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In the Matter of :
NORMAN B. SCHNEIDER, M.D. :

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FINAL

DECISION

A formal hearing was convened before the Louisiana State Board of Medical Examiners ("Board") on April 12, 1984, to adjudicate alleged, specified violations of the Louisiana Medical Practice Act by Norman B. Schneider, M.D. ("Dr. Schneider"), to-wit: revocation of the physician's medical license by the licensing authority of another state, LSA-R.S. 37:1285(30), "[m]aking or submitting false or deceptive claims to an insurance company . . . or governmental authority for the purpose of obtaining monetary compensation," LSA-R.S. 37:1285(11); and "[c]onviction of a crime," LSA-R.S. 37:1285(1).

Originally scheduled for February 23, 1984, the hearing was continued upon Dr. Schneider's request,

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pending judicial appeal of his federal criminal conviction on multiple counts of Medicare fraud. The Board's approval the physician's request for a continuance, was, however, conditioned upon Dr. Schneider's written agreement to advise the Board of the appellate court's decision relative to the outcome of the appeal of said criminal conviction. Pursuant to his written agreement, Dr. Schneider subsequently apprised the Board that the appellate court had affirmed his criminal conviction. Accordingly, the Board's hearing was thereafter renoticed for, and convened on, April 12, 1984.

A quorum of the Board was present. Despite notice of the hearing duly and timely served, Dr. Schneider advised the Board that he would be unable to attend the hearing, nor would he be represented by legal counsel therein. Under such circumstances, the Board proceeded with the hearing and received several documents in evidence.

Upon consideration of the evidence presented, pursuant to LSA-R.S. 49:958, the Board renders the following Findings of Fact, Conclusions of Law and Decision.

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Findings of Fact

1

On or about November 1, 1982, a federal grand jury indictment was returned against Norman B. Schneider, M.D. charging the physician with multiple counts of violating Sections 1001, 1002, 1341 and 1342 of Title 18 of the United States Code, each count charging the commission of a felony. (U.S.D.Ct., S.D. Fla.;Cr No. 82-8030).

2

Said indictment, more particularly, alleged that the Dr. Schneider, in conjunction with both named and unnamed individuals, devised a scheme and artifice to defraud the Medicare Program by submitting false and fraudulent claims via the United States mails and, in addition, that Dr. Schneider knowingly and willfully made false and fraudulent statements relating to a matter within the jurisdiction of the United States Department of Health and Human Services.

3

On or about February 17, 1983, Dr. Schneider was adjudicated guilty of counts 1, 2-7, 13, 14-17, 19-25, 27-29 and 32-39, as charged in the indictment.

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4

On March 28, 1983, pursuant to his adjudication of guilt, Norman B. Schneider, M.D. was sentenced to a five year term of imprisonment on each of the counts upon which he was adjudicated guilty, said terms of imprisonment to run concurrently. A monetary fine was also imposed by the court as to each such count, for a total monetary fine of \$20,000.00.

5

On or about June 2, 1983, an administrative complaint was filed with the Florida State Board of Medical Examiners, charging Dr. Schneider with having been adjudicated guilty in connection of the above-mentioned criminal convictions in violation of Sections 458.331 (1)(c) and (1) of the Florida Statutes. Subsequent to formal administrative proceedings, on August 30, 1983, the Florida State Board of Medical Examiners revoked Dr. Schneider's license to practice medicine in the State of Florida.

6

The criminal offenses of which Dr. Schneider was adjudicated guilty and for which he now stands con-

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victed and sentenced, arose out of and from his practice of medicine and his exercise of the privileges of medical licensure and, because of the nature thereof, have a direct and proximate relationship to his qualification and fitness for continued practice.

Conclusions of Law

Based upon the foregoing Findings of Fact, the Board concludes, as a matter of law, that:

1

Norman B. Schneider, M.D. has been convicted of a crime and, therefore, just cause exists for action against his license as provided for by LSA-R.S. 37:1285(1).

2

Norman B. Schneider, M.D. has made or submitted false or deceptive claims to a governmental authority for the purpose of obtaining monetary compensation and, therefore, just cause exists for action against his license as provided for by LSA-R.S. 37:1285(11).

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3

The medical license of Norman B. Schneider, M.D. has been revoked by the licensing authority of the State of Florida and, therefore, just cause exists for action against his license as provided for by LSA-R.S. 37:1285(30).

Decision

Considering the foregoing,

IT IS ORDERED that the license of Norman B. Schneider, M.D. to practice medicine in the State of Louisiana be, and the same is hereby, REVOKED.

New Orleans, Louisiana, this 25 day of May, 1984.

LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS

BY: Charles B. Odom, M.D.
CHARLES B. ODOM, M.D.
President