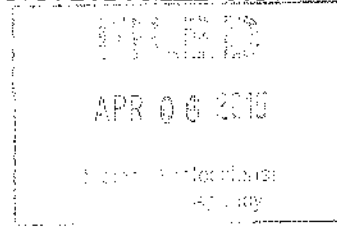


**BEFORE THE MEDICAL LICENSING
BOARD OF INDIANA
CAUSE NO. 2014 MLB 0037**

**IN THE MATTER OF THE LICENSE OF)
JOHN LING YOUNG, M.D.)
LICENSE NO: 01068949A)**



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

The Medical Licensing Board of Indiana (“Board”) held an administrative hearing on January 21, 2015, in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, concerning an Administrative Complaint (“Complaint”) filed against John Ling Young, M.D. (“Respondent”) on August 29, 2014.

The State of Indiana (“Petitioner”) was represented by Deputy Attorney General, N. Renee Gallagher. Respondent did not appear in person or by counsel.

The Board, after considering the evidence presented and taking official notice of its file in this matter, by a vote of 4-0-0, finds Respondent to be in **DEFAULT**. The Board, by another vote of 4-0-0, issues the following Findings of Fact, Ultimate Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. Respondent is a licensed physician in the State of Indiana having been issued license number 01068949A on November 8, 2010.

2. Respondent’s address of record on file with the Indiana Professional Licensing Agency (“IPLA”) is 8751 Weathered, Laurel, Maryland 20723. Prior to October 24, 2014, Respondent’s address of record on file with IPLA was 10410 Willowbrook Drive, Potomac, Maryland 20854.

3. Respondent's license to practice medicine in the State of Indiana expired on October 31, 2013.

4. Respondent is also licensed to practice medicine in Washington, Maryland, California, Illinois, Kentucky, and Florida.

5. In May 2011, the State of Washington Department of Health Medical Quality Assurance Commission ("Washington Commission") opened an investigation into the Respondent's medical practice. As part of its investigation, the Washington Commission ordered the Respondent to produce medical and billing records. The Respondent failed to comply with the order despite multiple requests from the Washington Commission and did not provide the requested documents until November 2012.

6. In or about February 2013, the Respondent entered into a Stipulated Findings of Fact, Conclusions of Law and Agreed Order ("Washington Agreed Order") in which the Washington Commission found that the Respondent had committed unprofessional conduct by failing to comply with the Washington Commission's orders pursuant to RCW 18.130.180(8). The Washington Agreed Order requires the Respondent to refrain from practicing medicine in Washington until his Washington medical license expires, to refrain from treating Washington residents in any other jurisdictions, to refrain from attempting to renew his Washington medical license after it expires, and to pay a five thousand dollar (\$5000.00) fine.

7. On or about April 27, 2011, the State of Maryland Board of Physicians ("Maryland Board") summarily suspended the medical license of Dr. Mark Geier, ("Dr. Geier") a partner at the Respondent's medical practice. Dr. Geier's medical license was suspended due to the Maryland Board's determination that his patient care was deficient to the point that it endangered the safety of the public, particularly as it related to the administration of Lupron and

leuprolide acetate solution (“leuprolide”) to minor patients. The Respondent subsequently took over the care of some of Dr. Geier’s patients.

8. On or about January 23, 2012, the Maryland Board initiated an investigation into the Respondent’s medical practice, reviewing twelve (12) patient files. During the course of the investigation, the Maryland Board discovered the following:

- a. On or about September 12, 2011, the Maryland Board issued a Permit to Dispense Prescription Drugs (“dispensing permit”) which allowed him to dispense drugs out of his office.
- b. A review of the Respondent’s prescribing history showed that the Respondent had been dispensing Lupron and leuprolide to patients from his office since February 2011, approximately seven (7) months prior to obtaining a dispensing permit.
- c. The Respondent admitted to dispensing medication to patients prior to obtaining a dispensing permit, and to prescribing Lupron and leuprolide to patients based on Dr. Geier’s recommendations after Dr. Geier’s medical license had been suspended.
- d. The Respondent admitted to practicing telemedicine on patients who were not physically present in Maryland, as required by Maryland’s telemedicine statute.
- e. The Respondent admitted to practicing telemedicine on patients he had never personally examined, as required by Maryland’s telemedicine statute.
- f. The Respondent admitted to failing to maintain medical records for telemedicine patients, as required by Maryland’s telemedicine statute.
- g. The Respondent failed to document treatment rationales for changes to medication dosages for several patients, and could not recall his rationale when

asked by the Maryland Board's investigators. When asked by the Maryland Board's staff why he tripled the dosage of leuprolide for a fourteen (14) year old patient, the Respondent stated he was "probably just following Dr. Geier's recommendation."

9. On or about February 13, 2013, the Maryland Board summarily suspended the Respondent's medical license due to a finding that the Respondent's conduct constituted a substantial likelihood of risk of serious harm to the public health, welfare and safety pursuant to Md. State Gov't Code Ann. § 10-226(c)(2)(i) and Code Md. Regs. tit. 10, § 32.02.05B(7).

10. The Respondent was required to surrender his Maryland medical license, his Maryland medical license renewal certificate, his Maryland Controlled Dangerous Substance Registration, all controlled substances in the Respondent's possession, all Medical Assistance prescription forms, all prescriptions forms and pads in the Respondent's possession and all prescription pads imprinted with the Respondent's name and DEA number to the Maryland Board.

11. On or about March 28, 2013, the Maryland Board issued an order upholding the Respondent's summary suspension.

12. On or about March 25, 2013 the Medical Board of California ("California Board") issued a Notice of Out-of-State Suspension Order in which it suspended Respondent's California medical license due to the discipline imposed on Respondent's Maryland medical license.

13. On or about July 25, 2013, the California Attorney General's Office filed an Accusation against the Respondent.

14. On or about June 14, 2012, Respondent entered into a Consent Order with the Illinois Department of Financial and Professional Regulation in which Respondent's Illinois medical license was indefinitely suspended due to the discipline imposed on the Respondent's Maryland medical license.

15. On or about August 30, 2013, the Kentucky Board of Medical Licensure ("Kentucky Board") issued an Agreed Order of Surrender in which the Respondent agreed to surrender his Kentucky medical license due to his discipline in Washington, Maryland, California and Illinois.

16. On or about April 3, 2014 the Commonwealth of Pennsylvania Bureau of Professional and Occupational Affairs State Board of Medicine issued a Final Order in which the Respondent's Pennsylvania medical license was indefinitely suspended due to the discipline imposed on the Respondent's Maryland, Washington, and Kentucky medical licenses.

17. A Complaint was filed by Petitioner against Respondent on August 29, 2014.

18. On September 10, 2014, IPLA sent a hearing notice to Respondent at his address of record on file with IPLA informing him of the date, time, and place of the administrative hearing on the Complaint scheduled for December 4, 2014.

19. Pursuant to Ind. Code § 4-21.5-3-20, Respondent was provided adequate notice of the hearing and Respondent failed to appear for the scheduled hearing in person or by counsel on December 11, 2014.

20. On December 11, 2014, the Board voted 4-0-0 to issue a Notice of Proposed Default Order. On or about December 12, 2014, the Notice of Proposed Default Order was mailed to Respondent as his address of record.

21. Respondent failed to submit a written response within seven (7) days as required by Indiana Code § 4-21.5-3-24.

22. On January 21, 2014, the Board voted 4-0-0 to hold Respondent in default.

ULTIMATE FINDINGS OF FACT

1. Respondent violated Ind. Code § 25-1-9-4(a)(7) in that Respondent has had disciplinary action taken against his license to practice medicine in any state or jurisdiction on grounds similar to those under Indiana law as evidenced by his discipline in the State of Washington.

2. Respondent violated Ind. Code § 25-1-9-4(a)(7) in that Respondent has had disciplinary action taken against his license to practice medicine in any state or jurisdiction on grounds similar to those under Indiana law as evidenced by his discipline in the State of Maryland.

3. Respondent violated Ind. Code § 25-1-9-4(a)(7) in that Respondent has had disciplinary action taken against his license to practice medicine in any state or jurisdiction on grounds similar to those under Indiana law as evidenced by his discipline in the State of California.

4. Respondent violated Ind. Code § 25-1-9-4(a)(7) in that Respondent has had disciplinary action taken against his license to practice medicine in any state or jurisdiction on grounds similar to those under Indiana law as evidenced by his discipline in the State of Illinois.

5. Respondent violated Ind. Code § 25-1-9-4(a)(7) in that Respondent has had disciplinary action taken against his license to practice medicine in any state or jurisdiction on grounds similar to those under Indiana law as evidenced by his discipline in the State of Kentucky.

6. Respondent violated Ind. Code § 25-1-9-4(a)(7) in that Respondent has had disciplinary action taken against his license to practice medicine in any state or jurisdiction on grounds similar to those under Indiana law as evidenced by his discipline in the State of Pennsylvania.

CONCLUSIONS OF LAW

Respondent's violations are 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 on the above Findings of Fact, Ultimate Findings of Fact, Conclusions of Law, and Order, the Board issues the following Order:

1. Respondent's Indiana physician license is **INDEFINITELY SUSPENDED**.
2. Within ninety (90) days of this Order, Respondent shall pay a **FINE of SIX THOUSAND DOLLARS (\$6,000.00)** payable to **the Indiana Professional Licensing Agency** by check or money order, and submitted to the following address:

Medical Licensing Board of Indiana
402 W. Washington Street, Room W072
Indianapolis, Indiana 46204

3. Respondent shall, pursuant to Ind. Code § 4-21.5-14-10(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, within ninety (90) days from the date of this Final Order, made payable to **the State of Indiana**, and submitted to the following address:

Indiana Office of the Attorney General
Attn: Kathryn Shively
302 West Washington Street, 5th Floor
Indianapolis, Indiana 46204

4. A violation of this Final Order or 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, all of which could lead to additional sanctions.

SO ORDERED this 6th day of April, 2015.

MEDICAL LICENSING BOARD OF INDIANA

By: Kirk E. Masten, D.O.
Kirk E. Masten, D.O., President
Medical Licensing Board of Indiana

[Balance of Page Intentionally Left Blank]

CERTIFICATE OF SERVICE

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

John Ling Young, M.D.
8751 Weathered Stone Way
Laurel, MD 20723-4910
Service by U.S. Mail

Conrad W. Varner
Varner & Goudry, P.C.
121 East Patrick Street
Frederick, MD 21701
Service by U.S. Mail

N. Renee Gallagher
Deputy Attorney General
Office of the Indiana Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, Indiana, 46204
Service by Email

4-6-15
Date


Donna Moran, Litigation Specialist

Medical Licensing Board of Indiana
Indiana Government Center South
302 West Washington Street, Room W072
Indianapolis, IN 46204
Phone: 317-234-2060
FAX: 317-233-4236
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.