

to attend two (2) Alcoholics Anonymous meetings per week, and shall submit proof of attendance to the board every six (6) months.

4. The Board's order issuing Respondent a probationary license also required Respondent to personally appear before the Board every six (6) months.

5. Respondent failed to comply with the terms of the Board's February 8, 2015 order, in that Respondent failed appear for his scheduled personal appearance before the Board on July 20, 2015, and also reported to the Board on May 29, 2015, that he had not attended two (2) Alcoholics Anonymous meeting per week as required.

6. Based on Respondent's failure to comply with the Board's February 8, 2015 order, the Board issued an Order to Show Cause on August 19, 2015, setting the matter for hearing on September 21, 2015. The Order to Show Cause was served to Respondent's address on file with the IPLA notifying him of the date, time, and place of the hearing scheduled.

7. Respondent failed to appear for the September 21, 2015 hearing, and the Board issued a Notice of Proposed Default.

8. The Board's Notice of Proposed Default Order was issued on October 14, 2015. Pursuant to Ind. Code § 4-21.5-3-24, Respondent must file a written motion within seven (7) days of service of the Notice of Proposed Default Order requesting the Board not enter a default order in the case and stating the reasons relied upon for that request.

9. On October 21, 2015, the Respondent responded to the Notice of Proposed Default Order in writing.

10. The Order to Show Cause was then reset for hearing before the Board on January 25, 2016.

11. Respondent appeared and participated in the January 25, 2016 hearing, but was

unable to provide acceptable evidence to the Board to explain his noncompliance with the Board's February 8, 2015 order granting him a probationary license.

12. At its hearing on January 25, 2016, after considering the evidence presented and taking official notice of its file in this matter, the Board found the Respondent was in violation of the Board's February 8, 2015.

CONCLUSION OF LAW

Respondent's conduct constitutes a violation of Ind. Code ch. 25-1-9 in that Respondent has failed to comply with a prior order issued by the Board.

ULTIMATE FINDING OF FACT

Respondent's violation is cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, revocation, and/or a fine up to the amount of One Thousand Dollars (\$1,000.00) per violation, as detailed in Ind. Code § 25-1-9-9.

ORDER

Based upon the above Findings of Fact, by a vote of 8-0-0, the Board issues the following Order:

1. Respondent's license shall be **INDEFINITELY SUSPENDED** for a period no less than ninety (90) days.
2. Prior to petitioning for reinstatement of his license, Respondent must submit proof to the Board that of attendance to at least two (2) Alcoholics Anonymous meetings per week, continuously for three (3) months.
3. Prior to petitioning for reinstatement of his license, Respondent must also complete a fitness for duty evaluation by an HSPP provider, and submit proof of the same to the

Board.

4. All other terms and conditions imposed in the February 8, 2015 order shall remain in full force and effect.

5. Respondent understands that a violation of this Order, and non-compliance with the statutes or regulations regarding the practice of medicine, or any violation of the Board's February 8, 2015 order may result in the State requesting an Order to Show Cause as may be issued by the Board, or a new cause of action pursuant to Ind. Code § 25-1-9-4, any or all of which could leave to additional sanctions, up to and including a revocation of Respondent's license.

SO ORDERED, this 17th day of February, 2016

BEHAVIORAL HEALTH AND HUMAN SERVICES
LICENSING BOARD

By: Maureen Bennett
for Dr. Donald Osborn, LMFT, LCSW, LMHC, LCAC
Board Chair
Behavioral Health and Human Services Licensing
Board

CERTIFICATE OF SERVICE

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

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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.