

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE**

**Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs**

v.

**Ajeeb John Titus, M.D.,
Respondent**

Case No.: **20-49-011406**

CONSENT AGREEMENT AND ORDER

PARTIES

The Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs ("Commonwealth") and **Ajeeb John Titus, M.D.** ("Respondent") stipulate as follows in settlement of the above-captioned case.

APPLICABLE LAW

1. This matter is before the State Board of Medicine ("Board") pursuant to the Medical Practice Act of 1985, act of December 20, 1985, P.L. 457, No. 112, ("Act"), *as amended*, 63 P.S. §§ 422.1-422.53; the Medical Care Availability and Reduction of Error ("MCARE") Act, Act of March 20, 2002, P.L. 154, No. 13, *as amended*, 40 P.S. §§ 1303.101-1303.910; and/or Act 53 of 2020, 63 Pa. C.S. §§ 3101-3118.

LICENSURE STATUS

2. At all relevant and material times, Respondent held a license to practice medicine and surgery in the Commonwealth of Pennsylvania, license no. MD068349L, which was originally issued on May 10, 2000, and which is currently set to expire on December 31, 2022.

Prothonotary Filed On:
Jul 27 2022 03:59 PM
Department of State

STIPULATED FACTS

3. The Respondent admits the following:

a. Absent further Board action, Respondent's license may be continually reactivated, renewed, or reinstated upon the filing of the appropriate documentation and payment of the necessary fees.

b. Respondent's address on file with the Board is 354 Clicko Lane, East Stroudsburg, PA 18301.

c. On or about September 29, 2020 a Criminal Complaint was filed in Magisterial District Court; No. 03-2-03 (Northampton Co.) alleging that Respondent prescribed Schedule II, III and IV controlled substances outside the standard of care and outside accepted treatment principles and charging Respondent with the following: twenty-one (21) Counts of Unlawful Administration, Dispensing, Delivery, Gift or Prescription of a Controlled Substance by a Practitioner, a violation of 35 Pa. C.S. § 780-113(a)(14) (Ungraded Felony); four (4) Counts of Sale, Dispensing, Distribution, Prescription or Gift by any Practitioner Authorized to do so of any Controlled Substance to a Known Drug Dependent Person, a violation of 35 Pa. C.S. § 780-113(a)(13) (Ungraded Misdemeanor); three (3) Counts of Manufacture, Delivery or Possession with Intent of Delivery of a Controlled Substance, a violation of 35 Pa. C.S. § 780-113(a)(30) (Ungraded Felony); one (1) Count of Possession of a Controlled Substance, a violation of 35 Pa. C.S. § 780-113(a)(16) (Ungraded Misdemeanor); and one (1) Count of Acquisition or Obtaining Possession of a Controlled Substance by Misrepresentation, Fraud, Forgery, Deception or Subterfuge, a violation of 35 Pa. C.S. § 780-113(a)(1) (Ungraded Felony).

d. Respondent is agreeing to a permanent voluntary surrender of his medical license and forfeiture of his property interest therein pursuant to a plea agreement in the above referenced criminal matter.

e. The above criminal charges arise, at least in part, from the Respondent's conduct during the practice of medicine and surgery in the Commonwealth of Pennsylvania; therefore, they are directly related to the practice of the profession

AUTHORITY OF THE BOARD

4. The Board is authorized to suspend, revoke, or otherwise restrict Respondent's license under sections 41 and 42 of the Act, 63 P.S. §§ 422.41 & 422.42, and/or impose a civil penalty and/or costs of investigation upon Respondent under sections 39 through 42 of the Act, 63 P.S. §§ 422.39-422.42 and/or sections 3101, 3104(b) and 3113 of Act 53 of 2020, 63 Pa. C.S. §§ 3101, 3104(b) and 3113.

PROPOSED ORDER

5. The parties, intending to be legally bound, consent to the issuance of the following Order in settlement of this matter:

a. **VIOLATION:** Based upon the facts set forth above, which are incorporated by reference, Respondent engaged in immoral or unprofessional conduct in violation of Section 41(8) of the Act, 63 P.S. § 422.41(8).

PERMANENT VOLUNTARY SURRENDER

b. The Board accepts the **PERMANENT VOLUNTARY SURRENDER** of all licenses, registrations, certificates, approvals, permits or any other authorizations issued by the Board (hereinafter referred to collectively as “authorizations to practice the profession”) to Respondent.

c. Respondent shall, within ten (10) days of the effective date of the Board's Order, surrender Respondent's current wall certificate (if issued) and wallet card issued by the Board (or notarized affidavit of their loss or destruction) by mailing them to:

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|--|
| Mark R. Zogby Prosecuting Attorney Department of State P.O. Box 69521 Harrisburg PA 17106-9521 |
|--|

or by delivering them in person at:

Bureau of Professional and Occupational Affairs
One Penn Center
2601 North 3rd Street].
Harrisburg, Pennsylvania

d. As a result of the permanent voluntary surrender, Respondent surrenders all property rights in Respondent's authorizations to practice the profession and will no longer be eligible to renew or reactivate those authorizations to practice the profession.

e. Upon the effective date of this Consent Agreement and Order, Respondent shall cease and desist from any conduct requiring authorizations to practice the profession.

f. Respondent shall not:

(1) apply at any time in the future, for any authorization to practice the profession;

(2) own an interest in any entity that requires an authorization to practice the profession or that requires employees to possess an authorization to practice the

profession, with the exception of owning stock/shares in an amount insufficient to control or direct the actions of the entity; and

(3) work in any capacity for any person or entity that requires an authorization to practice the profession or that requires employees to possess an authorization to practice the profession.

g. This Order constitutes disciplinary action by the Board and shall be reported to other licensing authorities and any applicable national licensing databank as a disciplinary action by the Board.

h. This case shall be deemed settled and discontinued upon the Board issuing an Order adopting this Consent Agreement.

ADMISSIBILITY OF CONSENT AGREEMENT IN FUTURE PROCEEDINGS

6. Respondent agrees that this Consent Agreement and Order shall be admitted into evidence, without objection, in any proceeding before the Department of State.

ACKNOWLEDGMENT OF NOTICE AND WAIVER OF HEARING

7. Respondent waives the filing of an Order to Show Cause in this matter. Respondent knowingly and voluntarily waives the right to an administrative hearing in this matter and the following rights related to that hearing: to be represented by counsel; to present witnesses and testimony in defense or in mitigation of any sanction that may be imposed for a violation; to cross-examine witnesses and to challenge evidence presented by the Commonwealth; to present legal arguments by means of a brief; and to take an appeal from any adverse final decision.

ACKNOWLEDGMENT OF RIGHT TO ATTORNEY

8. Respondent acknowledges the right to consult with and be represented by private legal counsel of Respondent’s choosing and at Respondent’s expense when reviewing, considering and accepting the terms of this Consent Agreement. To the extent that Respondent is not represented by legal counsel, Respondent has knowingly elected to proceed without the assistance of legal counsel.

WAIVER OF CLAIMS

9. Should the Board vote not to adopt the Order proposed in this Consent Agreement, the presentation and consideration of this Consent Agreement shall not prejudice the Board or any of its members from further participation in the adjudication of this matter. Respondent expressly waives the right to raise any claims or issues, including any and all constitutional claims or issues, which may arise or have arisen during the review, presentation and deliberation of this Consent Agreement. These claims or issues include, but are not limited to, bias, the commingling of prosecutorial and adjudicative functions by the Board or its counsel, and the Board, in its discretion, recommending a different sanction based upon the facts set forth in the Consent Agreement. If a hearing is subsequently held, neither this Consent Agreement nor the proposed terms of settlement may be admitted into evidence and any facts, averments, and allegations contained in the Consent Agreement must be proven at a hearing unless otherwise separately stipulated.

LIMITS ON MODIFICATION OF ORDER

10. Respondent agrees not to seek modification of the Order adopting and implementing this Consent Agreement without first obtaining the express written permission from the prosecution division. Any modification is at the sole discretion of the Board.

AGREEMENT NOT BINDING UNTIL APPROVED

11. This Consent Agreement is between the Commonwealth and Respondent. The Office of General Counsel has approved this Consent Agreement as to form and legality. The disciplinary provisions of this Consent Agreement do not take effect unless and until the Board issues an order adopting this Consent Agreement.

ENTIRE AGREEMENT

12. This Consent Agreement contains the entire agreement between the parties. There are no other terms, obligations, covenants, representations, statements, or conditions, oral or otherwise, of any kind whatsoever concerning this agreement.

AGREEMENT DOES NOT PREVENT FUTURE DISCIPLINE

13. Nothing in this Order shall preclude the prosecution division of the Department of State from filing charges, or the Board from imposing disciplinary or corrective measures, for violations or facts not contained in this Consent Agreement.

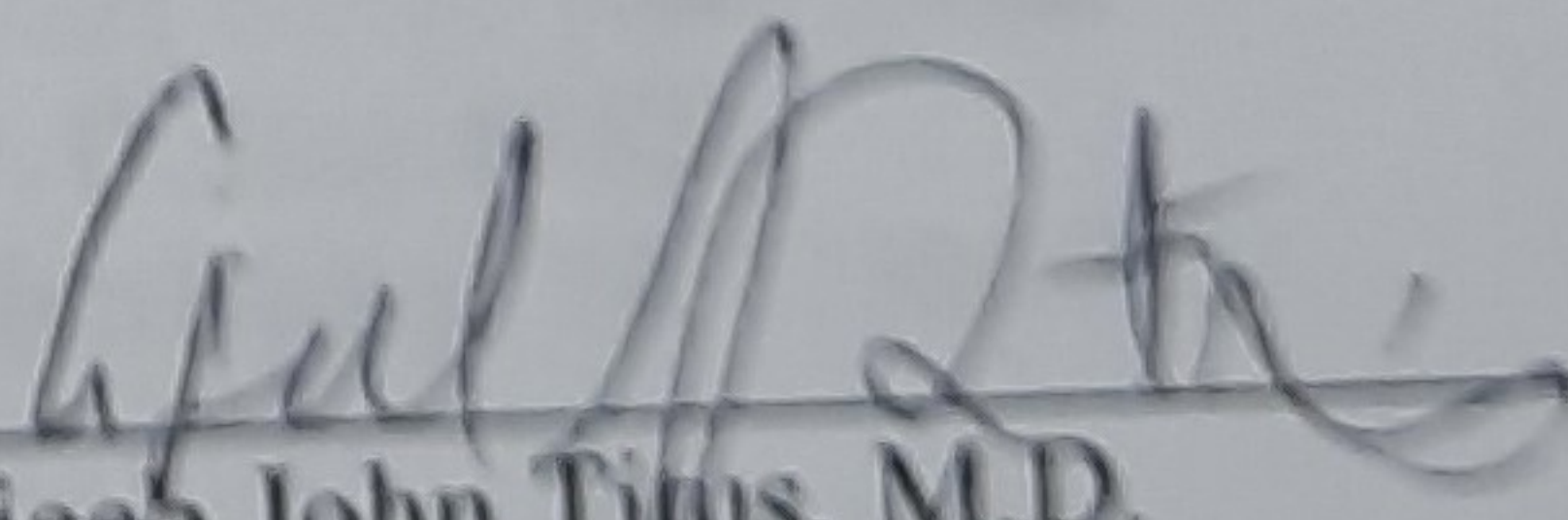
VERIFICATION OF FACTS AND STATEMENTS

14. Respondent verifies that the facts and statements set forth in this Consent Agreement are true and correct to the best of Respondent's knowledge, information, and belief. Respondent understands that the statements in this Consent Agreement are made subject to the criminal penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

/s/ Mark R. Zogby

Mark R. Zogby
Prosecuting Attorney

DATED:


Ajeed John Titus, M.D.
Respondent

DATED:

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ORDER

AND NOW, this 26th day of July 2022, the STATE BOARD OF MEDICINE (“Board”) adopts and approves the foregoing Consent Agreement and incorporates the terms of paragraph 5, which shall constitute the Board's Order and is now issued in resolution of this matter.

This Order shall take effect immediately.

**BUREAU OF PROFESSIONAL AND
OCCUPATIONAL AFFAIRS**



Arion R. Claggett
Acting Commissioner

For the Commonwealth:

Respondent:

Date of mailing:

**BY ORDER:
STATE BOARD OF MEDICINE**



Mark B. Woodland, M.S., M.D.
Chair

Mark R. Zogby, Esquire
2601 North Third Street
P. O. Box 69521
Harrisburg, PA 17106-9521

Ajeeb John Titus, M.D.
354 Clicko Lane
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07/29/2022