



STATE OF IOWA

CHESTER J. CULVER
GOVERNOR
PATTY JUDGE
LT. GOVERNOR

IOWA BOARD OF MEDICINE
ANN E. MOWERY, Ph.D.
EXECUTIVE DIRECTOR

May 23, 2008

CERTIFIED MAIL

Michael Gorton, CEO
TelaDoc Medical Services
4100 Spring Valley Rd., Suite 600
Dallas, TX 75244

Re: File No. 01-06-007 **NOTICE TO CEASE AND DESIST**

Dear Mr. Gorton:

Recently, the Iowa Board of Medicine (Board) received information which indicates that physicians employed by TeleDoc Medical Services have engaged in the unlicensed practice of medicine in Iowa. The Board received information which indicates that TeleDoc Medical Services employs physicians who have provided medical services to individuals located in Iowa and the physicians are not licensed to practice medicine in Iowa. This letter is to formally advise you that you must **CEASE AND DESIST** from authorizing the unlicensed practice of medicine in Iowa, that the physicians employed by TeleDoc Medical Services must **CEASE AND DESIST** from practicing medicine in Iowa without an Iowa license and that you are responsible for advising all TeleDoc Medical Services physicians that the Board has so directed.

Iowa Code Section 148.1 (2007) provides that the following persons are deemed to be engaged in the practice of medicine:

1. Persons who publicly profess to be physicians or surgeons or who publicly profess to assume the duties incident to the practice of medicine or surgery.
2. Persons who prescribe, or prescribe and furnish medicine for human ailments or treat the same by surgery.
3. Persons who act as representatives of any person in doing any of the things mentioned in this section.

A person who is engaged in the practice of medicine in Iowa is required to obtain a license for that purpose. See Iowa Code Section 147.2. In the event a person engages in the practice of medicine

without a license issued by the Board, the office of the Iowa Attorney General is authorized to file a civil action against that person in a state district court to obtain a permanent injunction prohibiting that person from engaging in the unauthorized practice of medicine. See Iowa Code Sections 147.83 and 147.92. Furthermore, such unlicensed practice could subject an individual to criminal charges, as Section 147.103A(1) provides that a violation of Section 147.2 is a Class "D" felony.

You are hereby warned that you must **CEASE AND DESIST** from authorizing the unlicensed practice of medicine in Iowa and that all physicians employed by TeleDoc Medical Services must **CEASE AND DISIST** from practicing medicine in Iowa without an Iowa license. If the Board receives information that TeleDoc Medical Services has authorized the unlicensed practice of medicine or any physician employed by TeleDoc Medical Services has engaged in the unauthorized practice of medicine after the date you receive this letter, a civil injunction action may be filed by the office of the Iowa Attorney General, and/or the case may be referred to the county attorney for consideration of criminal prosecution.

I would strongly advise you to contact your attorney to seek advice regarding this matter.

Sincerely,



Yassin Lee, M.D., Chairperson
Iowa Board of Medicine
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686