

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No. 2025-052

\_\_\_\_\_  
In the Matter of )  
)  
)

STEVEN W. POWELL, M.D. )  
\_\_\_\_\_ )

**CONSENT ORDER**

Pursuant to G.L. c. 30A, § 10, Steven W. Powell, M.D. (“Respondent”) and the Board of Registration in Medicine (“Board”) (hereinafter referred to jointly as the “Parties”) agree that the Board may issue this Consent Order to resolve the above-captioned adjudicatory proceeding. The Parties further agree that this Consent Order will have all the force and effect of a Final Decision within the meaning of 801 CMR 1.01(11)(d). The Respondent admits to the findings of fact specified below and agrees that the Board may make the conclusions of law and impose the sanction set forth below in resolution of investigative Docket No. 23-366.

**Findings of Fact**

1. The Respondent graduated from the Mercer University School of Medicine in 2005. He was licensed to practice medicine in Massachusetts under certificate number 266779 from 2017 until 2023, when his license lapsed due to non-renewal. He is Board-certified in psychiatry and neurology.

2. The Respondent holds or held a license to practice in every state and the District of Columbia (DC).

3. On April 24, 2023, the Respondent pleaded guilty to one count of Health Care Fraud, in violation of 18 U.S.C. §§ 1347 and 2, in the United States District Court for the District Court of New Hampshire. A true and accurate copy of the Plea Agreement is attached hereto as **Exhibit A** and incorporated herein by reference.

- a. In pleading guilty, the Respondent admitted that the government could prove that, between December 2018 and February 2019, the Respondent (a) falsely stated that he determined, through his assessment of the Medicare beneficiary, that a particular course of treatment, including the prescription of durable medical equipment such as braces, was appropriate and medically necessary; (b) falsely attested that he was treating the Medicare beneficiary; (c) falsely attested that he had a valid prescriber-patient relationship with the Medicare beneficiary; and (d) concealed the fact that he never saw the beneficiaries face-to-face, and that he did not have any communication with most of the beneficiaries.
- b. The Respondent submitted more than \$1.9 million in false and fraudulent claims to Medicare for durable medical equipment that was ineligible for Medicare reimbursement; Medicare paid more than \$760,000 on these claims.

4. Since the Respondent's guilty plea, his medical licenses in the following states have been surrendered, relinquished, suspended, or revoked: Alabama, Alaska, Arizona, Colorado, DC, Georgia, Hawaii, Idaho, Illinois, Iowa, Kansas, Louisiana, Maine, Minnesota, Missouri, Montana, Nebraska, Nevada, New Jersey, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wyoming.

5. On December 7, 2023, the Kansas Board of Healing Arts revoked the Respondent's medical license for violating Kan. Stat. Ann. 65-2836(c) (conviction of a felony). A true and accurate copy of the Kansas Board Order is attached hereto as **Exhibit 2** and incorporated herein by reference.

6. On December 17, 2024, the Missouri Board of Registration for the Healing Arts revoked the Respondent's medical license for violating Rev. Stat. Mo. 334.100.2(2) (conviction of a crime) and Rev. Stat. Mo. 334.100.2(8) (final disciplinary action in another state). A true and accurate copy of the Missouri Board Order is attached hereto as **Exhibit 3** and incorporated herein by reference.

#### Conclusion of Law

- A. The Respondent has violated 243 CMR 1.03(5)(a)7 in that he has been convicted of a crime.
- B. The Respondent has violated 243 CMR 1.03(5)(b)12 in that he has been disciplined in another jurisdiction by the proper licensing authority for reasons substantially the same as those set forth in G.L. c. 112, § 5 or 243 CMR 1.03(5), specifically:
  - 1. The Respondent has violated 243 CMR 1.03(5)(a)7 in that he has been convicted of a crime.
- C. The Respondent lacks good moral character and has engaged in conduct that undermines the public confidence in the integrity of the medical profession. *See Levy v. Board of Registration in Medicine*, 378 Mass. 519 (1979); *Raymond v. Board of Registration in Medicine*, 387 Mass. 708 (1982).

### Sanction and Order

The Respondent's inchoate right to renew his medical license is hereby REVOKED. This sanction is imposed for each violation of law listed in the Conclusion of Law section and not a combination of any or all of them.

### Execution of this Consent Order

Complaint Counsel and the Respondent, agree that the approval of this Consent Order is left to the discretion of the Board. The signature of Complaint Counsel and the Respondent are expressly conditioned on the Board accepting this Consent Order. If the Board rejects this Consent Order in whole or in part, then the entire document shall be null and void; thereafter, neither of the parties nor anyone else may rely on these stipulations in this proceeding.

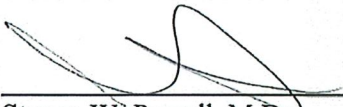
As to any matter in this Consent Order left to the discretion of the Board, neither the Respondent, nor anyone acting on his behalf, has received any promises or representations regarding the same.

The Respondent waives any right of appeal that he may have resulting from the Board's acceptance of this Consent Order.

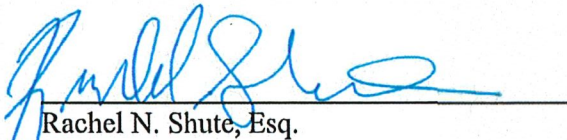
The Respondent shall provide a complete copy of this Consent Order with all exhibits and attachments within ten (10) days by certified mail, return receipt requested, or by hand delivery to the following designated entities: any in- or out-of-state hospital, nursing home, clinic, other licensed facility, or municipal, state, or federal facility at which the Respondent practices medicine; any in- or out-of-state health maintenance organization with whom the Respondent has privileges or any other kind of association; any state agency, in- or out-of-state, with which the Respondent has a provider contract; any in- or out-of-state medical employer, whether or not the Respondent practices medicine there; the state licensing boards of all states in

which the Respondent has any kind of license to practice medicine; the Drug Enforcement Administration Boston Diversion Group; and the Massachusetts Department of Public Health Drug Control Program. The Respondent shall also provide this notification to any such designated entities with which the Respondent becomes associated in the year following the date of imposition of this revocation. The Respondent is further directed to certify to the Board within ten (10) days that the Respondent has complied with this directive.

The Board expressly reserves the authority to independently notify, at any time, any of the entities designated above, or any other affected entity, of any action it has taken.


  
\_\_\_\_\_  
Steven W. Powell, M.D.  
Licensee

11/19/2025  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Rachel N. Shute, Esq.  
Complaint Counsel

11/26/2025  
\_\_\_\_\_  
Date

So ORDERED by the Board of Registration in Medicine this 4th day of December,  
2025.

  
\_\_\_\_\_  
Booker T. Bush, M.D.  
Board Chair



FILED - USDC -NH  
2023 APR 26 PM3:59

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

**UNITED STATES OF AMERICA**

V.

**STEVEN POWELL**

23-cr-36-PB-01

**PLEA AGREEMENT**

Pursuant to Rule 11(c)(1)(B) of the Federal Rules of Criminal Procedure, the United States of America by its attorney, Jane E. Young, United States Attorney for the District of New Hampshire, and the defendant, Steven Powell, and the defendant's attorneys, Michael Khouri, Esq., pro hac counsel, and Donald Kennedy, Esq., local counsel, enter into the following Plea Agreement:

### 1. The Plea and The Offense.

The defendant agrees to plead guilty to Count One of the Information, charging him with health care fraud, in violation of 18 U.S.C. § 1347.

In exchange for the defendant's guilty plea, the United States agrees to the sentencing stipulation(s) identified in Section 6 of this agreement.

## **2. The Statute and Elements of the Offense.**

**Title 18, United States Code, Section 1347 prohibits, in pertinent part:**

**Whoever knowingly and willfully executes, or attempts to execute, a scheme or artifice to defraud any health care benefit program.**

The defendant understands that the offense has the following elements, each of which the United States would be required to prove beyond a reasonable doubt at trial:

**First, a scheme, substantially as charged in the information, to defraud a health care**

benefit program, to wit, Medicare;

Second, the defendant's knowing and willful participation in this scheme with the intent to defraud; and

Third, that the scheme was in connection with the delivery of, or payment for, health care benefits, items, or services.

*Pattern Criminal Jury Instructions for the District Courts of the First Circuit*, § 4.18.1347

(2015), available at

<https://www.ca1.uscourts.gov/sites/ca1/files/citations/Pattern%20Jury%20Instructions.pdf>.

### 3. Offense Conduct.

The defendant stipulates and agrees that if this case proceeded to trial, the government would introduce evidence of the following facts, which would prove the elements of the offense beyond a reasonable doubt:

At all times relevant to the charged conduct, Steven Powell was a licensed medical doctor and enrolled Medicare provider and was required to abide by all Medicare rules and regulations and federal laws, including that he would not knowingly present or cause to be presented a false and fraudulent claim for payment by Medicare. Medicare was a federal health care program providing benefits to persons who were 65 years of age or older or disabled. Medicare is a "health care benefit program" of the United States as defined in 18 U.S.C. § 24. Furthermore, Medicare is a health care benefit program affecting interstate commerce.

Medicare programs covering different types of benefits were separated into different program "parts." "Part B" of Medicare covered, among other things, durable medical equipment ("DME"), including certain orthotic devices, such as knee, wrist, back, and shoulder braces

(collectively, "braces") that were medically necessary. Medicare prohibited the submission of claims that were procured through the payment of illegal kickbacks and bribes.

Company 1 was a Massachusetts company that operated as a purported telemedicine staffing company that did business throughout the United States. In or around October 2017, Powell became employed with Company 1.

Company 2 was a Florida company that operated as a purported telemedicine company that did business throughout the United States. In or around December 2018, through an introduction facilitated by employees of Company 1, Powell became employed with Company 2.

Powell accepted kickbacks from Company 1 in exchange for signing doctors' orders that were provided to him electronically via DocuSign, a service allowing individuals to electronically sign documents, from Company 2 for medically unnecessary DME, including knee, wrist, back, and shoulder braces. The doctors' orders consisted of pre-filled, unsigned prescriptions for DME. Ultimately, DME companies used the doctors' orders electronically signed by Powell to submit false claims to Medicare for DME that were (a) not medically necessary; and (b) not eligible for reimbursement from Medicare.

Powell signed the doctors' orders without a physical examination and without speaking to the patients for whom he was prescribing DME, and regardless of medical necessity. Company 1 paid Powell approximately \$15 per "consult" performed for Company 2, with the expectation that a "consult" would result in a signed doctors' order. A "consult" generally consisted of reviewing the patient information provided to him electronically via DocuSign from Company 2. Most of the time, Powell would electronically sign the doctors' orders without even reviewing the patient information.

The doctors' orders that Powell signed contained false statements, including that Powell determined, through his assessment of the Medicare beneficiary, that a particular course of treatment, including the prescription of braces, was appropriate and medically necessary, that he was treating the Medicare beneficiary, had a valid prescriber-physician relationship with the Medicare beneficiaries, when, in fact, Powell did not conduct any assessments of these Medicare beneficiaries, the braces lacked medical necessity, and he did not have a valid prescriber-physician relationship with the Medicare beneficiaries.

For example, on December 14, 2018, Powell received pre-filled, unsigned prescriptions via DocuSign from Company 2 for a left knee brace, left suspension sleeve, right shoulder brace and back brace for Medicare beneficiary J.K., a resident of Rhode Island. Without reviewing the orders, Powell electronically signed the orders, and they were transmitted electronically to Company 2. Powell was in the District of New Hampshire when he electronically signed the orders. Medicare data reflects that on December 28, 2018, Powell was the referring provider on Medicare claim number 118365725186001 for a left knee brace and suspension sleeve for J.K. Medicare was billed approximately \$1,173.27 in connection with that claim.

The doctors' orders that Powell electronically signed and returned to Company 2 were used to fraudulently bill Medicare at least \$1,908,702.65 for medically unnecessary DME. Medicare paid DME providers approximately \$761,202.75 in connection with those claims.

4. Penalties, Special Assessment and Restitution.

The defendant understands that the penalties for the offense are:

- A. A maximum prison term of 10 years per count [18 U.S.C. § 1347];
- B. A maximum fine of \$250,000 or twice the pecuniary gain [18 U.S.C. § 3571];

- C. A maximum term of supervised release of three years per count [18 U.S.C. § 3583(b)(2)]. The defendant understands that the defendant's failure to comply with any of the conditions of supervised release may result in revocation of supervised release, requiring the defendant to serve in prison all or part of the term of supervised release, with no credit for time already spent on supervised release; and
- D. A mandatory special assessment of \$100, at or before the time of sentencing [18 U.S.C. § 3013(a)(2)(A)].
- E. In addition to the other penalties provided by law, the Court may order the defendant to pay restitution to the victim(s) of the offense (18 U.S.C. § 3663 or § 3663A).

To facilitate the payment and collection of any restitution that may be ordered, the defendant agrees that, upon request, he will provide the United States with a financial disclosure statement and supporting financial documentation.

The defendant further agrees that, if restitution is ordered, it shall be due and payable immediately after the judgment is entered and is subject to immediate enforcement, in full, by the United States. If the Court imposes a schedule of payments, the defendant agrees that the schedule of payments is a schedule of the minimum payment due, and that the payment schedule does not prohibit or limit the methods by which the United States may immediately enforce the judgment in full, including, but not limited to, the Treasury Offset Program.

5. Sentencing and Application of the Sentencing Guidelines.

The defendant understands that the Sentencing Reform Act of 1984 applies in this case and that the Court is required to consider the United States Sentencing Guidelines as advisory guidelines. The defendant further understands that he has no right to withdraw from this Plea Agreement if the applicable advisory guideline range or his sentence is other than he anticipated.

The defendant also understands that the United States and the United States Probation Office shall:

- A. Advise the Court of any additional, relevant facts that are presently known or may subsequently come to their attention;
- B. Respond to questions from the Court;

- C. Correct any inaccuracies in the pre-sentence report;
- D. Respond to any statements made by him or his counsel to a probation officer or to the Court.

The defendant understands that the United States and the Probation Office may address the Court with respect to an appropriate sentence to be imposed in this case.

The defendant acknowledges that any estimate of the probable sentence or the probable sentencing range under the advisory Sentencing Guidelines that he may have received from any source is only a prediction and not a promise as to the actual sentencing range under the advisory Sentencing Guidelines that the Court will adopt.

6. Sentencing Stipulations and Agreements.

Pursuant to Fed. R. Crim. 11(c)(1)(B), the United States and the defendant stipulate and agree to the following:

- (a) The parties will recommend the following sentencing guideline applications:

Base Offense Level	6	2B1.1(a)(2)
Loss Amount more than \$1.5M less than \$3.5M	+16	2B1.1(b)(1)(I)
More than \$1M loss to Government health care program	+2	2B1.1(b)(7)(B)(i)
Abuse of Trust	+2	3B1.3

- (b) The parties agree that the loss amount under U.S.S.G. § 2B1.1 is \$1,908,702.65.
- (c) The United States will recommend that the defendant be sentenced to a term of 46 months' imprisonment, representing the low-end of the parties'

agreed upon guidelines range;

- (d) The parties have agreed that the defendant shall pay restitution in the amount of \$761,202.75, payable to the United States Department of Health and Human Services.

The defendant understands that the Court is not bound by the foregoing agreements and, with the aid of a pre-sentence report, the court will determine the facts relevant to sentencing. The defendant also understands that if the Court does not accept any or all of those agreements, such rejection by the Court will not be a basis for the defendant to withdraw his guilty plea.

The United States and the defendant are free to make recommendations with respect to the terms of imprisonment, fines, conditions of probation or supervised release, and any other penalties, requirements, and conditions of sentencing as each party may deem lawful and appropriate, unless such recommendations are inconsistent with the terms of this Plea Agreement.

**7. Acceptance of Responsibility.**

The United States agrees that it will not oppose an appropriate reduction in the defendant's adjusted offense level, under the advisory Sentencing Guidelines, based upon the defendant's apparent prompt recognition and affirmative acceptance of personal responsibility for the offense. The United States, however, may oppose any adjustment for acceptance of responsibility if the defendant:

- A. Fails to admit a complete factual basis for the plea at the time he is sentenced or at any other time;
- B. Challenges the United States' offer of proof at any time after the plea is entered;

- C. Denies involvement in the offense;
- D. Gives conflicting statements about that involvement or is untruthful with the Court, the United States or the Probation Office;
- E. Fails to give complete and accurate information about his financial status to the Probation Office;
- F. Obstructs or attempts to obstruct justice, prior to sentencing;
- G. Has engaged in conduct prior to signing this Plea Agreement which reasonably could be viewed as obstruction or an attempt to obstruct justice, and has failed to fully disclose such conduct to the United States prior to signing this Plea Agreement;
- H. Fails to appear in court as required;
- I. After signing this Plea Agreement, engages in additional criminal conduct;  
or
- J. Attempts to withdraw his guilty plea.

The defendant understands and agrees that he may not withdraw his guilty plea if, for any of the reasons listed above, the United States does not recommend that he receive a reduction in his sentence for acceptance of responsibility.

The defendant also understands and agrees that the Court is not required to reduce the offense level if it finds that he has not accepted responsibility.

If the defendant's offense level is sixteen or greater, and he has assisted the United States in the investigation or prosecution of his own misconduct by timely notifying the United States of his intention to enter a plea of guilty, thereby permitting the United States to avoid preparing for trial and permitting the United States and the Court to allocate their resources efficiently, the United States will move, at or before sentencing, to decrease the defendant's base offense level by an additional one level pursuant to U.S.S.G. § 3E1.1(b).

8. Waiver of Trial Rights and Consequences of Plea.

The defendant understands that he has the right to be represented by an attorney at every stage of the proceeding and, if necessary, one will be appointed to represent him. The defendant also understands that he has the right:

- A. To plead not guilty or to maintain that plea if it has already been made;
- B. To be tried by a jury and, at that trial, to the assistance of counsel;
- C. To confront and cross-examine witnesses;
- D. Not to be compelled to provide testimony that may incriminate him; and
- E. To compulsory process for the attendance of witnesses to testify in his defense.

The defendant understands and agrees that by pleading guilty he waives and gives up the foregoing rights and that upon the Court's acceptance of his guilty plea, he will not be entitled to a trial.

The defendant understands that if he pleads guilty, the Court may ask him questions about the offense, and if he answers those questions falsely under oath, on the record, and in the presence of counsel, his answers will be used against him in a prosecution for perjury or making false statements.

9. Acknowledgment of Guilt; Voluntariness of Plea.

The defendant understands and acknowledges that he:

- A. Is entering into this Plea Agreement and is pleading guilty freely and voluntarily because he is guilty;
- B. Is entering into this Plea Agreement without reliance upon any promise or benefit of any kind except as set forth in this Plea Agreement or revealed to the Court;
- C. Is entering into this Plea Agreement without threats, force, intimidation, or coercion;

- D. Understands the nature of the offense to which he is pleading guilty, including the penalties provided by law; and
- E. Is completely satisfied with the representation and advice received from his undersigned attorney.

10. Scope of Agreement.

The defendant acknowledges and understands that this Plea Agreement binds only the undersigned parties and cannot bind any other non-party federal, state or local authority. The defendant also acknowledges that no representations have been made to him about any civil or administrative consequences that may result from his guilty plea. The defendant understands such matters are solely within the discretion of the specific non-party government agency involved. The defendant further acknowledges that this Plea Agreement has been reached without regard to any civil tax matters that may be pending or which may arise involving the defendant.

11. Collateral Consequences.

The defendant understands that as a consequence of his guilty plea he will be adjudicated guilty and may thereby be deprived of certain federal benefits and certain rights, such as the right to vote, to hold public office, to serve on a jury, or to possess firearms.

The defendant understands that, if he is not a citizen of the United States, his guilty plea to the charged offense will likely result in him being subject to immigration proceedings and removed from the United States by making him deportable, excludable, or inadmissible. The defendant also understands that if he is a naturalized citizen, his guilty plea may result in ending his naturalization, which would likely subject him to immigration proceedings and possible removal from the United States. The defendant understands that the immigration consequences

of this plea will be imposed in a separate proceeding before the immigration authorities. The defendant wants and agrees to plead guilty to the charged offense regardless of any immigration consequences of this plea, even if this plea will cause his removal from the United States. The defendant understands that he is bound by his guilty plea regardless of any immigration consequences of the plea. Accordingly, the defendant waives any and all challenges to his guilty plea and to his sentence based on any immigration consequences and agrees not to seek to withdraw his guilty plea, or to file a direct appeal or any kind of collateral attack challenging his guilty plea, conviction, or sentence, based on any immigration consequences of his guilty plea.

The defendant understands and acknowledges that as a result of this plea, the defendant will be excluded from Medicare, Medicaid, and all Federal health care programs. The defendant agrees to complete and execute all necessary documents provided by any department or agency of the federal government, including but not limited to the United States Department of Health and Human Services, to effectuate this exclusion within 60 days of receiving the documents. This exclusion will not affect the defendant's right to apply for and receive benefits as a beneficiary under any Federal health care program, including Medicare and Medicaid.

12. Satisfaction of Federal Criminal Liability: Breach.

The defendant's guilty plea, if accepted by the Court, will satisfy his federal criminal liability in the District of New Hampshire arising from his participation in the conduct that forms the basis of the indictment in this case.

The defendant understands and agrees that, if after entering this Agreement, he fails specifically to perform or fulfill completely each one of his obligations under this Agreement, fails to appear for sentencing, or engages in any criminal activity prior to sentencing, he will

have breached this Agreement.

If the United States, in its sole discretion, and acting in good faith, determines that the defendant committed or attempted to commit any further crimes, failed to appear for sentencing, or has otherwise violated any provision of this Agreement, the United States will be released from its obligations under this Agreement, including, but not limited to, any agreement it made to dismiss charges, forbear prosecution of other crimes, or recommend a specific sentence or a sentence within a specified range. The defendant also understands that he may not use his breach of this Agreement as a reason to withdraw his guilty plea or as a basis to be released from his guilty plea.

13. Waivers.

A. Appeal.

The defendant understands that he has the right to challenge his guilty plea and/or sentence on direct appeal. By entering into this Plea Agreement the defendant knowingly and voluntarily waives his right to challenge on direct appeal:

1. His guilty plea and any other aspect of his conviction, including, but not limited to, adverse rulings on pretrial suppression motion(s) or any other adverse disposition of pretrial motions or issues, or claims challenging the constitutionality of the statute of conviction; and
2. The sentence imposed by the Court if it is within, or lower than, the guideline range determined by the Court..

The defendant's waiver of his rights does not operate to waive an appeal based upon new legal principles enunciated in Supreme Court or First Circuit case law after the date of this Plea Agreement that have retroactive effect; or on the ground of ineffective assistance of counsel.

B. Collateral Review.

The defendant understands that he may have the right to challenge his guilty plea and/or sentence on collateral review, e.g., a motion pursuant to 28 U.S.C. §§ 2241 or 2255. By entering into this Plea Agreement, the defendant knowingly and voluntarily waives his right to collaterally challenge:

1. His guilty plea, except as provided below, and any other aspect of his conviction, including, but not limited to, adverse rulings on pretrial suppression motion(s) or any other adverse disposition of pretrial motions or issues, or claims challenging the constitutionality of the statute of conviction; and
2. The sentence imposed by the Court if it is within, or lower than, the guideline range determined by the Court..

The defendant's waiver of his right to collateral review does not operate to waive a collateral challenge to his guilty plea on the ground that it was involuntary or unknowing, or on the ground of ineffective assistance of counsel. The defendant's waiver of his right to collateral review also does not operate to waive a collateral challenge based on new legal principles enunciated by in Supreme Court or First Circuit case law decided after the date of this Plea Agreement that have retroactive effect.

C. Freedom of Information and Privacy Acts.

The defendant hereby waives all rights, whether asserted directly or through a representative, to request or receive from any department or agency of the United States any records pertaining to the investigation or prosecution of the case(s) underlying this Plea Agreement, including without limitation any records that may be sought under the Freedom of Information Act, 5 U.S.C. §552, or the Privacy Act of 1974, 5 U.S.C. §522a.

D. Appeal by the Government.

Nothing in this Plea Agreement shall operate to waive the rights or obligations of the

Government pursuant 18 U.S.C. § 3742(b) to pursue an appeal as authorized by law.

14. No Other Promises.

The defendant acknowledges that no other promises, agreements, or conditions have been entered into other than those set forth in this Plea Agreement or revealed to the Court, and none will be entered into unless set forth in writing, signed by all parties, and submitted to the Court.

15. Final Binding Agreement.


None of the terms of this Plea Agreement shall be binding on the United States until this Plea Agreement is signed by the defendant and the defendant's attorney and until it is signed by the United States Attorney for the District of New Hampshire, or an Assistant United States Attorney.

16. Agreement Provisions Not Severable.

The United States and the defendant understand and agree that if any provision of this Plea Agreement is deemed invalid or unenforceable, then the entire Plea Agreement is null and void and no part of it may be enforced.

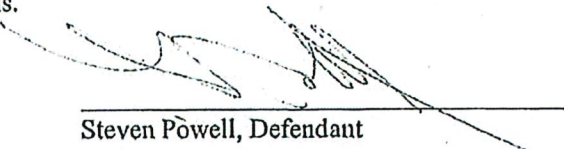
JANE E. YOUNG  
United States Attorney

Date: 4/24/2023

By:   
John Kennedy  
NH Bar No. 19557  
Assistant United States Attorney  
53 Pleasant St., 4th Floor  
Concord, NH 03301  
John.kennedy@usdoj.gov

The defendant, Steven Powell, certifies that he has read this 15-page Plea Agreement and that he fully understands and accepts its terms.

Date: 4/22/2023

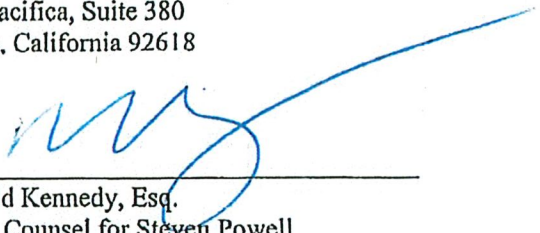
  
Steven Powell, Defendant

I have read and explained this 15-page Plea Agreement to the defendant, and he has advised me that he understands and accepts its terms.

Date: April 22, 2023

Michael Khouri  
Michael Khouri, Esq.  
Pro Hac Counsel for Steven Powell  
Khouri Law Firm APC  
101 Pacifica, Suite 380  
Irvine, California 92618

Date: 4/24/2023

  
Donald Kennedy, Esq.  
Local Counsel for Steven Powell  
Law Office of Donald Kennedy  
908 Hanover Street #1  
Manchester, NH 03104



**EFFECTIVE AS A FINAL ORDER**

FILED

DATE: 12/07/2023

NOV 13 2023

**BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS**

KS State Board of Healing Arts

In the Matter of

Steven W. Powell, M.D.  
Kansas License No. 04-42782

)  
) KSBHA Docket No. 24-HA 00018  
)  
)

**SUMMARY ORDER**

NOW ON THIS 13<sup>th</sup> day of November, 2023, this matter comes before Susan Gile, Executive Director, Kansas State Board of Healing Arts ("Board"), in summary proceedings under K.S.A. 77-537.

Under K.S.A 77-537 and K.S.A. 77-542, this Summary Order shall become effective as a Final Order, without further notice, if no written request for a hearing is made within 15 days of service. Upon review of the agency record and being duly advised in the premises, the following findings of fact, conclusions of law, and order are made for and on behalf of the Board:

**Findings of Fact**

1. Steven W. Powell, M.D. ("Licensee") is or has been entitled to be engaged in the practice of medicine and surgery in Kansas, having been granted an Active license on December 5, 2019. Licensee's current license designation is Cancelled – Failure to Renew, having let his license lapse on or about July 31, 2023.

2. Licensee's last mailing address known to the Board is: **CONFIDENTIAL**

**CONFIDENTIAL**

. Licensee's last email address known to the Board is

**CONFIDENTIAL**

Steven W. Powell, M.D.  
License No. 04-42782  
Summary Order

3. On April 26, 2023, an Information was filed in the United States District Court – District of New Hampshire charging Licensee with one felony count of Health Care Fraud in violation of 18 U.S.C. § 1347, in connection with a scheme in which Licensee was paid to approve false claims to Medicare for durable medical equipment. Per the Information, Medicare paid more than \$760,000 on these false claims. (Bd. Ex. 1 -- Information).

4. On April 26, 2023, Licensee, via a Plea Agreement, entered a plea of guilty to one count of Health Care Fraud in violation of 18 U.S.C. § 1347, which is a felony. In the plea agreement, Licensee agreed and stipulated that, if the matter had proceeded to trial, the United States government had sufficient evidence to prove its case against him beyond a reasonable doubt. (Bd. Ex. 2 – Plea Agreement).

5. On May 24, 2023, the trial court accepted Licensee's guilty plea to one count of felony Health Care Fraud. (Bd. Ex. 3 – Docket – Minute Entry, p. 2).

#### **Applicable Law**

6. Under K.S.A. 65-2836(c) of the Kansas Healing Arts Act (K.S.A.65-2801, *et seq.*):

“The board shall revoke a licensee's license following conviction of a felony or substantially similar offense in another jurisdiction . . . unless a 2/3 majority of the board members present and voting determine by clear and convincing evidence that such licensee will not pose a threat to the public in such person's capacity as a licensee and that such person has been sufficiently rehabilitated to warrant the public trust.” [emphasis added]

7. Under K.S.A. 65-2836 of the Kansas Healing Arts Act:

“A licensee's license may be revoked, suspended or limited, or the licensee may be publicly censured or placed under probationary conditions . . . upon a finding of the existence of any of the following grounds:

\* \* \*

(aa) The licensee has knowingly submitted any misleading, deceptive, untrue or fraudulent representation on a claim form, bill or statement.”

#### **Conclusions of Law**

8. The Board has jurisdiction over Licensee as well as the subject matter of this proceeding, and such proceeding is held in the public interest.

9. The Board finds Licensee violated K.S.A. 65-2836(c) of the Kansas Healing Arts Act, in that Licensee has been convicted of a felony in another jurisdiction.

10. The Board further finds under K.S.A. 65-2836(c), no sufficient evidence has been presented to establish both: (a) Licensee will not pose a threat to the public in such person's capacity as a licensee; and (b) Licensee has been sufficiently rehabilitated to warrant the public trust.

11. The Board finds Licensee violated K.S.A. 65-2836(aa) of the Kansas Healing Arts Act, in that Licensee knowingly submitted any misleading, deceptive, untrue or fraudulent representation on a claim form, bill or statement.

12. Based on the facts and circumstances set forth herein, the use of summary proceedings in this matter is appropriate, in accordance with the provisions set forth in K.S.A. 77-537(a), in that the use of summary proceedings does not violate any provision of law and the protection of the public interest does not require the Board to give notice and opportunity to participate to non-parties.

---

Steven W. Powell, M.D.  
License No. 04-42782  
Summary Order

**IT IS HEREBY ORDERED** that Licensee's license to practice medicine and surgery in Kansas is **REVOKED** from the date this Order becomes effective as a Final Order.

**PLEASE TAKE NOTICE** that upon becoming effective as a Final Order, this document shall be deemed a public record and be reported to any reporting entities authorized to receive such disclosure.

Dated this 13<sup>th</sup> day of November, 2023.

**KANSAS STATE BOARD  
OF HEALING ARTS**

*Susan Gile*

Susan Gile  
Executive Director

---

Steven W. Powell, M.D.  
License No. 04-42782  
Summary Order

**FINAL ORDER NOTICE OF RIGHTS**

PLEASE TAKE NOTICE that this is a Final Order. A Final Order is effective upon service. A party to an agency proceeding may seek judicial review of a Final Order by filing a petition in the District Court as authorized by K.S.A. 77-601, *et seq.* Reconsideration of a Final Order is not a prerequisite to judicial review. A petition for judicial review is not timely unless filed within 30 days following service of the Final Order. A copy of any petition for judicial review must be served upon Susan Gile, Executive Director, Kansas Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I served a true and correct copy of the above and foregoing **FINAL ORDER** by depositing the same in the United States Mail, postage prepaid, on this 7<sup>th</sup> day of December 2023, addressed and emailed to:

Steven W. Powell, M.D.  
**CONFIDENTIAL**

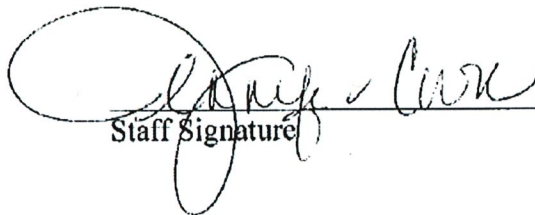
And a copy was hand-delivered to:

Matthew Gaus, Deputy Litigation Counsel  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612

Licensing Administrator  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612

Office of the General Counsel  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612

And the original was filed with the office of the Executive Director.

  
Staff Signature



# ALI

[illegible][illegible]

*Journal of Management Inquiry* 16(4)

1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 26

)  
)  
)  
)  
)  
)  
)  
)  
)

S OF  
DEF

arts (ter  
24,  
of de  
ectio

tute  
e he  
n Gr  
n this

### Results

### Component

### Effect of

Con

ised

the statutes and regulations referenced therein. The following exhibits were offered by Petitioner and admitted into evidence: Exhibit 1, Notice of Intent to Use Affidavit, with the Affidavit of Kayci Hollingsworth establishing Respondent's license information and address; Exhibit 2, Notice of Intent to Use Certified Records, with the certified records from the United States District Court of New Hampshire in case 23-cr-36-PB-01; Exhibit 3, certified records from the Utah Department of Commerce Division of Professional Licensing, with order revoking the Respondent's medical license; Exhibit 4, certified records from the Kansas State Board of Healing Arts, with order revoking Respondent's medical license; Exhibit 5, fifty-two (52) pages of orders from other states' medical boards disciplining Respondent's medical licenses; Exhibit 6, Notice of Intent to Use Business Records Pursuant to Affidavit, with affidavit from Kayci Hollingsworth with one-hundred eighty-six (186) pages of business records from the Missouri State Board of Registration for the Healing Arts, including a return of service showing service upon the Respondent with the complaint, exhibits, and notice of this hearing.

In reaching the decision stated in this Order, each member of the Board present at the hearing read and considered the Complaint, and the attachments thereto, filed with the Board on September 26, 2024. The Complaint alleged the Respondent entered a guilty plea in federal court to a felony criminal charge of health care fraud, which is a crime involving fraud, dishonesty, and moral turpitude, and is reasonably related to the duties and responsibilities of a physician and surgeon. The Complaint alleged that based on the plea of guilty to health care fraud, multiple states took disciplinary action against the Respondent's license, including two states revoking the Respondent's license. The Complaint alleged that the Respondent license is subject to automatic revocation because of the plea of guilty to the felony criminal charge and the revocation of the Respondent's medical license by other states' licensing authority.

Being fully advised, the Board now enters its findings of fact, conclusions of law and disciplinary order as set forth below.

## FINDINGS OF FACT

1. The Board is an agency of the State of Missouri; created and established pursuant to section 334.120, RSMo for the purpose of executing and enforcing the provisions of Chapter 334, RSMo.
2. Respondent is licensed by the Board as a Physician and Surgeon, License Number 2020010885, which was first issued on April 14, 2020. Respondent's license lapsed on January 31, 2024.
3. On or about April 26, 2023, Respondent entered a guilty plea in the United States District Court – District of New Hampshire, Case No. 1:23-cr-00036-PB to one count of health care fraud in violation of 18 U.S.C. § 1347.
4. The guilty plea was based on incidents that occurred beginning on or about December 2018, and continuing through on or about February 2019, wherein Respondent, and another, accepted illicit payments in exchange for electronically signing orders for durable medical equipment, including knee, wrist, back, and shoulder braces that were not medically necessary and not legitimately prescribed resulting in more than \$1.9 million in false and fraudulent claims. As a result of these false and fraudulent claims, Medicare paid more than \$760,000.
5. The Respondent received pre-filled, unsigned prescriptions for a patient, a Medicare beneficiary, via DocuSign from a company for a left knee brace, left suspension sleeve, right shoulder brace and back brace. Without reviewing the orders, Respondent electronically signed the orders, and the orders were returned and transmitted electronically to the company. Data from Medicare reflects that the Respondent was the referring provider on said Medicare claim for a left knee brace and suspension sleeve for the patient, and that Medicare was billed approximately \$1,173.27 in connection with the claim.
6. On December 18, 2023, the Utah Division of Professional Licensing of the Department of Commerce entered a Default Order ("Utah Revocation Order") against the Respondent, which revoked the Respondent's Utah physician license and issued a fine of \$1,000. The factual and legal basis for the Utah Revocation Order was the Respondent's plea of guilty to the felony, federal criminal charge of health care fraud.

7. On November 13, 2023, the Kansas State Board of Healing Arts entered a Summary Order, a Final Order ("Kansas Revocation Order"), against the Respondent, which ordered the Respondent's Kansas medical license to be revoked. The factual and legal basis for the Kansas Revocation Order was the Respondent's plea of guilty to the felony, federal criminal charge of health care fraud.
8. The documents submitted as Exhibit 5, establish that the Respondent was publicly disciplined by the Arizona Medical Board, Louisiana State Board of Medical Examiners, West Virginia Board of Medicine, Commonwealth of Virginia Department of Health Professions, Illinois Department of Financial and Professional Regulation, Alabama State Board of Medical Examiners, Wyoming Board of Medicine, South Carolina Department of Labor, Licensing, and Regulations, Colorado Medical Board, Rhode Island Board of Medical Licensure and Discipline, and the Minnesota Board of Medical Practice.
9. The Board finds that the offense of health care fraud, and the facts thereunder, to which the Respondent entered a plea of guilty involves the qualifications, functions, or duties of any profession licensed or regulated under this chapter, and is an offense involving fraud, dishonesty, or an act of violence.
10. The Kansas Revocation Order and Utah Revocation Order constitute final and unconditional discipline of Respondent's license to practice his profession in another state upon grounds for which revocation is authorized in Missouri.
11. The above referenced disciplinary actions qualify as final disciplinary action taken against Respondent's license by another licensing authority.
12. The above constitutes cause to initiate a hearing and discipline Respondent's license pursuant to sections 334.102.7(1)(a), 334.102.7(1)(b), 334.103.1, 334.100.2(2), and 334.100.2(8), RSMo.
13. The Board finds a Complaint was filed in this matter on September 26, 2024, and that the Complaint and the Notice of Institution of Disciplinary Case / Notice of Hearing was properly mailed to the Respondent on October 3, 2024, for the October 24, 2024, hearing, as required by sections 536.063 and 536.067, RSMo.

14. The Board finds the Respondent has submitted no response and has stated no defense to the allegations stated in the Complaint pending before the Board. The Board finds no evidence has been offered constituting good cause for Respondent's failure to respond.
15. The Board finds that the Respondent was properly served notice of this hearing and has not appeared at this hearing.
16. The Board finds a default decision, pursuant to sections 324.045 and 536.067 RSMo., is required in this matter because a contested case was correctly commenced, pursuant to section 536.063 RSMo., with the filing of the Complaint, a properly pleaded writing before the Board; notices were provided to Respondent pursuant to sections 536.067 and 536.070, RSMo; and Respondent failed to plead or otherwise respond to the allegations set forth in the Complaint.
17. The Board finds the discipline imposed herein is necessary to protect the public.

#### CONCLUSIONS OF LAW

18. The Board has jurisdiction to conduct a disciplinary hearing against Respondent pursuant to section 334.102.7(1), RSMo, which states:

334.102.7(1) The board may initiate a hearing before the board for discipline of any licensee's license or certificate upon receipt of one of the following:

(a) Certified court records of a finding of guilt or plea of guilty or nolo contendere in a criminal prosecution under the laws of any state or of the United States for any offense involving the qualifications, functions, or duties of any profession licensed or regulated under this chapter, for any offense involving fraud, dishonesty, or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed

\*\*\*\*\*

(b) Evidence of final disciplinary action against the licensee's license, certification or registration issued by any other state, by any other agency or entity of this state or any other state or the United States or its territories, or any other country;

\*\*\*\*\*

(2) The board shall provide the licensee not less than ten days notice of any hearing held pursuant to chapter 536.

\*\*\*\*\*

(3) Upon a finding that cause exists to discipline a licensee's license the board may impose any discipline otherwise available when disciplining licensees of that same profession.

\*\*\*\*\*

19. The Board has cause to discipline the Respondent's license pursuant to section 334.100 RSMo., which states:

334.100.2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 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:

\*\*\*\*\*

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to this chapter, for any offense involving fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

\*\*\*\*\*

(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. Based on the above-referenced guilty plea entered by the Respondent in the United States District Court, District of New Hampshire and the Disciplinary Action taken by other State Medical Boards, the Board must revoke Respondent's physician and surgeon license pursuant to section 334.103.1, RSMo. which states:

334.103.1 A license issued under this chapter by the Missouri State Board of Registration for the Healing Arts shall be automatically revoked at such time as the final trial proceedings are concluded whereby a licensee has been adjudicated and found guilty, or has entered a plea of guilty or nolo contendere, in a felony criminal prosecution under the laws of the state of Missouri, the laws of any other state, or the laws of the United States of America for any offense reasonably related to the qualifications, functions or duties of their profession, or for any felony offense involving fraud, dishonesty or an act of violence, or for any felony offense involving moral turpitude, whether or not sentence is imposed, or, upon the final and unconditional revocation of the license to practice their profession in another state or territory upon grounds for which revocation is authorized in this state following a review of the record of the proceedings and upon a formal motion of the state board of registration for the healing arts. The license of any such licensee shall be

automatically reinstated if the conviction or the revocation is ultimately set aside upon final appeal in any court of competent jurisdiction.

21. Respondent's failure to plead or otherwise defend against the Complaint filed in this matter requires the Board to issue a default order without further proceedings, pursuant to sections 324.045 and 536.067, RSMo:

324.045.1 Notwithstanding any provision of chapter 536, in any proceeding initiated by the division of professional registration or any board, committee, commission, or office within the division of professional registration to determine the appropriate level of discipline or additional discipline, if any, against a licensee of the board, committee, commission, or office within the division, if the licensee against whom the proceeding has been initiated upon a properly pled writing filed to initiate the contested case and upon proper notice fails to plead or otherwise defend against the proceeding, the board, commission, committee, or office within the division shall enter a default decision against the licensee without further proceedings. The terms of the default decision shall not exceed the terms of discipline authorized by law for the division, board, commission, or committee. The division, office, board, commission, or committee shall provide the licensee notice of the default decision in writing.

\*\*\*\*\*

536.067(5) When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under this section upon a properly pled writing filed to initiate the contested case under this chapter, a default decision shall be entered against the holder of a license, registration, permit, or certificate of authority without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.

\*\*\*\*\*

22. In its deliberations regarding the period of time that the Respondent may not apply for reinstatement, the Board considered section 334.100.5 RSMo., which states:

334.100.5 In any order of revocation, the board may provide that the person may not apply for reinstatement of the person's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll this time period.

## ORDER OF REVOCATION

23. Upon the foregoing findings of fact and conclusions of law, it is the ORDER of the Missouri State Board of Registration for the Healing Arts that the physician and surgeon license issued to Respondent, Steven W. Powell, M.D., license number 2020010885, is hereby **REVOKED**.
24. Respondent shall not apply for reinstatement of his license for a period of **seven (7) years** from the effective date of this Order of Revocation.
25. Respondent shall immediately cease practicing in the state of Missouri; and within fifteen (15) days of the effective date of this Order; the Respondent shall return the issued pocket card and license to the Board.
26. If Respondent is licensed in other jurisdictions, he shall forward written notice of this disciplinary action to the licensing authorities of those jurisdictions within thirty (30) days of the effective date of this Order. Respondent shall submit a copy of the written notice to the Board contemporaneously with sending it to the relevant licensing authority. If Respondent is not licensed in other jurisdictions, the Respondent shall notify the Board of that fact, in writing, within thirty (30) days of the date of this Order.
27. Respondent shall, within thirty (30) days of the effective date of this Order, forward written notice of this disciplinary action to all employers, hospitals, nursing homes, out-patient centers, clinics and any other facility where Respondent practices or has privileges. Respondent 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. If Respondent does not have an employer, staff privileges or practice at any facility, the Respondent shall notify the Board of that fact, in writing, within thirty (30) days of the date of this Order.
28. Respondent shall, within thirty (30) days of the effective date of this Order, forward written notice of this disciplinary action to any allied health care professionals that Respondent supervises. Respondent 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. If Respondent does not supervise any allied health professionals, the Respondent shall notify the Board of that fact, in

writing, within thirty (30) days of the date of this Order.

29. For purposes of this Order and unless otherwise specified herein, all reports, documentation, evaluations, notices or other materials that Respondent is required to submit to the Board shall be forwarded to the Missouri State Board of Registration for the Healing Arts, Attention: Enforcement, P.O. Box 4, Jefferson City, Missouri 65102.
30. Respondent is advised that compliance with the terms of this Order and the discharge of the professional obligation to transfer of all patients' care and records to other providers will be assessed by the Board for compliance with section 324.042, RSMo.
31. This document shall be maintained by the Board as an open and public record as provided in Chapters 324, 334 and 610, RSMo, and the Board will report this action to the National Practitioner Data Bank and the Federation of State Medical Boards.

SO ORDERED, EFFECTIVE THIS 17<sup>TH</sup> DAY OF December, 2024.

  
James Leggett, Executive Director  
Missouri State Board of Registration for the Healing Arts

On December 4, 2025 in accordance with the Board's authority and statutory mandate, the Board voted to approve the Consent Order revoking Dr. Steven Powell's inchoate right to renew his license to practice medicine. Said sanction is imposed on Dr. Powell's license under certificate number 266779.

**Board Members Voting Affirmatively**

- Booker T. Bush, M.D., Physician Member, Chair
- Frank O'Donnell, Esq., Public Member, Vice Chair
- Sandeep Singh Jubbal, M.D., Physician Member, Secretary
- Yvonne Y. Cheung, MD, MPH, MBA, Physician Member
- Aviva Lee-Parritz, M.D., Physician Member

**Board Members Voting to Oppose:** None

**Board Members Recused:** None

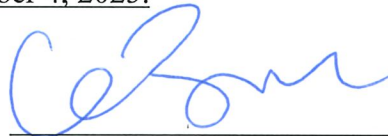
**Board Members Absent:**

- Jason Qu, M.D., Physician Member

**EFFECTIVE DATE OF ORDER**

The Consent Order is effective as of December 4, 2025.

Date Issued: December 4, 2025



George Zachos, Executive Director  
Board of Registration in Medicine