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Constance K. Robinson,

Director of Operations Antitrust Division.

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Drug Enforcement Administration

[Docket No. 94-58]

Lawson A. Akpulonu, M.D.; Revocation of Registration

On May 16, 1994, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Lawson A. Akpulonu, M.D. (Respondent), who currently holds DEA Certificates of Registration in Los Angeles, Culver City, South Gate and El Monte, California, proposing to revoke his DEA Certificates of Registration, AA9426481, BA3296286, BA3386679 and BA3295931, as a practitioner, pursuant to 21 U.S.C. 824(a)(5). Specifically the Order to Show Cause alleged: between January 1981 and December 1990, Respondent submitted false Medicaid claims to the California Medical Assistance Program and, as a result, Respondent obtained over \$15,000 to which he was not entitled; in March 1991, Respondent pled guilty to and was convicted of one count of Section 14107 of the California Welfare and Institution Code, presenting a false Medicaid claim, in the Municipal Court of Los Angeles Judicial District Court and as a result of such conviction, Respondent paid a \$5,000 fine and was placed on probation; and effective October 15, 1992, the Office of Inspector General, United States Department of Health and Human Services, excluded Respondent from participating in the Medicare program and in any State health care program pursuant to 42 U.S.C. 1320a-7(a), for a period of five years.

The Order to Show Cause was sent to Respondent by registered mail and Respondent submitted a timely request for a hearing. Pursuant to an order of the administrative law judge, the Government filed its prehearing statement. Although Respondent requested and was granted an extension of time in which to file his prehearing statement, he failed to file a prehearing statement or a second motion to extend the time to file his prehearing statement. Consequently, on October 20, 1994, the administrative law judge terminated the proceedings.

Pursuant to 21 CFR 1301.54(d) and 1301.54(e), Respondent is deemed to

have waived his opportunity for a hearing. Accordingly, the Deputy Administrator now enters his final order in this matter without a hearing and based upon the investigative file. 21 CFR 1301.57.

The investigative file reveals that the Division of Medical Quality, Medical Board of California, Department of Consumer Affairs, State of California (Medical Board) suspended Respondent's medical license and his privilege to handle controlled substances, effective April 14, 1995. Although the Medical Board had a pending accusation against Respondent based upon allegations which included those set forth in the Order to Show Cause, the recent suspension was based upon new allegations that Respondent had committed sexual battery against female patients while these patients were under sedation.

Since Respondent is not authorized to prescribe, dispense, administer or otherwise handle controlled substances in the State of California, the Deputy Administrator concludes that DEA does not have the statutory authority under the Controlled Substances Act to continue or renew the registrations if the registrant is without state authority to handle controlled substances. 21 U.S.C. 802(21) and 823(f). The DEA has consistently so held. See Roman Pla, M.D., Docket No. 86-54, 51 FR 41168 (1986); George S. Heath, M.D., Docket No. 86-24, 51 FR 26610 (1986); Dale D. Shahan, D.D.S., Docket No. 85-57, 51 FR 23481 (1986); and cases cited therein.

Since this suspension is extant, it is not necessary to make findings pertaining to the allegations in the Order to Show Cause. Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824 and 28 CFR 0.100(b) and 0.104, hereby orders that DEA Certificates of Registration, AA9426481, BA3296286, BA3386679 and BA3295931, previously issued to Lawson A. Akpulonu, M.D., be, and they hereby are, revoked, and any pending applications for the renewal of such registrations be, and they hereby are, denied. This order is effective July 28, 1995.

Dated: June 21, 1995.

Stephen H. Greene,

Deputy Administrator.

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[Docket No. 93-74]

Richard C. Matzkin, M.D., Grant of Continued Registration; Correction

In notice document 95-14369 appearing on page 31166 in the issue of Tuesday, June 13, 1995, make the following correction:

On page 31167, in the third column, last paragraph, in the eleventh line "AM2432631" should read "AM2532631".

Dated: June 21, 1995.

Stephen H. Greene,

Deputy Administrator.

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DEPARTMENT OF LABOR

Glass Ceiling Commission; Open Meeting

SUMMARY: Pursuant to Title II of the Civil Rights Act of 1991 (Pub. L. 102-166) and Section 9 of the Federal Advisory Committee Act (FACA) (Pub. L. 92-462, 5 U.S.C. App. II) a Notice of establishment of the Glass Ceiling Commission was published in the **Federal Register** on March 30, 1992 (57 FR 10776). Pursuant to section 10(a) of FACA, this is to announce a meeting of the Commission which is to take place on Friday, July 21, 1995 and Saturday, July 22, 1995. The purpose of the Commission is to, among other things, focus greater attention on the importance of eliminating artificial barriers to the advancement of minorities and women to management and decisionmaking positions in business. The Commission has the practical task of: (a) Conducting basic research into practices, policies, and manner in which management and decisionmaking positions in business are filled; (b) conducting comparative research of businesses and industries in which minorities and women are promoted or are not promoted; and (c) recommending measures to enhance opportunities for and the elimination of artificial barriers to the advancement of minorities and women to management and decisionmaking positions.

TIME AND PLACE: The meeting will be held on Friday, July 21, 1995 in Room S2508 at the Department of Labor, 200 Constitution Avenue, NW Washington, DC 20210 beginning at 4 pm and continuing until approximately 10 pm (EDT) and again on Saturday, July 22, 1995 beginning at 8 am and continuing until resolution of the outstanding issues and concluding no later than 10 pm (EDT).