

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Bhutta v. Howard County General Hospital and National Practitioner Data Bank

Civil Action No. 24-3211-TDC (D. Md. Dec. 18, 2025) · No. 24-3211-TDC · Decided December 18, 2025

SUMMARY

The United States District Court for the District of Maryland addresses claims by Dr. Habib A. Bhutta against Howard County General Hospital and the National Practitioner Data Bank arising from an adverse-action report concerning the lapse of his clinical privileges. The opinion discusses the Health Care Quality Improvement Act, NPDB dispute-resolution procedures, employment discrimination, due process, defamation, fraud, civil conspiracy, and related state-law claims. The court grants the hospital’s motion and the NPDB’s motions.

CASE DETAILS

COURT	United States District Court for the District of Maryland
WRITING FOR THE COURT	Theodore D. Chuang
JURISDICTION	United States District Court for the District of Maryland
DECIDED	December 18, 2025
DOCKET	24-3211-TDC
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed federal-question claims against a hospital and the National Practitioner Data Bank concerning an adverse-action report. The hospital moved to dismiss or, alternatively, for summary judgment; the NPDB moved to dismiss several claims and separately sought summary judgment on the Administrative Procedure Act claim.
STANDARD OF REVIEW	Rule 12(b)(6) plausibility review; Rule 12(b)(1) subject-matter-jurisdiction review; Rule 56 summary-judgment review where appropriate; and substantive arbitrary-and-capricious review of the administrative record under 5 U.S.C. § 706(2)(A).
PRECEDENTIAL VALUE	unpublished district court memorandum opinion; precedential status not stated
PARTIES	Habib A. Bhutta v. Howard County General Hospital, National Practitioner Data Bank

TOPICS

health law

medical licensing

administrative procedure act

judicial review of agency action

due process

PRACTICE AREAS

health law

administrative law

civil rights

employment discrimination

constitutional law

QUESTIONS PRESENTED

1. Whether Bhutta's state-law, tort, and 42 U.S.C. § 1983 claims against HCGH were barred by the applicable statutes of limitations.
2. Whether Bhutta adequately pleaded Title VII and Maryland Fair Employment Practices Act discrimination claims against HCGH.
3. Whether sovereign immunity barred Bhutta's defamation and civil-conspiracy claims against the NPDB.
4. Whether Bhutta adequately pleaded a Fifth Amendment procedural due process claim against the NPDB and whether that claim was time-barred.
5. Whether the NPDB's decision to retain the adverse-action report was arbitrary, capricious, or contrary to law under the APA.

HOLDINGS

1. Bhutta's claims against HCGH for breach of hospital bylaws or contract, fraud or misrepresentation, defamation, civil conspiracy, and § 1983 due process were untimely because he knew or should have known of the adverse-action report and the alleged procedural deficiencies when the report was submitted in May 2020, but filed suit in November 2024.
2. Bhutta failed to state a plausible race, ethnicity, or national-origin discrimination claim because he did not allege sufficient facts showing that similarly situated employees outside the protected class received more favorable treatment or otherwise supporting an inference of discrimination.
3. The NPDB's defamation claim was barred by sovereign immunity, and the civil-conspiracy claim failed because it was predicated on the same defamation theory and civil conspiracy is not independently actionable absent an underlying tortious injury.
4. The due process claim against the NPDB was not barred by sovereign immunity or the six-year federal limitations period, but it failed to state a claim because Bhutta did not allege deprivation of a constitutionally protected liberty or property interest or identify constitutionally required procedures that were omitted.
5. The NPDB's decision to retain Bhutta's adverse-action report was not arbitrary, capricious, or contrary to law because the HCQIA and its regulations did not require the NPDB to determine whether HCGH complied with its internal bylaws, and the administrative record supported the conclusion that the report was accurate and reportable.

KEY QUOTATIONS

“Because the NPDB lawfully declined to examine whether HCGH complied with its bylaws when it accepted and retained the adverse action report, and because the NPDB correctly concluded that the information contained in that report was accurate and reportable, the Court finds that the NPDB’s decision to retain the report was not arbitrary, capricious, or contrary to law.” (30-31)

FACTUAL BACKGROUND

HCGH investigated concerns regarding Bhutta's responsiveness to emergency surgery call, communication with patients and families, and clinical care. HCGH proposed additional conditions under a focused professional practice evaluation, including surgical monitoring, while Bhutta's reappointment and privileges were repeatedly limited or left unresolved. Bhutta ultimately stated that he would not seek reappointment and would allow his privileges to lapse on May 13, 2020, after which HCGH reported that he had allowed his privileges to expire while under investigation. The NPDB retained the report after reviewing Bhutta's challenge to its accuracy and reportability.

PROCEDURAL HISTORY

Bhutta allowed his hospital privileges to expire while HCGH was investigating concerns about his competence and professionalism. HCGH submitted an adverse-action report to the NPDB, and the NPDB retained the report after HRSA denied Bhutta's dispute and reconsideration requests. Bhutta filed this action on November 4, 2024. The district court granted HCGH's motion, granted the NPDB's motion to dismiss, and granted the NPDB's partial motion for summary judgment.

DISPOSITION

other

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Celotex Corp. v. Catrett, 477 U.S. 317, 322 (1986)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248-55 (1986)
- Poffenberger v. Risser, 431 A.2d 677, 680 (Md. 1981)
- Owens v. Balt. City State's Att'ys Off., 767 F.3d 379, 388-89 (4th Cir. 2014)
- Coleman v. Md. Ct. of Appeals, 626 F.3d 187, 190 (4th Cir. 2010)
- Talbert v. United States, 932 F.2d 1064, 1066-67 (4th Cir. 1991)
- Alleco Inc. v. Harry & Jeanette Weinberg Found., Inc., 665 A.2d 1038, 1044-45 (Md. 1995)
- Randall v. United States, 30 F.3d 518, 522 (4th Cir. 1994)
- Rochling v. Department of Veterans Affairs, 725 F.3d 927, 931-32 (8th Cir. 2013)
- Doe v. Rogers, 139 F. Supp. 3d 120, 138, 164 (D.D.C. 2015)
- Doe v. Leavitt, 552 F.3d 75, 86 (1st Cir. 2009)
- Motor Vehicle Mfrs. Ass'n of U.S., Inc. v. State Farm Mut. Auto. Ins. Co., 463 U.S. 29, 43 (1983)

- *Camp v. Pitts*, 411 U.S. 138, 142 (1973) (per curiam)

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