



MARK BOWDEN
Executive Director

September 2, 2011

CERTIFIED MAIL

Mark Evans, Ph.D.
Dermatology Associates
1207 S. 13th Street
Omaha, NE 68108-3501

NOTICE TO CEASE AND DESIST

Dear Dr. Evans:

Recently, the Iowa Board of Medicine (Board) received information which indicates that you engaged in the unauthorized practice of medicine in Iowa and/or improperly held yourself out as a physician in Iowa, in violation of Iowa law. The information reviewed by the Board indicates that you performed permanent eyebrow tattooing on a female patient on January 18, 2010, at Attitudes Salon, 2547 2nd Avenue, Council Bluffs, Iowa, 51501. The information further indicates that you performed “touch-up” cosmetic tattooing on the patient at Attitudes Salon on January 20, 2010. A review of records from the Iowa Environmental Health Division indicates that you held an Iowa tattooing license, but the license expired on December 31, 2009, and you failed to renew the license. The Board also noted that the business card that you provided the Iowa patient, states that you are a “Certified Dermatologist”. Finally, the Board noted that advertising material pertaining to your permanent cosmetics practice could lead patients to believe that you are a trained dermatologist.

This letter is to formally advise you that you must **CEASE AND DESIST** from engaging in the unauthorized practice of medicine in Iowa and/or improperly holding yourself out a trained dermatologist in Iowa in violation of the laws and rules governing the practice of medicine in Iowa.

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

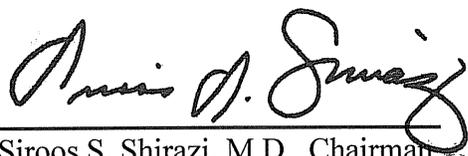
1. Persons who publicly profess to be physicians or surgeons or who publicly profess to assume the duties incident to the practice of medicine or surgery.
2. Persons who prescribe, or prescribe and furnish medicine for human ailments or treat the same by surgery.
3. Persons who act as representatives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

A person who is engaged in the practice of medicine 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 you 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 practicing medicine without an Iowa medical license and/or improperly holding yourself out a trained dermatologist in Iowa in violation of the laws and rules governing the practice of medicine in Iowa. If the Board receives information that you have engaged in the unauthorized practice of medicine after the date you receive this letter, a civil injunction action may be filed against you by the office of the Iowa Attorney General, and/or the case may be referred to the county attorney for criminal prosecution.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Siroos S. Shirazi". The signature is written in a cursive style and is positioned above a horizontal line.

Siroos S. Shirazi, M.D., Chairman
Iowa Board of Medicine
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686