

LICENSE NO. TM-00268

IN THE MATTER OF
THE LICENSE OF
MARK GEIER, M.D.

BEFORE THE
TEXAS MEDICAL BOARD

AGREED ORDER OF SUSPENSION

On the 8th day of June 2012, came on to be heard before the Texas Medical Board (Board), duly in session, the matter of the license of Mark Geier, M.D. (Respondent).

By the signature of Respondent on this Order, Respondent waives the right to appear at an Informal Show Compliance Proceeding and Settlement Conference pursuant to Section 164.004, Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code and Board Rule 187.18 and all rights pursuant to Sections 2001.051 and 2001.054, Texas Government Code, including but not limited to the right to notice and hearing and instead agrees to the entry of this Order to resolve matters addressed herein. Robert Blech represented Board staff and prepared this Order.

With the consent of Respondent, the Board makes the following Findings and Conclusions of Law and enters this Agreed Order.

FINDINGS

The Board finds that:

1. General Findings:
 - a. Respondent received all notice required by law. All jurisdictional requirements have been satisfied. Respondent waives any defect in notice and any further right to notice or hearing under the Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code ("the "Act") or the Rules of the Board.

- b. Respondent currently holds Texas Medical License No. TM-00268. Respondent was originally issued this license to practice medicine in Texas on April 4, 2009. Respondent is licensed to practice in Maryland, Illinois, Florida, Kentucky, Virginia, California, Washington, New Jersey, Maryland, and Hawaii.
 - c. Respondent is primarily engaged in the practice of clinical medical genetics and is not board certified.
 - d. Respondent is 63 years of age.
2. Specific Findings:
- a. Respondent On April 27, 2011, the Maryland State Board of Physicians (MPB) suspended the Respondent's Maryland medical license based on his treatment of autistic children with the drug Lupron.
 - b. On March 22, 2012, the MPB issued a Final Decision and Order that Respondent's summary suspension of April 27, 2011 is upheld and that the summary suspension will continue. In arriving at this final decision, the MPB determined that there exists a substantial likelihood of a risk of serious harm to the public health, safety and welfare in the physician's continued practice.
3. Mitigating Factor:
- Respondent has cooperated in the investigation of the allegations related to this Agreed Order. Respondent's cooperation, through consent to this Agreed Order, pursuant to the provisions of Section 164.002 of the Act, will save money and resources for the State of Texas. To avoid further investigation, hearings, and the expense and inconvenience of litigation, Respondent agrees to the entry of this Agreed Order and to comply with its terms and conditions.

CONCLUSIONS OF LAW

Based on the above Findings, the Board concludes that:

1. The Board has jurisdiction over the subject matter and Respondent pursuant to the Act.
2. Section 164.051(a)(7) of the Act authorizes the Board to take disciplinary action against Respondent based upon Respondent's being subject to disciplinary action by a licensed

hospital, including limitation of hospital privileges, or other disciplinary action as defined by Board Rule 190.8(3), disciplinary action by another state board

3. Section 164.001 of the Act authorizes the Board to impose a range of disciplinary actions against a person for violation of the Act or a Board rule.

4. Section 164.002(a) of the Act authorizes the Board to resolve and make a disposition of this matter through an Agreed Order.

ORDER

Based on the above Findings and Conclusion of Law, the Board ORDERS that Respondent shall be subject to the following terms and conditions:

1. Respondent's Texas license is hereby SUSPENDED until such time as Respondent requests in writing to have the suspension stayed or lifted, and personally appears before the Board and provides clear and convincing evidence and information which in the discretion of the Board adequately indicates that Respondent is physically, mentally, and otherwise competent to safely practice medicine.

Upon presentation of clear and convincing evidence to the Board that Respondent is able to safely practice medicine, the suspension of Respondent's license may be stayed and Respondent may be placed on probation for such time and under such terms and conditions which the Board in its sole discretion determines are necessary to adequately protect the public. Respondent shall not appear before the Board to present evidence of his ability to safely practice medicine so long as the suspension of his Maryland license is in place.

2. UPON NOTICE OF A FINAL REVOCATION OF RESPONDENT'S MARYLAND MEDICAL LICENSE, WHICH IS AFFIRMED BY MARYLAND STATE COURTS, RESPONDENT'S TEXAS MEDICAL LICENSE SHALL BE AUTOMATICALLY REVOKED. RESPONDENT SPECIFICALLY WAIVES ANY ADMINISTRATIVE DUE PROCESS UNDER THE MEDICAL PRACTICE ACT, OR THE ADMINISTRATIVE PROCEDURE ACT, FOR THE BOARD REPRESENTATIVES RELATED TO SAID AUTOMATIC REVOCATION.

3. Respondent shall comply with all the provisions of the Act and other statutes regulating the Respondent's practice.

4. Respondent shall fully cooperate with the Board and the Board staff, including Board attorneys, investigators, compliance officers, consultants, and other employees or agents of the Board in any way involved in investigation, review, or monitoring associated with Respondent's compliance with this Order. Failure to fully cooperate shall constitute a violation of this order and a basis for disciplinary action against Respondent pursuant to the Act.

5. Respondent shall inform the Board in writing of any change of Respondent's office or mailing address within 10 days of the address change. This information shall be submitted to the Registration Department and the Compliance Department of the Board. Failure to provide such information in a timely manner shall constitute a basis for disciplinary action by the Board against Respondent pursuant to the Act. Respondent agrees that 10 days notice of a Probationer Show Compliance Proceeding to address any allegation of non-compliance of this Agreed Order is adequate and reasonable notice prior to the initiation of formal disciplinary action. Respondent waives the 30-day notice requirement provided by §164.003(b)(2) of the Medical Practice Act and agrees to 10 days notice, as provided in 22 Texas Administrative Code §187.44(4).

6. Any violation of the terms, conditions, or requirements of this Order by Respondent shall constitute unprofessional conduct likely to deceive or defraud the public, or to injure the public, and shall constitute a basis for disciplinary action by the Board against Respondent pursuant to the Act.

7. The above referenced conditions shall continue in full force and effect until Respondent wishes to seek stay of suspension and petitions the Board in writing. The Board may inquire into the request and may, in its sole discretion, grant or deny the petition without further appeal or review. If such petition is granted, the Board retains the right to address any and all pending investigations, allegations and/or disciplinary matters before the Board. Respondent may petition the Board for modification or termination anytime after the entry of this Order. Subsequent petitions for modifying or terminating may be filed only once a year thereafter.

RESPONDENT WAIVES ANY FURTHER HEARINGS OR APPEALS TO THE BOARD OR TO ANY COURT IN REGARD TO ALL TERMS AND CONDITIONS OF THIS AGREED ORDER. RESPONDENT AGREES THAT THIS IS A FINAL ORDER.

THIS ORDER IS A PUBLIC RECORD.

I, MARK GEIER, M.D., HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND THAT BY SIGNING, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THIS AGREED ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

DATED: May 22, 2012.

Dr. Mark R. Geier
MARK GEIER, M.D.
Respondent

STATE OF _____

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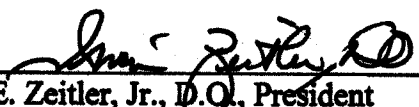
COUNTY OF _____

SWORN TO AND ACKNOWLEDGED BEFORE ME, the undersigned Notary Public, on this _____ day of _____, 2012.

Signature of Notary Public

(Notary Seal)

SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this 8
day of June 2012.



Irvin E. Zeitler, Jr., D.O., President
Texas Medical Board