

**BEFORE THE  
STATE BOARD OF REGISTRATION FOR THE HEALING ARTS  
STATE OF MISSOURI**

STATE BOARD OF REGISTRATION )  
FOR THE HEALING ARTS )

Petitioner, )

v. )

Case Number: 2011-002618

MARK GEIER, M.D., )

Respondent. )

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

The Missouri State Board of Registration for the Healing Arts in accordance with law and pursuant to notice, took up this matter at its regularly scheduled meeting on October 19, 2012. The Board's counsel, Sarah Schappe, presented evidence on behalf of the Board. Earl Kraus, Chief Legal Counsel for the Division of Professional Registration, acted as the Board's legal advisor in these proceedings, in the Board's deliberations, and in the preparation of this order.

Evidence was adduced, exhibits were received, and argument was heard regarding whether Dr. Geier's license as a physician should be revoked pursuant to § 334.103.1, RSMo. The Board took the matter under advisement to deliberate and determine an appropriate disposition. Being fully advised of the above, the Board now enters its findings of fact, conclusions of law and order revoking Dr. Geier's license as a physician and surgeon.

## FINDINGS OF FACT

1. The State Board of Registration for the Healing Arts (hereinafter the "Board") is an agency of the State of Missouri created and established pursuant to §334.120,<sup>1</sup> RSMo, for the purpose of executing and enforcing the provisions of Chapter 334, RSMo.
2. Respondent, Mark Geier, M.D. is licensed by the Board as a physician and surgeon, License Number 2009031842, which was first issued on October 14, 2009. Respondent's license is current, and was current and active at all times relevant herein.
3. On or about July 5, 2012, the Indiana Medical Licensing Board issued an Order (hereinafter "Indiana Order"), which revoked Respondent's medical license in Indiana. The Indiana Order was based on the disciplinary action by other states. The Indiana Order constitutes a final disciplinary action.
4. On or about August 22, 2012, the Maryland State Board of Physicians issued a Final Decision and Order (hereinafter "Maryland Order"), which revoked Respondent's medical license in Maryland. Maryland's action was based on unprofessional conduct, willfully making a false statement in the practice of medicine, failing to meet the standard of quality care, failing to keep adequate medical records and willfully failing to file a report required by law.
5. On or about September 12, 2012, a complaint was filed by Board legal counsel, due to discipline taken by the Indiana Licensing Board, alleging violation by Licensee of § 334.103.1, RSMo, and facts and law supporting such violation. In this complaint, Board counsel sought a determination by the Board that such violations had occurred and that the Board, following such determination, discipline Licensee's license.

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<sup>1</sup> All statutory references are to the Revised Statutes of Missouri (2011) unless otherwise stated.

6. On or about September 27, 2012, an amended complaint was filed by Board legal counsel, to include discipline taken by the Maryland State Board of Physicians, alleging violation by Licensee of § 334.103.1, RSMo, and facts and law supporting such violation. In this complaint, Board counsel sought a determination by the Board that such violations had occurred and that the Board, following such determination, discipline Licensee's license.

7. The Board provided Licensee's attorney, James Love, notice of the October 19, 2012 Board hearing by mailing the hearing notice to 8700 First Place Tower, 15 East 5<sup>th</sup> Street, Tulsa, Oklahoma 74108 and via electronic mail.

8. On October 1, 2012, attorney James Love responded via electronic mail stating neither he or his client would not be attending the October 19, 2012 Board meeting.

9. Respondent did not appear at the Board meeting, personally or through legal counsel.

#### **CONCLUSIONS OF LAW**

10. This Board has jurisdiction over this proceeding pursuant to § 334.103.1 RSMo, which provides:

A license issued under this chapter by the Missouri State Board of Registration for the Healing Arts shall be automatically revoked at such time as the final trial proceedings are concluded whereby a licensee has been adjudicated and found guilty, or has entered a plea of guilty or nolo contendere, in a felony criminal prosecution under the laws of the state of Missouri, the laws of any other state, or the laws of the United States of America for any offense reasonably related to the qualifications, functions or duties of their profession, or for any felony offense involving fraud, dishonesty or an act of violence, or for any felony offense involving moral turpitude, whether or not sentence is imposed, or, upon the final and unconditional revocation of the license to practice their profession in another state or territory upon grounds for which revocation is authorized in this state following a review of the record of the proceedings and upon a

formal motion of the state board of registration for the healing arts. The license of any such licensee shall be automatically reinstated if the conviction or the revocation is ultimately set aside upon final appeal in any court of competent jurisdiction.

11. The revocation of Licensee's license in the state of Indiana is cause for revocation of Licensee's license by the Board pursuant to § 334.103.1, RSMo.

12. The revocation of Licensee's license in the state of Maryland is cause for revocation of Licensee's license by the Board pursuant to § 334.103.1, RSMo.

13. This proceeding was initiated upon a properly pled writing filed with the Board to initiate the contested case.

14. Proper and timely notice of this proceeding was provided to Licensee's attorney.

15. The Board is to impose a time period during which a revoked licensee may not seek reinstatement with the Board, as set forth in § 334.100, RSMo, which provides, in pertinent part:

5. In any order of revocation, the board may provide that the person may not apply for reinstatement of the person's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll this time period[.]

16. Based on the facts and evidence presented at the hearing, the Board has determined that this order is necessary to ensure the protection of the public.

**DISCIPLINARY ORDER**

Having fully considered all evidence before this Board, it is the ORDER of the Board that Dr. Mark Geier's license as physician and surgeon, license number 2009031842, be **REVOKED**. It is further ordered that Dr. Geier shall immediately return all evidence of licensure to the Board and that Dr. Geier shall not apply for reinstatement of his license for a period of seven (7) years.

EFFECTIVE THIS 2<sup>nd</sup> DAY OF NOVEMBER, 2012.

Connie Clarkston  
Connie Clarkston, Executive Director