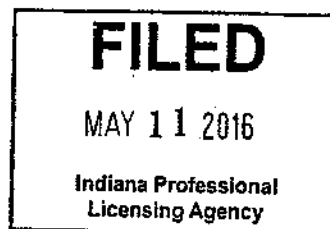


BEFORE THE MEDICAL LICENSING
BOARD OF INDIANA
CAUSE NO. 2015 MLB 0024

IN THE MATTER OF THE LICENSE OF)
)
STEPHEN R. PFEIFER, M.D.)
)
LICENSE NO: 01036874A)



FINAL ORDER ACCEPTING "PROPOSED SETTLEMENT AGREEMENT"

The State of Indiana ("Petitioner"), by the Office of the Attorney General, by N. Renee Gallagher, Deputy Attorney General, and Stephen R. Pfeifer, M.D. ("Respondent"), by counsel Mark K. Sullivan, signed a "Proposed Settlement Agreement" ("Agreement"), filed on April 11, 2016, which purports to resolve all issues involved in the action by the Petitioner and the Medical Licensing Board of Indiana ("Board") regarding the Respondent's license, and which Agreement has been submitted to the Board for approval.

The Board after reviewing the Agreement at the April 14, 2016 meeting held in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204, now finds it has been entered into fairly and without fraud, duress, or undue influence, and is fair and equitable between the parties. The Board hereby incorporates the Agreement which is attached hereto and incorporated herein as **Exhibit A**, into this Final Order.

WHEREFORE, the Board hereby accepts and approves the Finding of Facts, Conclusions of Law, and Agreed Disposition presented by the parties and issues this Final Order, by a vote of 4-0-0:

1. Respondent's license shall be placed on **INDEFINITE SUSPENSION**, with no right to petition for reinstatement for at least one (1) year from the date of the this Final Order.

2. Prior to petitioning to withdraw the indefinite suspension status on his Indiana medical license, Respondent agrees to follow all recommendations by the Indiana State Medical Association's Physician Assistance Program.

3. Respondent shall attend and satisfactorily complete six (6) hours of Continuing Medical Education Units ("CMEs") regarding prescribing controlled substances and six (6) hours of CMEs regarding physician administrative roles and authority in the practice of medicine, with an emphasis on collaboration with advanced nurse practitioners. Respondent shall have completed the required twelve (12) CMEs within one (1) year of the date of this Final Order.

4. Respondent shall pay a **FINE** of **FIVE HUNDRED DOLLARS (\$500.00)** per violation, totaling **TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00)**, within ninety (90) days from the date of this Final Order. This fine shall be paid by check or money order made payable to the **Indiana Professional Licensing Agency**, and submitted to the following address:

Medical Licensing Board of Indiana
402 W. Washington St. Rm. W072
Indianapolis, IN 46204

5. Respondent understands that additional terms and conditions may be imposed the Board with any petition to change the status of Respondent's license.

6. Within thirty (30) days of the date of this Final Order, Respondent shall, pursuant to Ind. Code § 4-6-14-10(b), pay a **FEE** of **FIVE DOLLARS (\$5.00)** to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be

paid by check or money order made payable to the **State of Indiana**, and submitted to the following address:

Indiana Office of the Attorney General
Attn: Maurcia D. Crutcher, Paralegal
302 West Washington Street, 5th Floor
Indianapolis, Indiana 46204

7. A violation of this Final Order, any non-compliance with the statutes or regulations regarding the practice of medicine may result in 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, and or all of which could lead to additional sanctions.

SO ORDERED, this 11th day of May, 2016.

MEDICAL LICENSING BOARD OF INDIANA

By: Herbert W. Price
Kirk E. Masten, D.O., President
for Medical Licensing Board of Indiana

CERTIFICATE OF SERVICE

I certify that a copy of the "Final Order Accepting Proposed Settlement Agreement" has been duly served upon:

Stephen Pfeifer, M.D.
10967 Allisonville Rd.
Fishers, IN 46038
Service by U.S. Mail

Mark K. Sullivan
Mark K. Sullivan & Associates
9959 Crosspoint Boulevard
Indianapolis, Indiana 46256
Service by U.S. Mail

N. Renee Gallagher
Deputy Attorney General
302 West Washington Street, 5th Floor
Indianapolis, Indiana 46204
Renee.gallagher@atg.in.gov
Service by E-mail

5-11-16

Date

Donna Moran

Donna Moran, Litigation Specialist

Medical Licensing Board of Indiana
Indiana Government Center South
302 West Washington Street, Room W072
Indianapolis, Indiana 46204
Telephone: 317-234-2060
Email: pla3@pla.in.gov

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.

BEFORE THE MEDICAL LICENSING BOARD OF INDIANA
CAUSE NO. 2015 MLB

IN THE MATTER OF THE LICENSE OF)
STEPHEN R. PFEIFER, M.D.)
LICENSE NO: 01036874A (Active))



PROPOSED SETTLEMENT AGREEMENT

The State of Indiana ("Petitioner"), by N. Renee Gallagher, Deputy Attorney General, and the Respondent, Stephen R. Pfeifer, M.D. ("Respondent"), by counsel, Mark Sullivan, hereby execute this Proposed Settlement Agreement ("Agreement") as disposition of the Complaint filed in the above-referenced cause. This Agreement is subject to the review and approval of the Medical Licensing Board of Indiana ("Board") pursuant to Ind. Code ch. 25-1-9 and Ind. Code ch. 4-21.5-3.

STIPULATED FACTS

1. Respondent is a licensed medical doctor in the State of Indiana having been issued license number 01036874A on or about July 1, 1988. Respondent's Indiana license status is currently active.
2. Respondent's address on file with the Indiana Professional Licensing Agency ("IPLA") is Integrative Wellness Centers, 10967 Allisonville Road, Fishers, Indiana, 46038.
3. A diversion investigator with the Drug Enforcement Agency ("DEA") met with Respondent on or about February 3, 2014.
4. During the interview with DEA, the Respondent admitted that, prior to spring of 2013, the Respondent was a previous part owner of Housecalls Medical Solutions ("Housecalls")

Exhibit A

where he did not make calls or deal directly with patients and Housecalls was where a nurse practitioner, Jeanne Clark ("Clark"), was also employed.

5. In October of 2012, one patient, E.D., filled several prescriptions for Morphine prescribed under Respondent's DEA registration number. During the February 2014 interview with DEA, Respondent admitted that he did not treat E.D. as a patient.

6. During this time period, prior to spring of 2013, Respondent admitted to giving the nurse practitioner, Clark, permission to use his DEA registration number to issue prescriptions for controlled substances. Respondent also admitted to pre-signing prescriptions blanks for others to use at Housecalls for the purpose of prescribing controlled substances to patients when the Respondent was not present at Housecalls.

7. In spring of 2013, Ms. Clark left her employment with Housecalls and started a home health service business.

8. Also, in the spring of 2013, Respondent agreed to become Ms. Clark's collaborating physician of record with IPLA and signed a collaborative agreement ("Agreement") with Ms. Clark.

9. During and following the spring of 2013, Respondent did not file the Agreement with Ms. Clark with the State of Indiana.

10. During his February 2014 interview with DEA, Respondent admitted that he was not familiar with the requirements of the Agreement he entered with Ms. Clark and admitted to allowing Ms. Clark to use his DEA registration to prescribe controlled substances for patients the Respondent did not examine or treat.

11. During the February 2014 interview with DEA, Respondent admitted to being the collaborator for at least 20-30 practitioners over the previous years.

12. Respondent authorized Ms. Clark's patient, C.Y., to be prescribed large quantities of hydrocodone for an extended period of time under Respondent's DEA registration number. In February of 2014, during his interview with the DEA, Respondent denied knowing or treating C.Y.

13. Ms. Clark's license was on probation and she was without DEA prescribing privileges during the time of the Agreement. Respondent, Ms. Clark's collaborator, did not know of Ms. Clark's disciplinary history or the terms of the probation order issued by the Indiana Board of Nursing.

14. In 2014 and 2015, Respondent wrote prescriptions for controlled substances for his personal use and for his family members without maintaining an adequate patient record for himself or any of his family members.

15. In or around September 2015, Respondent entered a program in Florida, at the Florida Recovery Center, pursuant to an agreement with the Indiana State Medical Association ("ISMA") for treatment of severe alcohol use.

16. In or around January 2016, Respondent signed a five (5) year contract with ISMA and experienced a relapse within weeks after signing his contract with ISMA.

STIPULATED CONCLUSIONS OF LAW

The parties further stipulate:

1. Respondent's conduct as described above constitutes a violation of Ind. Code § 25-1-9-4(a)(4)(B) in that Respondent has continued to practice even though he has become unfit to practice due to failure to keep abreast of current professional theory or practice as demonstrated by, which includes but is not limited to, Respondent allowing a nurse practitioner to use his DEA registration number to prescribe medications which included controlled

substances; Respondent failing to properly supervise the nurse practitioner as a collaborative physician; and, Respondent pre-signing prescription blanks for use by others.

2. Respondent's conduct as described above constitutes a violation of Ind. Code § 25-1-9-4(a)(3) in that Respondent has knowingly violated a state statute or rule regulating the medical profession, or federal statute or regulation, regulating the profession in question. Respondent violated Title 21 USC §1306 as demonstrated by, which includes but is not limited to, Respondent allowing a nurse practitioner to use his DEA registration number to prescribe controlled substances, for patients the Respondent did not examine or evaluate on at least two occasions with patients E.D. and C.Y.

3. Respondent's conduct as described above constitutes a violation of Ind. Code § 25-1-9-4(a)(3) in that Respondent has knowingly violated a state statute or rule regulating the medical profession. Respondent violated 844 IAC 5-2-5, which states "a practitioner shall exercise reasonable care and diligence in the treatment of patients based upon generally accepted scientific principles, methods, treatments, and current professional theory or practice," as demonstrated by, which includes but is not limited to, Respondent failed to keep adequate medical records and, in some cases, any medical records for family members to whom he was prescribing controlled substances.

4. Respondent's conduct as described above constitutes a violation of Ind. Code §25-1-9-(4)(D), in that, the Respondent has continued to practice although the Respondent has become unfit to practice due to an addiction and/or abuse of or severe dependency upon alcohol that endangers the public by impairing a practitioner's ability to practice safely as the Respondent was treated for alcohol abuse and/or dependency.

5. Respondent's conduct as described above constitutes a violation of Ind. Code § 15-1-9-4(a)(6) in that Respondent allowed his name or a license issued under this chapter to be used in connection with an individual who renders services beyond the scope of that individual's training, experience, or competence as demonstrated by, which includes but is not limited to, Respondent allowing a nurse practitioner to use his DEA registration number to prescribe medications which included controlled substances.

AGREED DISPOSITION

The parties agree to the following disposition:

1. The Board has jurisdiction over Respondent and the subject matter in this disciplinary action.
2. The parties execute this Agreement voluntarily.
3. Both parties voluntarily waive their rights to a public hearing on the Complaint and all other proceedings in this action to which either party may be entitled by law, including judicial review and appeal.
4. Petitioner agrees that the terms of this Agreement will resolve any and all pending claims or allegations relating to disciplinary action against the Respondent's Indiana medical license.
5. Respondent's license shall be placed on **INDEFINITE SUSPENSION**, with no right to petition for reinstatement for at least one (1) year from the date of the Board's Final Order accepting this Proposed Settlement Agreement.
6. Prior to petitioning to withdraw the probationary status on his Indiana medical license, Respondent agrees to follow all recommendations by the Indiana State Medical Association ("ISMA").

7. Respondent shall attend and satisfactorily complete Continuing Medical Education Units as determined by the Board and as directed by the Board as to subject matter and number of hours to complete.

8. Respondent shall pay a FINE in an amount to be determined by the Board, but not to exceed one thousand dollars (\$1,000.00) per violation, within ninety (90) days from the date of the order accepting this settlement.

9. Respondent understands that additional terms and conditions may be imposed by the Board with any petition to change the status of Respondent's license.


10. Within thirty (30) days of the date of the Board's Final Order accepting this Agreement, Respondent shall, pursuant to I.C. § 4-6-14-10 (b), pay a fee of Five Dollars (\$5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid by check or money order made payable to the State of Indiana, and submitted to the following address:

Indiana Office of the Attorney General
Attn: Maurcia D. Crutcher, Paralegal
302 West Washington Street, 5th Floor
Indianapolis, IN 46204

11. Respondent has carefully read and examined this Agreement and fully understands its terms and that, subject to a final order issued by the Board, this Agreement is a final disposition of all matters and not subject to further review.

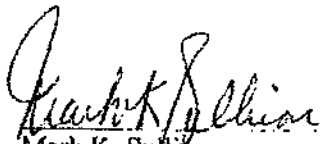
12. Respondent further understands that a violation of the Final Order accepting this Agreement, any non-compliance with the statutes or regulations regarding the practice of medicine, or any violation of the Settlement Agreement may result in the State requesting an emergency suspension of the Respondent's license, an Order to Show Cause as may be issued by

13. The Board, or a new cause of action pursuant to I.C. § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent's license.



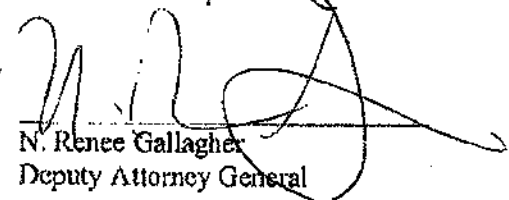
Stephen R. Pfeifer
Respondent

4-11-16
Date



Mark K. Sullivan
Counsel for Respondent

4-11-16
Date



N. Renee Gallagher
Deputy Attorney General

4/11/16
Date