

BEFORE THE VIRGINIA BOARD OF MEDICINE

MAR 16 2021

IN RE: PAUL E. MARIK, M.D.
License Number: 0109-542065
Case Number: 203034

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Medicine (“Board”) and Paul E. Marik, M.D., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Dr. Marik’s University Limited License in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Paul E. Marik, M.D., was issued a University Limited License, License Number 0109-542065 on July 1, 2009, which is scheduled to expire on June 30, 2021.

2. Dr. Marik violated Virginia Code § 54.1-2915(A)(3), (12), (13), (16) and (18), 54.1-3303, 54.1-3408, 18 VAC 85-20-210(B), and 18 VAC 85-20-26(C) in that, outside the limits of his license and absent a bona fide practitioner-patient relationship, Dr. Marik prescribed controlled substances to Individuals A-E. Specifically:

a. Although Dr. Marik’s University Limited License specifically limits his practice to that of hospitals or outpatient clinics “where medical students, interns or residents rotate and patient care is provided by the medical school or college,” he admitted that he met with Individual A, on several occasions from November 2016 – February 2020, in his academic office on the medical campus to treat her complaints of anxiety, post-traumatic stress disorder, and pain associated with dental work.

b. Dr. Marik admitted that from November 2016 to February 2020, he prescribed phenobarbital, oxycodone, tramadol, alprazolam, and diazepam to Individual A on approximately 18 occasions.

c. According to Dr. Marik's Prescription Monitoring Program ("PMP") Activity Report, from December 2016 to February 2020, he prescribed controlled substances to Individuals B-E absent a bona fide practitioner-patient relationship and exceeding the limits of his license.

d. As a result of his prescribing to Individual A, Dr. Marik voluntarily surrendered, for cause, his DEA registration on August 6, 2020.

3. According to his counsel, Dr. Marik's DEA has been reinstated without limitation.

CONSENT

Paul E. Marik, M.D., by affixing his signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document and am represented by Kathleen M. McCauley, Esq.;

2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;

3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; and the right to representation by counsel;

4. I waive my right to an informal conference;

5. I admit to the Findings of Fact and Conclusions of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;

6. I consent to the entry of the following Order affecting my license to practice with a University Limited License in the Commonwealth of Virginia.


ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Medicine hereby ORDERS as follows:

1. Paul E. Marik, M.D., is REPRIMANDED.
2. Within six months from entry of this Order, Dr. Marik shall provide written proof satisfactory to the Board of successful completion of 15 hours of Board-approved continuing education in the subject of proper prescribing of controlled substances. Such course(s) shall be approved in advance of registration by the Executive Director of the Board. Requests for approval must be received within 15 days prior to the course date. Continuing education obtained through compliance with this term shall not be used toward licensure renewal.
3. Within 30 days from entry of this Order, Dr. Marik will certify, in writing, that he has read and will abide by the Drug Laws for Practitioners.
4. Upon receipt of evidence that Dr. Marik has complied with the foregoing terms, the Executive Director is authorized to close this matter, or refer it to a special conference committee for review.
5. Any violation of this Order or any statute or regulations governing the practice of medicine shall constitute grounds for further disciplinary action.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD



Jennifer Deschenes, J.D., M.S.
Deputy Executive Director
Virginia Board of Medicine

ENTERED: 3/17/2021


SEEN AND AGREED TO:



Paul E. Marik, M.D.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF North, TO WIT:

Subscribed and sworn to before me, a notary public in and for the Commonwealth of Virginia at large, on
this 5 day of March, 2021.



Notary Public



My commission expires: 3-31-2024

Registration No.: 7181351