ORDER REINSTATING LICENSE TO ACTIVE-PROBATIONARY STATUS

WHEREAS, the records of the State Board of Medicine ("Board") reflect that Scott Douglas Mueller, M.D. ("Respondent") holds a license to practice medicine in the Commonwealth of Pennsylvania, License Number MD031554E which is currently suspended; and

WHEREAS, on February 15, 2017, the Board issued a Final Adjudication and Order (the "A&O") in the matter of Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Scott Douglas Mueller, M.D. File No.: 12-49-05700, Docket No.: 1736-49-13, in which the Board found the Respondent to be in violation of sections 41(6) and 41(8)(ii) of the Medical Practice Act of 19851 (the "MPA"), 63 P.S. §§ 422.41(6) & 422.41(8)(ii) because Respondent departed from, or failed to conform to, standards of acceptable and prevailing medical practice in regard to the prescribing of controlled substances by a family physician to two (2) patients; and because Respondent violated a board regulation at 49 Pa. Code. § 16.61(a)(6) by practicing the healing arts with negligence on repeated occasions with regard to the same patients; and

WHEREAS, the A&O, among other things, ordered that the license to practice medicine and surgery held by Respondent, along with any other licenses, registrations, certificates,  

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1 The act of December 20, 1985, P.L. 457, No. 112, as amended, 63 P.S. §§ 422.1-422.53
approvals, authorizations, or permits (hereinafter referred to collectively as "authorizations to practice the profession") held by Respondent were to be SUSPENDED for a minimum period of TWO (2) YEARS from the effective date of that Order, with such suspension to be immediately STAYED in favor of PROBATION for a period of at least two (2) years, subject to probationary terms and conditions; and

WHEREAS, among other things, the enumerated probationary terms at paragraph 13 of the A&O required Respondent to secure the services of an approved practice monitor within 120 days of the effective date of the A&O; and

WHEREAS, the Final Order specified at paragraph 16 that if Respondent utilized the services of a nationally-recognized re-entry program to arrange for the practice monitoring services, the monitor selected by the re-entry program would be deemed approved by the Board upon the Respondent submitting the monitor’s name to the Bureau of Enforcement and Investigation’s Probation Compliance Officer along with written verification from the re-entry program that the re-entry program selected the monitor to work with Respondent, the monitor had been provided a copy of the A&O, and the re-entry program confirmed that the monitor holds the requisite specialties noted elsewhere in the A&O; and

WHEREAS the Respondent failed to secure the services of an approved practice monitor within 120 days of the effective date of the A&O; and

WHEREAS, the authorizations to practice the profession held by Respondent were subsequently suspended by Board Order dated June 28, 2017 at file number 17-49-07102, docket number 1175-49-17; and

WHEREAS, the Board’s June 28, 2017 Order specified that Respondent’s license would be administratively reinstated to active-probationary status when the Respondent submitted to the
Bureau of Enforcement and Investigation Probation Compliance Officer the information required by paragraph 16 of the A&O; and

WHEREAS, the Bureau of Enforcement and Investigation Probation Compliance Officer has confirmed that the information required by paragraph 16 of the A&O was received on July 7, 2017.

NOW THEREFORE, the Board REINSTATES Respondent’s license to practice medicine in the Commonwealth of Pennsylvania, License Number MD031554E, to ACTIVE-PROBATIONARY status, effective July 7, 2017 at 1:30 p.m. (EST). Per paragraph 18 of the A&O, the minimum period of probation shall last until July 7, 2019 (two years from the date Respondent’s practice monitor received deemed approval) and shall continue thereafter until the monitor provides the Board with the written opinion required by paragraph 13(f) of the A&O and all other terms and conditions of the A&O have been met.

This Order shall take effect immediately. The reinstatement shall be effective retroactive to July 7, 2017 at 1:30 pm (EST).

BY ORDER:

STATE BOARD OF MEDICINE

Marilyn J. Heine, M.D.
Chair

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BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

IAN J. HARLOW
Commissioner

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Date of Mailing:  
[Handwritten date: July 7, 2017]