BEFORE THE BOARD OF MEDICINE OF THE STATE OF IOWA

IN THE MATTER OF **Andrew Epstein, D.O.** **License #: DO-06355** **RESPONDENT**	**CASE NO.: 03-2024-0067** **COMBINED STATEMENT OF CHARGES, SETTLEMENT AGREEMENT, AND FINAL ORDER**

COME NOW the Iowa Board of Medicine ("Board") and Andrew Epstein, D.O. ("Respondent"), and enter into this Combined Statement of Charges, Settlement Agreement, and Final Order ("Order") pursuant to Iowa Code sections 17A.10, 272C.3(4), 147.55, 148, 645 Iowa Administrative Code ("IAC") 13, and 653 IAC 23.

A. BACKGROUND

1. **Iowa License**. Respondent was issued Iowa Physician license DO-06355 on May 9, 2023. Respondent's Iowa medical license is current and set to expire on June 1, 2026.

2. **Jurisdiction**. The Board has jurisdiction in this matter pursuant to Iowa Code sections 147.55, 148.7, and 272C.3.

3. **Allegations.** Respondent was at all relevant times licensed to practice medicine in Iowa. Respondent was working as a physician licensed in 22 states, including North Carolina. The North Carolina Board of Medicine found that Respondent inappropriately prescribed ketamine to telehealth patients in contravention of acceptable standard medical practices. Specifically, the North Carolina Order provides that for four telehealth patients, the Respondent failed to do the following: conduct urine drug screens before prescribing ketamine; conduct and document physical examinations and obtain comprehensive medical histories before prescribing ketamine; ensure protocols were in place regarding patient monitoring, follow-up, assessment for side effects,

and adverse reactions; and establish guidelines for prescribing, dispensing, and monitoring the use of ketamine to prevent its misuse. On January 4, 2024, the North Carolina Board reprimanded the Respondent and restricted him from prescribing ketamine under his license. On December 2, 2024, the North Carolina Board restored Respondent's ability to prescribe ketamine.

B. STATEMENT OF CHARGES

COUNT I

4. Respondent is charged under 653 IAC 23.1(10) for violation of the laws or rules governing the practice of medicine of this state or another state.

C. SETTLEMENT AGREEMENT

5. Respondent acknowledges that the allegations in the Statement of Charges, if proven in a contested case hearing, would constitute grounds for the discipline agreed to in this Order.

6. To resolve this matter without proceeding to hearing, Respondent agrees to the practice restriction set forth in section D below.

7. In entering this Order, Respondent acknowledges the following:

a. This Order is subject to the approval of the Board and will have no force or effect if it is not accepted by the Board.

b. Counsel for the State will present this Order to the Board *ex parte.*

c. I have the right to be represented by counsel in this matter.

d. I understand I have an opportunity to be heard and to contest the allegations against me in a formal hearing before the Board and that, by waiving the formal hearing, I waive my right to challenge the allegations against me and all attendant rights, including the right to seek judicial review of the Board's actions.

e. I waive my ability to review the investigative file in this case.

f. I understand this Order will be part of my permanent licensure file and may be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

g. I am voluntarily entering into this Order.

h. Failure to comply with the provisions of this Order shall be grounds for further disciplinary action pursuant to Iowa Code § 272C.3(2)(a).

i. I understand the Board is required by federal law to report this Order to the National Practitioner Data Bank. The report to the database will reflect the language included in this Order.

j. I understand I am responsible for all expenses incurred to comply with the conditions and requirements of this Order.

8. Respondent shall submit a copy of this Order to all licensing boards where Respondent holds a license, whether active or not, within THIRTY (30) days of the date of the Board approval of this Order.

9. This Order constitutes discipline against Respondent pursuant to and in accordance with Iowa Code § 147.55 and § 148.6(1), and 653 IAC 23, and is the final agency action in a contested case pursuant to Iowa Code section 17A.10 and Iowa Administrative Code 653 — 25.

10. This Order shall not preclude the Board from taking additional action against Respondent should Respondent violate laws, rules, or standards of practice administered by the Board in the future.

11. This Order becomes a public record available for inspection and copying upon execution

in accordance with the requirements of Iowa Code Chapters 17A, 22, and 272C.

12. The Board's approval of this Order shall constitute a **Final Order** of the Board.

D. FINAL ORDER

IT IS THEREFORE ORDERED:

The Board concludes the allegations set forth above constitute grounds for discipline. For these reasons and by the agreement of the parties, **THE BOARD HEREBY ORDERS** Respondent is **CITED** for the disciplinary grounds charged in section B above and **WARNED** that any future violation of the Board's rules may result in further discipline.

FOR THE RESPONDENT:

Voluntarily agreed to and accepted by Andrew Epstein, D.O. on this 20 day of December, 2024.

Andrew M Epstein DO

By: Andrew Epstein, D.O., Respondent

FOR THE IOWA BOARD OF MEDICINE:

Voluntarily agreed to and accepted by the IOWA BOARD OF MEDICINE on this 21st day of March, 2025.

Joyce Vista-Wayne, M.D., Chairperson
Iowa Board of Medicine