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Governor
State of Missouri

Sheila Solon, Acting Division Director
DIVISION OF PROFESSIONAL REGISTRATION

Missouri Department of
Commerce & Insurance
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Certified Article Number

9414 7266 9904 2149 3438 45

SENDER'S RECORD

February 1, 2021

Philip L. Creps, DO
[REDACTED]

**RE: Philip L Creps, DO – Case No. 2020-001562
Application for a Missouri Physician and Surgeon's License**

Dear Dr. Creps:

During its June 2020 Board meeting, the Missouri State Board of Registration for the Healing Arts ("Board") reviewed your application for a physician and surgeon's license.

After discussing this matter, the Board directed me to advise you that your application for Missouri licensure must be denied pursuant to section 334.103.2, RSMo,¹ which states:

"Anyone who has been denied a license, permit, or certificate to practice in another state shall automatically be denied a license to practice in this state. However, the board of healing arts may set up other qualifications by which such person may ultimately be qualified and licensed to practice in Missouri." (Emphasis added).

On or about November 28, 2006, the Pennsylvania State Board of Osteopathic Medicine ("Pennsylvania Board") denied your application for a license to practice medicine in the state of Pennsylvania. The Pennsylvania Board based its decision on the disciplinary action taken against you in the state of Ohio. Due to the Pennsylvania decision, the Board must deny your application.

However, the statute allows the Board to establish alternative qualification(s) by which you may ultimately become a candidate for a physician and surgeon's license in Missouri. Upon considering your application and the accompanying information, the Board determines the following is appropriate alternative qualification:

¹ All citations to Missouri statute are to the Revised Statutes of Missouri (RSMo)(Cum. Supp. 2018), unless otherwise stated.

- Submit proof of completing a Board-approved continuing medical education (CME) or accredited post-graduate training in the area of addiction medicine.² If you completed a CME, residency or fellowship program in addiction medicine preceding the date of this letter, you may be deemed to have complied with this requirement upon causing verification of attendance to be forwarded to and approved by the Board.

Please be advised, while meeting the above-referenced qualification would make you a candidate for a physician and surgeon's license, the Board reserves the right to independently review any future application and accompanying documents, including, but not limited to, new disclosures, databank queries and postgraduate reference letters.

If you wish to appeal the Board's decision to deny your application for licensure, you may do so by filing a formal complaint with the Administrative Hearing Commission pursuant to Chapter 621, RSMo. The Administrative Hearing Commission will hold a formal adversarial hearing, at which time you may be represented by an attorney. During the hearing, you will be afforded the opportunity to present evidence demonstrating you are entitled to a license. Pursuant to section 621.120, RSMo, a timely appeal will require you to file the complaint "within thirty days after the delivery or mailing by certified mail" of this notice. You may contact the Administrative Hearing Commission at P.O. Box 1557, Jefferson City, Missouri, 65102.

Should you have any questions, please do not hesitate to contact this office.

Sincerely,



Connie Clarkston
Executive Director
Missouri State Board of Registration for the Healing Arts

CC/hc

² The Board maintains a list of pre-approved continuing medical education (CME) courses on its website: <https://pr.mo.gov/healingarts-public-information.asp>. If you wish to complete a program other than the pre-approved ones on the list, you shall obtain the Board's approval prior to attending said program.

RECEIVED

AUG 21 2006

BOARD OF
HEALING ARTS

**SETTLEMENT AGREEMENT BETWEEN THE MISSOURI
STATE BOARD OF REGISTRATION FOR THE HEALING ARTS
AND PHILIP L. CREPS, D.O.**

Come now Philip L. Creps, D.O., (hereinafter the "Licensee") and the State Board of Registration for the Healing Arts (hereinafter the "Board") and enter into this agreement for the purpose of resolving the question of whether Dr. Crep's license as a physician and surgeon will be subject to discipline. Licensee and the Board jointly stipulate and agree that a final disposition of this matter may be effectuated as described below pursuant to § 621.045, RSMo.

1. Licensee acknowledges that he understands the various rights and privileges afforded by law, including the right to a hearing of the charges against him; the right to appear and be represented by legal counsel; the right to have all charges against him proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against him; the right to present evidence on his own behalf; the right to a decision based upon the record by a fair and impartial administrative hearing commissioner concerning the charges pending against the Licensee; and subsequently, the right to a disciplinary hearing before the Board at which time evidence may be presented in mitigation of discipline. Having been advised of these rights provided to the Licensee by operation of law, the Licensee knowingly and voluntarily waives each and every one of these rights and freely enters into this agreement and agrees to abide by the terms of this document as they pertain to him.

2. The Licensee acknowledges that he may, at the time this agreement is effective or within fifteen days thereafter, submit this agreement to the Administrative

Hearing Commission for determination that the facts agreed to by the parties constitute grounds for discipline of the Licensee's license.

3. The Licensee acknowledges that he has been informed of his right to consult legal counsel in this matter.

4. The parties stipulate and agree that the disciplinary order agreed to by the Board and the Licensee in Part III herein is based only on the agreement set out in Parts I and II herein. The Licensee understands that the Board may take further disciplinary action against him based on facts or conduct not specifically mentioned in this document that are either now known to the Board or may be discovered.

5. The Licensee understands and agrees that the Missouri State Board of Registration for the Healing Arts will maintain this agreement as an open record of the Board as required by Chapters 334, 610, 620 and 621, RSMo, as amended.

I. JOINT STIPULATION OF FACTS

Based upon the foregoing, the Board and the Licensee herein jointly stipulate to the following:

6. The State Board of Registration for the Healing Arts is an agency of the State of Missouri created and established pursuant to §334.120, for the purpose of executing and enforcing the provisions of Chapter 334, RSMo.

7. The Licensee is licensed by the Board as a physician and surgeon, License Number 2004001631. License was first issued on February 1, 2004. Licensee's license is current, and was current and active at all times relevant herein.

Count I

8. On or about June 17, 2003, the Licensee submitted his application for licensure with the Board.

9. On this application, the Licensee indicated that he obtained his degree in osteopathic medicine from Michigan State University, College of Osteopathic Medicine (hereinafter "MSU/COM") eleven (11) years after initially matriculating. On the application, he indicated that he began his training in August 1980 and graduated in June 1991.

10. Due to the unusual length of the Licensee's osteopathic training, the Board asked him for an explanation.

11. In a letter dated July 22, 2003, the Licensee stated to the Board that his osteopathic training "spanned 10 years" was due to the following three breaks in his training:

- a) a break in training in 1982 because his first wife filed for separation;
- b) another break (date unspecified) for financial reasons while he worked; and
- c) a final break (date unspecified) before he divorced his first wife.

12. Based upon the information that the Licensee submitted to the Board in his letter dated July 22, 2003, the Board issued the Licensee a license to practice medicine.

13. The Board later discovered that, on December 11, 1981, the Licensee was dismissed from MSU/COM for academic performance reasons. He was later reinstated, on academic probation, on January 25, 1982.

14. The Board later discovered that, on March 19, 1982, the Licensee was again dismissed from MSU/COM. He was later reinstated, on academic probation, on June 26, 1984.

15. The Board later discovered that, on March 15, 1985, the Licensee was again dismissed from MSU/COM. He was later reinstated, on academic probation, on January 16, 1989.

16. Because the Board issued a license to the Licensee based on the facts he furnished to the Board in the letter dated July 22, 2003, the issuance of this license was based on fraud, deception, and misrepresentation and constitutes a cause for the Board to discipline the Licensee's license pursuant to §334.100.2(3).

Count II

17. On February 8, 2006, the State Medical Board of Ohio placed the Licensee's Ohio medical license on permanent revocation. This permanent revocation was modified to indefinite suspension for at least two years.

18. The suspension of the Licensee's Ohio medical license constitutes a cause for the Board to discipline his Missouri license pursuant to §334.100.2(8):

II. JOINT CONCLUSIONS OF LAW

19. Cause exists to discipline Licensee's license pursuant to Sections and 334.100.2(3) and (8), RSMo Cum. Supp. 2005, which state:

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person's certificate of

registration or authority, permit or license for any one or any combination of the following causes:

....

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

....

(8) Revocation, suspension, restriction, modification, limitation, reprimand, warning, censure, probation or other final disciplinary action against the holder of or applicant for a license or other right to practice any profession regulated by this chapter by another state, territory, federal agency or country, whether or not voluntarily agreed to by the licensee or applicant, including, but not limited to, the denial of licensure, surrender of the license, allowing the license to expire or lapse, or discontinuing or limiting the practice of medicine while subject to an investigation or while actually under investigation by any licensing authority, medical facility, branch of the armed forces of the United States of America, insurance company, court, agency of the state or federal government, or employer;

....

20. The Licensee's conduct, as established by the foregoing facts, falls within the intendments of § 334.100.2, RSMo.

21. Cause exists for the Board to take disciplinary action against the Licensee's license under § 334.100.2, RSMo.

III. JOINT AGREEMENT ON DISCIPLINE

Based on the foregoing, the parties mutually agree and stipulate that the following shall constitute the disciplinary order entered by the Board in this matter under the

authority of §621.110 RSMo 2000. This agreement, including the disciplinary order, will be effective immediately on the date entered and finalized by the Board. The following are the terms of the disciplinary order:

22. Medical license number 2004001631, issued by the Board to the Licensee, is hereby PUBLICLY REPRIMANDED.

23. If the Licensee is licensed in other jurisdictions, then he shall notify, in writing, the medical licensing authorities of those jurisdictions, within fifteen (15) days of the effective date of this settlement agreement, of the Licensee's disciplinary status in Missouri. The Licensee shall forward a copy of this written notice to the Board contemporaneously with sending it to the relevant licensing authority.

24. The Licensee shall notify, within fifteen (15) days of the effective date of this settlement agreement, all hospitals, nursing homes, out-patient centers, surgical centers, clinics, and all other facilities where the Licensee practices or has privileges, of his disciplinary status. The Licensee shall notify any physician assistants or other allied health care professionals he supervises of the disciplinary action imposed. Notification shall be in writing and the Licensee shall, contemporaneously with the giving of such notice, submit a copy of the notice to the Board for verification by the Board or its designated representative.

25. For purposes of this agreement, unless otherwise specified in this agreement, all reports, documentation, evaluations, notices, or other materials required to be submitted to the Board in this agreement shall be forwarded to The State Board of

Registration for the Healing Arts, Attention: Investigations, P.O. Box 4, Jefferson City, Missouri 65102.

26. In the event The State Board of Registration for the Healing Arts determines that the Licensee has violated any term or condition of this agreement, the Board may in its discretion, vacate this agreement and impose such further discipline as the Board shall deem appropriate.

27. This agreement does not bind the Board or restrict the remedies available to it concerning any other violation of Chapter 334, RSMo, by the Licensee not specifically mentioned in this document.

28. No additional order shall be entered by this Board pursuant to the preceding paragraph of this agreement without notice and an opportunity for hearing before this Board as a contested case in accordance with the provisions of Chapter 536, RSMo. If any alleged violation of this agreement occurred during the disciplinary period, the parties agree that the Board may choose to conduct a hearing before it either during the disciplinary period, or as soon thereafter as a hearing can be held, to determine whether a violation occurred and, if so, may impose further disciplinary action. The Licensee agrees and stipulates that the Board has continuing jurisdiction to hold a hearing to determine if a violation of this agreement has occurred.

29. If the Board determines that the Licensee has violated a term or condition of this settlement agreement, the Board may elect to pursue any lawful remedies afforded it and is not bound by this agreement in its election of remedies concerning that violation.

30. The Licensee hereby waives and releases the Board, its members, and any of its employees, agents, or attorneys, including any former Board members, employees, agents, and attorneys, of, or from, any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including, but not limited to any claims for attorneys fees and expenses, including any claims pursuant to §536.087, RSMo, or any claim arising under 42 USC 1983, which may be based upon, arise out of, or relate to any of the matters raised in this agreement, or from the negotiation or execution of this agreement. The parties acknowledge that this paragraph is severable from the remaining portions of this agreement in that it survives in perpetuity even in the event that any court of law deems this agreement or any portion thereof void or unenforceable.

31. In consideration of the foregoing, the parties consent to the termination of any further proceedings based upon the facts set forth herein.

LICENSEE

Philip L. Creps, D.O. 8/15/06
Philip L. Creps, D.O. Date

Attorney for Licensee Date
Missouri Bar No. _____

BOARD

Tina Steinman 8/22/06
Tina Steinman Date
Executive Director

Sreenu Dandamudi 8/22/06
Sreenu Dandamudi Date
General Counsel, MO Bar No. 50734

EFFECTIVE THIS 22 DAY OF August, 2006.