BEFORE THE MEDICAL LICENSING BOARD OF INDIANA
CAUSE NO. 2011 MLB 0022

IN THE MATTER OF THE LICENSE OF	)	FILED
	)	JUL 05 2012
MARK ROBIN GEIER, M.D.	)	Indiana Professional Licensing Agency
	)	
LICENSE NO: 01065921A	)	

FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

An administrative hearing was held on June 28, 2012, before the Medical Licensing Board of Indiana ("Board") in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, concerning a disciplinary Complaint filed against the medical license of Mark Robin Geier, M.D. ("Respondent").

The State of Indiana ("Petitioner") was represented by Amber Swartzell, Deputy Attorney General. Respondent did not appear and was not represented by counsel.

On June 28, 2012, the Board considered the evidence presented and took official notice of its file in this matter. By a 7-0-0 vote, the Board found the Respondent to be in **DEFAULT**. The Board then held further proceedings in the Respondent's absence and, after considering the evidence presented and taking official notice of its file in this matter, issues the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. The Attorney General of Indiana is empowered to bring disciplinary Complaints in the name of the State of Indiana before the Board pursuant to Ind. Code § 25-1-7 *et seq.*

2. The Board is charged with the duty and responsibility of regulating the practice of medicine pursuant to Ind. Code § 25-22.5-2-7.

3. Respondent's address on file with the Board is 14 Redgate Ct., Silver Spring, Maryland 20905. Respondent is a licensed physician ("M.D.") holding Indiana license number 01065921A.

4. A Complaint was filed by the Petitioner in this matter against Respondent on April 5, 2012.

5. On April 11, 2012, the Board sent a certified notice to Respondent at his last reported address, informing Respondent of the date, time, and place of the disciplinary hearing scheduled for May 24, 2012. Notice was also sent to the Indiana practice address for Respondent, Genetic Consultants of Indiana, 9595 Whitley Drive, Suite 205, Indianapolis, Indiana 46240.

6. Pursuant to Ind. Code § 4-21.5-3-20, Respondent was provided with adequate notice of the disciplinary hearing and failed to appear in person or by counsel for the hearing scheduled on May 24, 2012.

7. On May 24, 2012, the Board voted 5-0-0 to approve Petitioner's motion for a Notice of Proposed Default Order.

8. On June 6, 2012, the Board sent Respondent via certified mail the Notice of Proposed Default Order to the address of record. It was also sent via regular mail to the Indiana practice address. Respondent failed to respond within seven (7) days as required by Ind. Code § 4-21.5-3-24.

9. On June 28, 2012, the Board held the Respondent in **DEFAULT**.

10. In taking official notice of its file in this matter, the Board took into consideration its file and records in this matter, which included all of the Petitioner's Exhibits that were admitted into the record, which evidence established the following:

11. On or about April 27, 2011, the Maryland State Board of Physicians ("Maryland Board") issued an Order for Summary Suspension of License to Practice Medicine ("Maryland Order"). The Maryland Order summarily suspended Respondent's license number D24250 to practice medicine in that state. Respondent's license remains suspended in Maryland.

12. The Maryland Order states that "the public health, safety or welfare imperatively requires emergency action in this case" due to the Maryland Board's Investigative Findings which concluded that the Respondent:

a. Misdiagnosed autistic children with precocious puberty and other genetic abnormalities and treated them with potent hormonal therapy ("Lupron therapy") and chelation therapy, both of which have a substantial risk of adverse side effects, thus exposing children to needless risk of harm;

b. Failed to conduct adequate physical examinations of patients in several instances before starting Lupron therapy;

c. Failed to obtain adequate informed consent from the parents of autistic children he treated;

d. Endangers autistic children by administering a treatment protocol that has a substantial risk of serious harm and is neither consistent with evidence-based medicine nor generally accepted in the relevant scientific community;

e. Misrepresented his credentials by declaring himself to be a board-certified epidemiologist and geneticist, which he was not; and,

f. Maintained an Institutional Review Board which does not meet Federal regulations.

13. On or about May 26, 2011, and based upon the Maryland Order, the State of Washington Department of Health Medical Quality Assurance Commission ("Washington Board") issued an Ex Parte Order of Summary Suspension of Respondent's license to practice medicine in that state. Respondent's Washington license number MD60041602 is now indefinitely suspended.

14. On or about June 9, 2011, and based upon the Maryland Order, the Commonwealth of Virginia Department of Health Professions ("Virginia Board") issued an Order suspending Respondent's license to practice medicine in that state. Respondent's Virginia license number 0101-048672 remains suspended.

15. On or about June 23, 2011, and based upon the Maryland Order, the Board granted a Summary Suspension against Respondent's license to practice medicine in the State of Indiana. Respondent's Indiana license number 01065921A remains summarily suspended.

16. On or about August 3, 2011, and based upon the Maryland Order, the State of California Medical Board ("California Board") issued a Suspension/Restriction Order suspending Respondent's license to practice medicine in that state. Respondent's California license number G88736 remains suspended. On or about August 30, 2011, a complaint on this matter was filed by the California Attorney General's Office.

17. On or about September 15, 2011, and based upon the Maryland Order, the State of New Jersey Board of Medical Examiners ("New Jersey Board") issued a Consent Order suspending Respondent's license to practice medicine in that state. Respondent's New Jersey license number MA85532 remains suspended and may not be re-activated without having a clear license to practice in Maryland, as per Consent Order agreement.

18. On or about December 12, 2011, Respondent submitted a written waiver to the Washington Board, waiving his right to a hearing in regards to the suspension of his medical license in that state.

19. On or about January 13, 2012, and based on Respondent's waiver, the Washington Board issued a Final Order regarding the status of Respondent's medical license in that state, placing Respondent's license on an indefinite suspension. This license may not be re-activated without having a clear license to practice in Maryland.

20. On or about March 22, 2012, the Maryland Board issued a Final Order regarding the original Maryland Order after an ALJ hearing was completed and exceptions to the ALJ decision were filed. The Maryland Board affirmed the continuation of the Emergency Summary Suspension issued in the Final Order. Respondent's Maryland license remains suspended.

CONCLUSIONS OF LAW

COUNT I

By a vote of 7-0-0, the Board finds that Respondent is in violation of Ind. Code § 25-1-9-4(a)(7) in that Respondent has had disciplinary action taken against his license to practice in any state or jurisdiction on grounds similar to those under Ind. Code § 25-1-9 as evidenced by the Final Order issued by the Maryland Board on March 22, 2012.

COUNT II

By a vote of 7-0-0, the Board finds that Respondent is in violation of Ind. Code § 25-1-9-4(a)(7) in that Respondent has had disciplinary action taken against his license to practice in any state or jurisdiction on grounds similar to those under Ind. Code § 25-1-9 as evidenced by the Final Order issued by the Washington Board on January 13, 2012.

COUNT III

By a vote of 7-0-0, the Board finds that Respondent is in violation of Ind. Code § 25-1-9-4(a)(7) in that Respondent has had disciplinary action taken against his license to practice in any state or jurisdiction on grounds similar to those under Ind. Code § 25-1-9 as evidenced by the Consent Order issued by the New Jersey Board on September 15, 2011.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Board, by a vote of 7-0-0, hereby issues its final ORDER:

1. The Board has jurisdiction over the Respondent and the subject matter in this disciplinary action commenced on or about April 5, 2012.

2. Respondent's Indiana medical license is hereby **REVOKED**.

3. Respondent shall, pursuant to Ind. Code § 4-6-14-10(b), pay a fee of Five Dollars ($5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid by check or money order payable to the State of Indiana, and submitted to the following address:

Office of the Indiana Attorney General
Attn: Katie Thorpe
302 West Washington Street, 5th Floor
Indianapolis, IN 46204

4 Pursuant to Ind. Code § 25-1-9-9(a)(6), Respondent is assessed a **FINE** in the amount of One Thousand Dollars ($1,000.00) on each of the three (3) counts, for a total fine of Three Thousand Dollars ($3,000.00). This fine is to be paid within ninety (90) days of the issuance of the Final Order in this matter and must be paid by cash, cashier's check, or money order to the following:

Indiana Professional Licensing Agency
Attn: Medical Licensing Board
402 W. Washington Street, Room W072
Indianapolis, IN 46204

5. Respondent shall pay for a copy of the transcript of this administrative hearing and the court reporter fees associated with this matter.

So ORDERED this 5th day of July, 2012.

MEDICAL LICENSING BOARD OF INDIANA

By: for Frances L. Kelly
Executive Director
Indiana Professional Licensing Agency

CERTIFICATE OF SERVICE

I certify that a copy of the "Findings of Fact, Conclusions of Law and Order" has been duly served upon:

Mark Robin Geier, M.D.
14 Redgate Court
Silver Spring, MD 20905
[service by US Mail]

Mark Robin Geier, M.D.
Genetic Consultants of Indiana
9595 Whitley Drive, Suite 205
Indianapolis, Indiana 46240
[service by US Mail]

Amber Swartzell
Deputy Attorney General
Office of the Attorney General
Indiana Government Center South
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Amber.swartzell@atg.in.gov
[service by Email]

7-5-2012
Date

Donna Moran
Donna Moran, Litigation Specialist

Medical Licensing Board of Indiana
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302 West Washington St., Fifth Floor
Indianapolis, IN 46204
Phone: 317-234-2060
Fax: 317-233-42136
Email: pla3@pla.in.gov

Explanation of Service Methods
Personal Service: by delivering a true copy of the aforesaid document(s) personally.
Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.
Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.