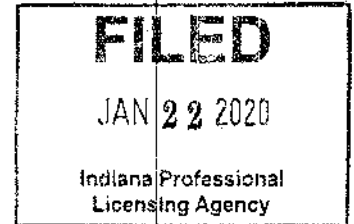


BEFORE THE MEDICAL LICENSING
BOARD OF INDIANA
CAUSE NUMBER: 2020 MLB 0002

IN THE MATTER OF THE LICENSE OF:)
RICHARD CRISTEA, M.D.)
LICENSE NO: 01037934A (ACTIVE))



ADMINISTRATIVE COMPLAINT

The State of Indiana ("Petitioner"), by counsel, Deputy Attorney General Ryan P. Eldridge, on behalf of the Office of the Indiana Attorney General, and pursuant to Ind. Code § 25-1-7-7, Ind. Code ch. 25-1-5, Ind. Code § 25-23-1-7, the Administrative Orders and Procedures Act, Ind. Code ch. 4-21.5-3, and Ind. Code ch. 25-1-9, files its Administrative Complaint against the Indiana physician of Richard Cristea, M.D. ("Respondent"), and in support alleges and states the following:

FACTS

1. Respondent is a physician ("M.D.") in the State of Indiana having been issued license number 01037934A by endorsement on September 28, 1989.
2. In addition, Respondent has a Controlled Substances Registration ("C.S.R."), License No. 01037934B by application on October 24, 1989.
3. Respondent's address on file with the Indiana Professional Licensing Agency ("IPLA") is The Neurological Institute and Specialty Centers, 521 East 86th Ave, Suite Z, Merrillville, IN 46410.
4. Respondent is a practicing neurologist with Franciscan Health in Merrillville, IN.
5. Adderall is a Schedule II Controlled Substance and a stimulant medication FDA approved for Attention Deficient Hyperactivity Disorder (ADHD), Attention Deficient Disorder

(ADD), and narcolepsy. Off-label uses, which are not FDA approved, include depression, anxiety, and bi-polar disorder.

6. Patient C.P. was a patient of Respondent from at least 2008. Respondent maintained medical records for Patient C.P. Respondent's care for Patient C.P. mainly focused on knee pain.

7. Between March 31, 2015 and March 31, 2017, Respondent wrote five (5) prescriptions for Adderall for Patient C.P, who was also one of Respondent's colleagues.

8. Patient C.P.'s medical records do not mention any diagnosis of ADD, narcolepsy, depression, anxiety, or bi-polar disorder.

9. The first date that a diagnosis of ADHD appears in Respondent's medical records for Patient C.P. is August 1, 2017, listing this date as the onset of the disorder. Further, Respondent did not document prescribing Patient C.P. Adderall until this same date, though he had been prescribing Patient C.P. such medication since 2015.

VIOLATIONS

10. By his conduct in writing prescriptions for Adderall for Patient C.P., a colleague, on five (5) occasions, when Respondent as a physician had never diagnosed nor documented any diagnosis for which such drug is warranted between 2015 and 2017, Respondent prescribed a controlled substance to a person who he, as a physician, had never diagnosed, in violation of 844 IAC 5-4-1(a), and is subject to discipline pursuant to Ind. Code § 25-1-9-4(a)(3).

11. By his failure to document his prescriptions for Adderall in Patient C.P.'s medical records between 2015 and 2017, Respondent failed to exercise reasonable care and diligence in the treatment of patients based upon generally accepted scientific principles, methods, treatments,

and current professional theory and practice, in violation of 844 IAC 5-2-5, and is subject to discipline pursuant to Ind. Code § 25-1-9-4(a)(3).

ACCORDINGLY, Petitioner demands this Board enter an order finding that:

1. Respondent is subject to discipline according to Ind. Code § 25-1-9;
2. Imposes an appropriate disciplinary sanction;
3. Directs the Respondent to immediately pay all cost incurred in the prosecution of this case; and
4. Provides any further relief that the Board deems just and proper.

Respectfully submitted,

Curtis T. Hill, Jr.,
Attorney General of Indiana
Atty. No.: 13999-20

By: *Ryan Eldridge*
Ryan Eldridge
Deputy Attorney General
Attorney No. 34578-49

Indiana Office of the Attorney General
Medical Licensing
302 West Washington Street, Fifth Floor
Indianapolis, Indiana 46204-2770
Telephone Number (317) 233-6247
Fax Number (317) 233-4393
Email: ryan.eldridge@atg.in.gov

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing "Administrative Complaint" has been served upon the Respondent at the address listed below, by United States First Class Mail on this 22nd day of January, 2020.

Richard Cristea, M.D.
521 East 86th Ave, Suite Z
Merrillville, IN 46410

By: *Ryan P. Eldridge*
Ryan P. Eldridge
Deputy Attorney General

OFFICE OF THE INDIANA ATTORNEY GENERAL

Indiana Government Center South
302 West Washington St., Fifth Floor
Indianapolis, IN 46204-2770
Telephone Number: 317-233-6247
Fax Number: 317-233-4393
Email: ryan.eldridge@atg.in.gov