



DEPT. OF COMMERCE
AND CONSUMER AFFAIRS

2013 APR 12 P 12: 52

HEARINGS OFFICE

HAWAII MEDICAL BOARD
OFFICE OF ADMINISTRATIVE HEARINGS
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
STATE OF HAWAII

In the Matter of the License to Practice)	MED 2011-79-L
Medicine of)	
)	BOARD'S FINAL ORDER
MARK R. GEIER, M.D.,)	
)	
Respondent.)	
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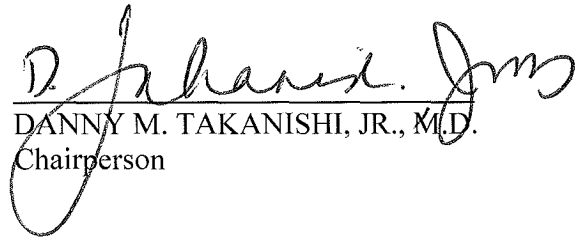
BOARD'S FINAL ORDER

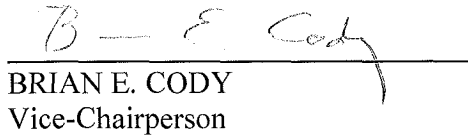
On March 14, 2013, the duly appointed Hearings Officer issued her proposed Findings of Fact, Conclusions of Law and Recommended Order in the above-entitled matter. The parties were given an opportunity to file written exceptions; however, no exceptions were filed.

Based on the foregoing findings and conclusions, the Hawaii'i Medical Board finds and concludes that Respondent violated HRS §§ 453-8(a)(7), 453-8(a)(8), 453-8(a)(11), 453-8(a)(14) and 436B-19(17).

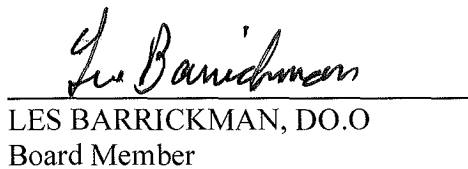
For the violations found, the Hawaii'i Medical Board orders that Respondent's license be revoked and that he be required to return all indicia of licensure to the Executive Officer of the Hawaii Board.

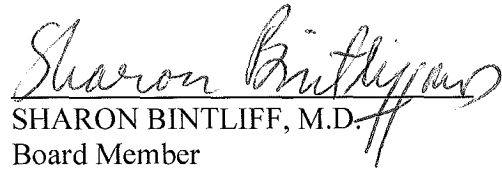
DATED: Honolulu, Hawaii, April 11, 2013.

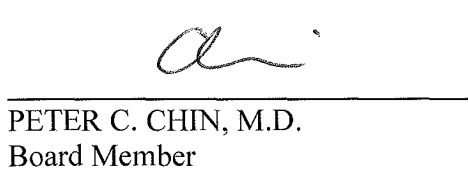

DANNY M. TAKANISHI, JR., M.D.
Chairperson

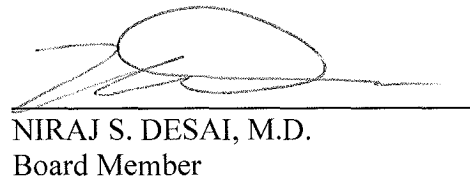

BRIAN E. CODY
Vice-Chairperson

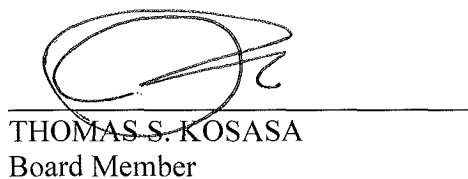

GERARD K. AKAKA, M.D.
Board Member

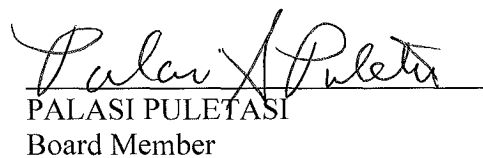

LES BARRICKMAN, DO.O
Board Member

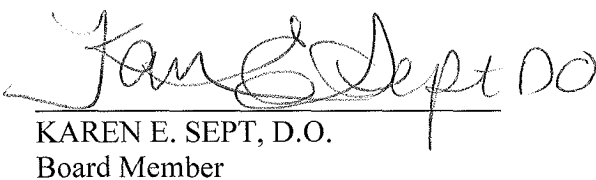

SHARON BINTLIFF, M.D.
Board Member


PETER C. CHIN, M.D.
Board Member


NIRAJ S. DESAI, M.D.
Board Member


THOMAS S. KOSASA
Board Member


PALASI PULETASI
Board Member


KAREN E. SEPT, D.O.
Board Member


CARL K. YORITA, M.D.
Board Member



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2013 MAR 14 A 10: 24

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STATE OF HAWAII

In the Matter of the License to Practice Medicine of)	MED 2011-79-L
)	
MARK R. GEIER, M.D.,)	HEARINGS OFFICER'S FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDED ORDER
)	
Respondent.)	
_____)	

HEARINGS OFFICER'S FINDINGS OF FACT,
CONCLUSIONS OF LAW AND RECOMMENDED ORDER

I. INTRODUCTION

On July 17, 2012, the Department of Commerce and Consumer Affairs, through its Regulated Industries Complaints Office ("Petitioner") filed a petition for disciplinary action against the license to practice medicine of Mark R. Geier, M.D. ("Respondent"). The matter was set for hearing pursuant to Hawaii Revised Statutes ("HRS") Chapters 91, 92 and 453, and the Notice of Hearing and Pre-Hearing Conference ("Notice") was transmitted to the parties. Respondent received a copy of the Notice and Petition on November 19, 2012.

On February 5, 2013, the hearing was conducted by the undersigned Hearings Officer. Denise P. Balanay, Esq. represented Petitioner. Respondent failed to enter an appearance. Notice having properly been given, the hearing proceeded as scheduled.

Having reviewed and considered the evidence and arguments presented at the hearing, together with the entire record of this proceeding, the Hearings Officer hereby renders the following findings of fact, conclusions of law and recommended order.

II. FINDINGS OF FACT

1. The Hawai'i Medical Board ("Hawaii Board") issued Respondent a license to practice medicine on November 7, 2008, License No. MD 14996. Respondent's license expires on January 31, 2014.

2. On April 27, 2011, the Maryland State Board of Physicians ("Maryland Board") issued an order summarily suspending Respondent's license. This action was based on numerous allegations of improper treatment of autistic children.

3. On May 11, 2011, the Maryland Board conducted a hearing to show cause why the suspension should not be continued. Respondent attended the hearing with counsel. Respondent presented documents and answered numerous questions imposed by Board members. Thereafter, the Maryland Board determined that it would continue the summary suspension imposed on April 27, 2011.

4. Respondent did not inform the Hawaii Board of the Maryland Board's action of summarily suspending his license within thirty days of its entry.

5. On June 29, 2011, the Medical Licensing Board of Indiana ("Indiana Board") summarily suspended Respondent's medical license based on the Maryland Board's action. Finding Number 7 of the Indiana Board's summary suspension order states:

7. 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 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 had 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. endangered autistic children by administering a treatment protocol that has a substantial risk of 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.

6. Respondent did not inform the Hawaii Board of the Indiana Board's action of summarily suspending his license within thirty days of its entry.

III. CONCLUSIONS OF LAW

Petitioner has charged Respondent with violating HRS §§ 453-8(a)(7), 453-8(a)(8), 453-8(a)(11) and 453-8(a)(14) and 436B-19(17) which provide:

§ 453-8 Revocation, limitation, suspension, or denial of licenses. (a) In addition to any other actions authorized by law, any license to practice medicine and surgery may be revoked, limited or suspended by the board at any time in a proceeding before the board, or may be denied, for any cause authorized by law, including but not limited to the following:

...

(7) Professional misconduct, hazardous negligence causing bodily injury to another, or manifest incapacity in the practice of medicine, osteopathy or surgery;

(8) Incompetence or multiple instances of negligence, including but not limited to the consistent use of medical service, which is inappropriate or unnecessary;

...

(11) Revocation, suspension, or other disciplinary action by another state or federal agency of a license, certificate, or medical privilege for reasons as provided in this section;

