

STATE OF INDIANA,

Petitioner,

v.

MARK STEVEN WEINBERGER, M.D.
License No.: 01045912A,

Respondent.

FILED

OCT 15 2004

HEALTH PROFESSIONS
BUREAU

PETITION FOR SUMMARY SUSPENSION

The State of Indiana, by Counsel, James R. Holden, Deputy Attorney General, moves the Indiana Medical Licensing Board ("Board") to suspend the license of Mark Steven Weinberger, M.D. ("Respondent") for 90 days, and in support of its petition states the following:

1. Respondent is licensed to practice medicine in the State of Indiana.
2. This Board has jurisdiction to suspend Respondent's license in accordance with the provisions of Indiana Code § 4-21.5-4-3 et seq. and Indiana Code § 25-1-9-10.
3. If allowed to continue to practice medicine, Respondent represents a clear and immediate danger to the public health and safety for the following reasons:

- a. Respondent had practiced medicine at "The Nose and Sinus Center," located at 255 E. 90th Drive, Merrillville, Indiana, a practice owned by the Respondent. On or around late September 2004, the Respondent vanished during a family vacation in Greece telling family members they would have to return to the United States on their own.

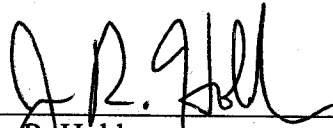
- b. Since this time the Respondent cannot be located by any of his patients or employees as he left no forwarding address and has failed to notify his current active patients in writing or by publication that he has discontinued his practice as required by 844 IAC 5-2-16(b). A court-ordered receivership has been authorized to take control of the practice's assets in order to satisfy over \$5.7 million in unpaid claims by creditors.
- c. The Respondent has also failed to make reasonable arrangements to properly transfer patient records as required by 844 IAC 5-2-16(b).
- d. Respondent has knowingly violated any state statute or rule, or federal statute or regulation, regulating the profession in question; namely: 844 IAC 5-2-16(b), in violation of Indiana Code § 25-1-9-4(a)(3).

WHEREFORE, the State of Indiana requests that this Board set a hearing on this petition for summary suspension and suspend Respondent's license for a period of ninety (90) days and for all other proper relief.

Respectfully submitted,

Steve Carter,
Attorney General of Indiana

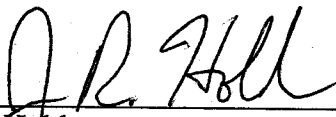
By:


James R. Holden
Deputy Attorney General
Attorney Number: 23003-49

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Petition has been served upon the Respondent at the address listed below, by United States mail, first class postage prepaid, on this 15th day of Oct, 2004:

Mark Steven Weinberger, M.D.
255 East 90th Drive
Merrillville, IN 46410



James R. Holden
Deputy Attorney General
Attorney Number: 23003-49

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