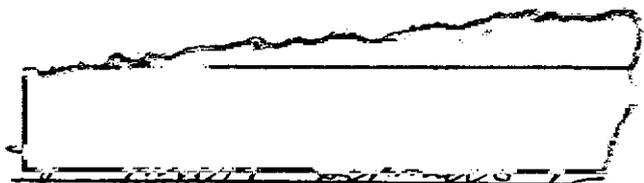
CONSENT

I, Raymond Schmidt, Jr., L.Ac., P.T., acknowledge that I am represented by legal counsel, Lois A. Fenner McBride, Esquire, and I have had the opportunity to consult with counsel before entering into and signing this document. By this consent, I hereby admit the Findings of Fact and Conclusions of Law, and submit to the foregoing Consent Order consisting of seventeen (17) pages.

I acknowledge the validity 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 own behalf, and to all other substantive and procedural protections provided by law. I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I also affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed any such hearing.

I sign this Consent Order after having an opportunity to consult with counsel, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

2-13-06  
Date

  
Raymond Schmidt, Jr., L.Ac., P.T.  
Respondent

Reviewed by:

Lois A. Fenner McBride, Esquire  
Counsel for Respondent

STATE OF MARYLAND

CITY/COUNTY of ANNE ARUNDEL

I HEREBY CERTIFY that on this 13<sup>th</sup> day of FEB,  
2004, before me, a Notary Public of the State and County aforesaid, personally  
appeared Raymond Schmidt, Jr., L.Ac., and made oath in due form of law that  
the foregoing was his/her voluntary act and deed.

AS WITNESS my hand and Notarial Seal.

A. D. K. Crupell  
Notary Public

My Commission Expires: 8-1-09