BEFORE THE MISSOURI
STATE BOARD OF PODIATRIC MEDICINE

MISSOURI STATE BOARD OF
PODIATRIC MEDICINE,

Petitioner,

v.

ANTHONY INNOCENZI,

Respondent.

ORDER OF THE MISSOURI
STATE BOARD OF PODIATRIC MEDICINE
DISCIPLINING THE LICENSE OF ANTHONY INNOCENZI

On or about April 8, 2016, the Missouri State Board of Podiatric Medicine ("Board") and Anthony Innocenzi ("Licensee"), entered into a Settlement Agreement Between State Board of Podiatric Medicine and Anthony Innocenzi ("2016 Settlement Agreement"), placing Licensee’s podiatric medicine license, license number 2007027375, on probation for a period of five (5) years subject to the terms and conditions set forth therein. The 2016 Settlement Agreement became effective on April 8, 2016.

On April 17, 2017, the Board’s litigation counsel filed a Probation Violation Complaint with the Board alleging violations of the 2016 Settlement Agreement.

On January 22, 2018, at approximately 3:30 p.m., the Board held a hearing pursuant to notice and § 621.110 and § 324.042, RSMo, at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri 65102, for the purpose of determining whether there had been violation(s) of the probationary terms set forth in the 2016 Settlement Agreement.

1 Unless otherwise specified, all statutory references are to the Revised Statutes of Missouri (2000), as amended.
The Board was represented by Assistant Attorney General Ashley Ray. Respondent received proper notice and opportunity to appear and failed to appear in person or by legal counsel. After being present and considering all of the evidence presented during the hearing, the Board issues the following Findings of Facts, Conclusions of Law and Order.

Based upon the foregoing the Board hereby states:

I.

FINDINGS OF FACT

1. The Board is an agency of the state of Missouri created and established pursuant to § 330.100, RSMo, for the purpose of licensing all persons engaged in the practice of podiatric medicine in this state. The Board has control and supervision of the licensed occupation and enforcement of the terms and provisions of chapter 330, RSMo.

2. Anthony Innocenzi ("Licensee") is a natural person holding a license to practice podiatric medicine, license number 2007027375. Licensee’s license expired February 29, 2016 due to non-renewal.

3. On or about April 8, 2016, Licensee’s podiatric medicine license was placed on probation via the 2016 Settlement Agreement, Probation Violation Hearing Exhibit B, with the Board as a result of a criminal conviction for health care fraud in Colorado. On January 7, 2016, Licensee signed the Settlement Agreement. On March 24, 2016, the Board’s Executive Director signed the Settlement Agreement on behalf of the Board. On April 8, 2016, the Settlement Agreement became effective.

4. The terms and conditions of the 2016 Settlement Agreement, Joint Agreed Disciplinary Order, paragraph 6.1. General Requirements, state, in relevant part:
B. Licensee shall submit written compliance reports to the State Board of Podiatric Medicine, P.O. Box 423, Jefferson City, Missouri, 65102, no later than January 1 and July 1 of each year, but no compliance report shall be filed more than 14 days before it is due. These compliance reports shall contain all other information required by this Settlement Agreement and shall be filed on forms supplied by the Board. If Licensee fails to receive the form from the Board, Licensee shall have the duty to contact the Board to request the form. Licensee shall complete each compliance report truthfully, completely and accurately.

D. Licensee shall comply with all provisions of the Chapter 330, RSMo; all applicable federal and state drug laws, rules, and regulations; and all federal and state criminal laws. “State” here includes the state of Missouri and all other states and territories of the United States.

E. During the disciplinary period, Licensee shall timely renew Licensee’s license and timely pay all fees required for licensing and comply with all other board requirements necessary to maintain Licensee’s license in a current and active state.

5. Innocenzi’s license expired February 29, 2016 due to non-renewal.

6. To date, Licensee has not renewed his license.

7. On or about May 7, 2016, the Board sent Licensee a letter requesting Licensee to submit documentation, within 30 days of the receipt of the letter, for all continuing education requirements for the reporting period March 1, 2014 to February 29, 2016. The Board received no response to its May 7, 2016 letter.

8. On or about July 1, 2016, the Board sent Licensee another letter stating that the Board had not received the required information requested in the May 7, 2016 letter and reiterating its request for all continuing education requirements for the reporting period March 1, 2014 to February 29, 2016. The Board requested the information within 30 days of its letter. The Board received no response to its July 1, 2016 letter.
9. To date, the Board has not received proof of continuing education requirements for the reporting period March 1, 2014 to February 29, 2016.

10. Innocenzi failed to submit the July 2016 and January 2017 written compliance reports required by paragraph 6.1.B. of the 2016 Settlement Agreement’s Disciplinary Order.

11. To date, the Board has not received any written compliance reports from Licensee.

12. Evidence was adduced, Probation Violation Hearing Exhibits A and C, and testimony offered that the Notice of Hearing and Complaint were delivered to Licensee at his address on file with the Board with no response from Licensee.

II.

CONCLUSIONS OF LAW

13. This Board has jurisdiction over this proceeding pursuant to § 324.042, RSMo, and pursuant to the terms of the 2016 Settlement Agreement.

14. Section 324.042, RSMo, provides:

Any board, commission, or committee within the division of professional registration may impose additional discipline when it finds after hearing that a licensee, registrant, or permittee has violated any disciplinary terms previously imposed or agreed to pursuant to settlement. The board, commission, or committee may impose as additional discipline any discipline it would be authorized to impose in an initial disciplinary hearing.

15. The 2016 Settlement Agreement, section II, Joint Agreed Disciplinary Order, provides in pertinent part:

\[\ldots\]

G. If Licensee fails to comply with the terms of this Settlement Agreement, in any respect, the Board may impose such additional or other
discipline that it deems appropriate, (including imposition of the revocation).

16. Licensee, by failing to submit proof of the completion of continuing education hours for the reporting period March 1, 2014 to February 29, 2016, timely provide written compliance reports to the Board, violated the 2016 Settlement Agreement, Joint Disciplinary Order, paragraphs 6.I.B. and D., and is subject to additional discipline under § 324.042, RSMo, and the 2016 Settlement Agreement.

17. Licensee, by failing to timely renew his license and keep it in a current and active state, violated the 2016 Settlement Agreement, Joint Disciplinary Order, paragraph 6.I.E. and is subject to additional discipline under § 324.042, RSMo, and the 2016 Settlement Agreement.

18. The Board has determined that this Order is necessary to ensure the protection of the public.

III.

ORDER

Having fully considered all the evidence before the Board, it is the ORDER of the Board that the podiatric medicine license of Anthony Innocenzi, license number 2007027375, is hereby REVOKED. The Board further ORDERS that Licensee shall not reapply for a Missouri podiatric license for THREE (3) YEARS. Licensee shall immediately return all indicia of licensure to the Board.

The Board will maintain this Order as an open and public record of the Board as provided in Chapters 330, 610 and 324, RSMo.
SO ORDERED, THIS 20th DAY OF JANUARY, 2018.

THIS ORDER SHALL BE EFFECTIVE ON THE 21st DAY OF

February, 2018.

MISSOURI STATE BOARD OF PODIATRY

Sandy Sebastian, Executive Director