

**These charges are only allegations which
may be contested by the licensee in an
Administrative hearing.**

IN THE MATTER

OF

NELSON E. MEAKER, R.P.A.

STATEMENT
OF
CHARGES

Nelson Meaker, R.P.A., the Respondent, was authorized to practice as a registered physician's assistant in New York State on or about September 4, 1981 by the issuance of license number 001746 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about June 19, 2013 the respondent entered into a Consent Agreement with the State of Maine Board of Licensure in Medicine ("Maine Board") to resolve a complaint alleging Respondent engaged in inappropriate prescribing practices to one patient. The Maine Board issued the Respondent a Reprimand, prohibited him from prescribing controlled opioids for treatment of chronic pain, except in certain circumstances and restricted his prescribing of controlled opioids for acute pain to a ten day supply with no refills. Respondent was required to attend a Maine Board approved CME in Medical Record Keeping and Prescribing Controlled Substances. As part of the Consent Agreement the Respondent conceded (1) he failed to adhere to Maine Board Rule Chapter 21 "Use of Controlled Substances For Treatment of Pain" and "Universal Precautions" for the treatment of patients for chronic, non-cancer pain; (2) he issued prescriptions for schedule II medications to patients using prescriptions that had been pre-signed by his supervising physician and without having schedule II prescribing privileges with the Board; and (3) he issued prescriptions for Schedule II medications without applying for or obtaining schedule II prescribing privileges from the Board.
- B. Respondent's conduct as described above, upon which the finding of unprofessional conduct in Maine was based would, if committed in New York State, constitute professional misconduct under the laws of the State of New York as follows:
1. New York Education Law §6530(3) (practicing the profession with negligence on more than one occasion)

2. New York Education Law §6530(4) (practicing the profession with gross negligence on a particular occasion;
3. New York Education Law §6530(16) (a willful or grossly negligent failure to comply with substantial provisions of federal, state, or local laws, rules, or regulations governing the practice of medicine; and/or
4. New York Education Law §6530(24) (practicing or offering to practice beyond the scope permitted by law, or accepting and performing professional responsibilities which the licensee knows or has reason to know that he or she is not competent to perform, or performing without adequate supervision professional services which the licensee is authorized to perform only under the supervision of a licensed professional, except in an emergency situation where a person's life or health is in danger).

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

HAVING BEEN FOUND GUILTY OF PROFESSIONAL MISCONDUCT

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(b) by having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state where the conduct upon which the finding was based would, if committed in New York state, constitute professional misconduct under the laws of New York state (namely N.Y. Educ. Law §§ 6530 (3), (4), (16) and/or (24)) as alleged in the facts of the following:

1. The facts in Paragraphs A and B.

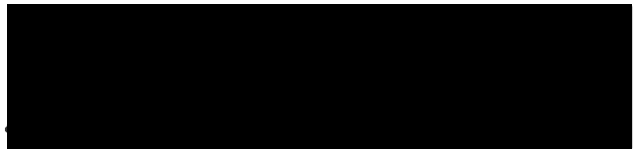
SECOND SPECIFICATION

HAVING HAD DISCIPLINARY ACTION TAKEN

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(d) by having his or her license to practice as a Physician's Assistant revoked, suspended or having other disciplinary action taken, or having his or her application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his or her license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York state, constitute professional misconduct under the laws of New York state (namely N.Y. Educ. Law § 6530 (3), (4), (16) and/or (24)) as alleged in the facts of the following:

2. The facts in Paragraphs A and B.

DATE: May 2, 2016
Albany, New York



Michael A. Hiser, Esq.
Deputy Counsel
Bureau of Professional Medical Conduct