

BEFORE THE MEDICAL LICENSING  
BOARD OF INDIANA  
CAUSE NUMBER: 2019 MLB 0003

IN THE MATTER OF THE LICENSE OF: )  
 )  
STEVEN C. MARCHINO, M.D. )  
 )  
LICENSE NUMBER 01052937A )



**ORDER WITHDRAWING PROBATION**

The Medical Licensing Board of Indiana (“Board”), having held a hearing on August 25, 2022, regarding a petition for withdraw of probation filed by licensee, Steven C. Marchino (“Petitioner”), now issues its Order Withdrawing Probation by vote of 4-0-0.

**FINDINGS OF FACT**

1. This matter is before the Board on Petitioner’s “Petition to Withdraw Probation.”
2. Petitioner is a licensed Physician (“M.D.”) in the State of Indiana having been issued license number 01052937A on November 20, 2019.
3. On October 31, 2019, the Board placed Petitioner on indefinite probation for his guilty plea to Obtaining a Controlled Substance by Misrepresentation under Case Number 1:18-CR-00390-JMS-DLP in the United States District Court for the Southern District of Indiana.
4. On May 3, 2021, Petitioner was charged with Operating a Vehicle with an ACE of .15 or More, Class A Misdemeanor in Parke County under Cause Number 61C01-2105-CM-000116.
5. On July 26, 2021, the Board issued a “Findings of Fact, Conclusions of Law, and Final Order” which determined that Petitioner had violated the October 2019 with the May 2021 criminal charges. This Order **MODIFIED** the length of Petitioner’s Probation to a minimum of one (1) year from the date of the new final order, or after completion of the terms of federal

criminal probation, whichever was longer. In addition, the Order imposed the following terms on Petitioner's license Probation:

- A. Petitioner shall submit monthly counseling and/or therapist reports to IPLA that note his current treatment, meetings attended, compliance with treatment recommendations, and provide self-reflection on his sobriety.
- B. Petitioner shall complete twenty (20) hours of community service. Petitioner shall provide proof of completion to IPLA.
- C. Petitioner must immediately report any relapse. Petitioner must also immediately report any ISMA-PAP compliance issues, any positive or missed SoberLink check-ins, any positive or missed drug screens, and any other noncompliance issues.
- D. Petitioner may not petition for his Controlled Substance Registration (C.S.R.) until he completes his federal criminal probation. Also, Petitioner must first petition and appear before this Board for the right to apply for reinstatement of his CSR, or a new CSR. If approved, Petitioner may petition the Indiana Board of Pharmacy for reinstatement of his CSR or a new CSR. The State of Indiana shall be noticed for these hearings before this Board and the Indiana Board of Pharmacy.
- E. Petitioner shall have his employer complete monthly reports to this Board. The reports shall detail compliance, work performance, job duties, and any issues encountered during the period.
- F. At least one (1) Board member must approve any change in employer for Petitioner beyond Wexford/Centurion.

G. Petitioner also was required to pay a fine of one-thousand dollars (\$1,000.00) to IPLA and a five-dollar (\$5.00) Health Records fee to the Health Records and Personal Identifying Information Protection Trust Fund.

H. All other terms from the October 2019 order remain in effect, except for those modified by the new order.

6. At the August 25, 2022, hearing, Petitioner established that the deficiencies which resulted in the term of probation have been remedied.

7. Petitioner has complied with all other conditions of his probation.

8. Further, Petitioner established that Petitioner has complied with all statutes and rules governing the practice of medicine in accordance with the Board's Order.

As such, the Board now determines that Petitioner has complied with the terms placed on Petitioner's probationary license to practice as a Physician.

### **CONCLUSIONS OF LAW**

1. Indiana Code Section 25-1-9-9(b) states that:

The board may withdraw or modify the probation under subsection (a)(5) if it finds, after a hearing, that the deficiency that required disciplinary action has been remedied, or that changed circumstances warrant a modification of the order.

2. Because Petitioner has established that the deficiency which required disciplinary action has been remedied pursuant to Ind. Code Section 25-1-9-9(b), the Board has determined that it is appropriate to grant Petitioner's request to withdraw the indefinite probation status placed on Petitioner's medical license.

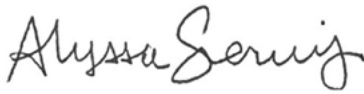
3. The Board hereby finds that Petitioner's request to withdraw probation is appropriate, and issues this Order as set forth below.

**ORDER**

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that Petitioner's petition for withdraw of probation is granted and, therefore, Petitioner's license is to return to "Active" status, free and clear from any term of probation.

ISSUED this 17<sup>th</sup> day of October 2022.

**MEDICAL LICENSING BOARD OF INDIANA**

By:  for  
John Strobel, M.D.,  
Board President  
Medical Licensing Board of Indiana

**CERTIFICATE OF SERVICE**

I certify that a copy of the “Order Withdrawing Probation” has been duly served upon:


Steven Marchino  
3700 Washington Ave  
Evansville, IN 47750  
**Service by U.S. Mail & Email**

Michael Gaerte  
Bingham Greenebaum Doll, LLP  
10 W Market St, Ste 2700  
Indianapolis, IN 46204  
**Service by U.S. Mail & Email**

Alex James  
Office of the Attorney General  
Indiana Government Center South, 5<sup>th</sup> Floor  
302 West Washington Street  
Indianapolis, IN 46204  
**Service by Email**

10.17.2022

\_\_\_\_\_  
Date

  
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Caitlin R. McCarty, Litigation Specialist

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**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.