

Medical Examiners Online Verification, <https://online.lasbme.org/#/verifylicense> (last visited March 13, 2020).

Accordingly, I find that Respondent currently is not licensed to engage in the practice of medicine and, therefore, cannot dispense controlled substances in Louisiana, the state in which Respondent is registered with the DEA (as discussed more fully below).

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to suspend or revoke a registration issued under section 823 of the Controlled Substances Act (hereinafter, CSA), “upon a finding that the registrant . . . has had his State license or registration suspended . . . [or] revoked . . . by competent State authority and is no longer authorized by State law to engage in the . . . dispensing of controlled substances.” With respect to a practitioner, the DEA has also long held that the possession of authority to dispense controlled substances under the laws of the state in which a practitioner engages in professional practice is a fundamental condition for obtaining and maintaining a practitioner’s registration. *See, e.g., James L. Hooper, M.D.*, 76 FR 71,371 (2011), *pet. for rev. denied*, 481 Fed. Appx. 826 (4th Cir. 2012); *Frederick Marsh Blanton, M.D.*, 43 FR 27,616, 27,617 (1978).

This rule derives from the text of two provisions of the CSA. First, Congress defined the term “practitioner” to mean “a physician . . . or other person licensed, registered, or otherwise permitted, by . . . the jurisdiction in which he practices . . . , to distribute, dispense, . . . [or] administer . . . a controlled substance in the course of professional practice.” 21 U.S.C. 802(21). Second, in setting the requirements for obtaining a practitioner’s registration, Congress directed that “[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.” 21 U.S.C. 823(f). Because Congress has clearly mandated that a practitioner possess state authority in order to be deemed a practitioner under the CSA, the DEA has held repeatedly that revocation of a practitioner’s registration is the appropriate sanction whenever he is no longer authorized to dispense controlled substances under the laws of the state in which he practices. *See, e.g., James L. Hooper*, 76 FR at 71,371–72; *Sheran Arden Yeates, M.D.*, 71 FR 39,130, 39,131 (2006); *Dominick A. Ricci, M.D.*, 58 FR 51,104, 51,105 (1993);

Bobby Watts, M.D., 53 FR 11,919, 11,920 (1988); *Frederick Marsh Blanton*, 43 FR at 27,617.

According to the Suspension of Medical License, Respondent’s license as a physician is suspended, and he can no longer engage in the practice of medicine in Louisiana. GX 3, at 2–3. Because Respondent cannot engage in the practice of medicine in Louisiana, he cannot prescribe medicine in Louisiana and therefore cannot “dispense” controlled substances under the CSA. 21 U.S.C. 802(10).

Per the Louisiana Medical Practice Act, the “practice of medicine” means “engagement in, the diagnosing, treating, curing, or relieving of any bodily or mental disease, condition, infirmity, deformity, defect, ailment, or injury in any human being, . . . whether by the use of any drug, instrument or force, . . . or any other agency or means; or the examining, . . . of any person or material from any person for such purpose whether such drug, instrument, force, or other agency or means is applied to or used by the patient” La. Stat. Ann. § 37:1262(3) (2019). Because Respondent cannot engage in the practice of medicine as defined above, Respondent clearly cannot “dispense”⁷ or “administer,”⁸ as those terms are defined by the CSA, any drugs in the course of his professional practice. 21 U.S.C. 802(10) and (2).

Similarly, because Respondent is not licensed to practice medicine in Louisiana, he is not a “practitioner” authorized to write “prescriptions” as defined by the Louisiana Pharmacy Practice Act.⁹ LA Stat. Ann.

⁷ “Dispense” under the CSA, “means to deliver a controlled substance to an ultimate user or research subject by, or pursuant to the lawful order of, a practitioner, including the prescribing and administering of a controlled substance” 21 U.S.C. 802(10). Louisiana’s use of the words “treating, curing . . . by drug” and “whether such drug is . . . used by the patient” appears analogous to the CSA’s use of “dispense.” La. Stat. Ann. § 37:1262(3) (2019).

⁸ “Administer” under the CSA, “refers to the direct application of a controlled substance to the body of a patient . . . by . . . a practitioner” 21 U.S.C. 802(2). Louisiana’s use of the words “whether such drug . . . is applied to . . . the patient” appears analogous to the CSA’s use of “administer.” La. Stat. Ann. § 37:1262(3) (2019).

⁹ According to Louisiana’s Board of Pharmacy online records, of which I take official notice, Respondent also does not currently hold a valid controlled dangerous substance license as a practitioner in Louisiana, which is required to prescribe controlled dangerous substances pursuant to La Stat. Ann. § 40:973(A)(1) (2019). Louisiana’s Board of Pharmacy License Lookup, <https://secure.pharmacy.la.gov/Lookup/LicenseLookup.aspx> (last visited March 13, 2020). Louisiana’s online records show that license Number CDS.017534—MD (license type—CDS License—Physician) assigned to Gregory Louis

§§ 37:1164(45) and (47) (2019). A “practitioner” means “an individual currently licensed, registered, or otherwise authorized by the appropriate licensing board to prescribe and administer drugs in the course of professional practice.” La. Stat. Ann. § 37:1164(45) (2019). Furthermore, a “Prescription” or “prescription drug order” means “an order from a practitioner authorized by law to prescribe for a drug or device that is patient-specific and is communicated by any means to a pharmacist in a permitted pharmacy” La. Stat. Ann. § 37:1164(47) (2019). As discussed above, without a Louisiana medical license, Respondent cannot prescribe or dispense controlled substances.

Here, the undisputed evidence in the record is that Respondent’s license to practice medicine in Louisiana has been suspended; and therefore, Respondent currently lacks authority to manufacture, distribute, prescribe, or dispense controlled substances in Louisiana. Therefore, Respondent is not eligible to maintain a DEA registration. Accordingly, I will order that Respondent’s DEA registration be revoked.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. BM0671481 issued to Gregory L. Molden. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(f), I hereby deny any pending application of Gregory L. Molden to renew or modify this registration, as well as any other application of Gregory L. Molden, for additional registration in Louisiana. This Order is effective May 4, 2020.

Dated: March 13, 2020.

Uttam Dhillon,
Acting Administrator.

[FR Doc. 2020–07018 Filed 4–2–20; 8:45 am]

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DEPARTMENT OF JUSTICE

Foreign Claims Settlement Commission

Completion of Claims Adjudication Program

AGENCY: Foreign Claims Settlement Commission of the United States, DOJ.

Molden, M.D., expired on 11/03/2019, and that the current status is “Lapsed; not valid for practice.” *Id.* Similarly, license number PMP.006430—CDS assigned to Gregory Louis Molden, M.D., has a current status of “Lapsed; not valid for practice.” *Id.*

ACTION: Notice.

SUMMARY: This notice announces the completion date of the claims adjudication program referred to the Foreign Claims Settlement Commission (“Commission”) by the Department of State by letter dated October 7, 2014 (the “Iraq II program”), involving claims of United States nationals against the Republic of Iraq that were settled under the “Claims Settlement Agreement Between the Government of the United States of America and the Government of the Republic of Iraq,” dated September 2, 2010. By prior notice, the Commission announced the commencement of the Iraq II program on October 23, 2014 (79 FR 63439).

DATES: The completion date of the Iraq II program is April 13, 2020.

FOR FURTHER INFORMATION CONTACT:

Brian M. Simkin, Chief Counsel, Foreign Claims Settlement Commission of the United States, 441 G St NW, Room 6234, Washington, DC 20579, Tel. (202) 616–6975, FAX (202) 616–6993.

Notice of Completion of Claims Adjudication Program

Pursuant to the authority conferred upon the Secretary of State and the Commission under subsection 4(a)(1)(C) of Title I of the International Claims Settlement Act of 1949 (Pub. L. 455, 81st Cong., approved March 10, 1950, as amended by Public Law 105–277, approved October 21, 1998 (22 U.S.C. 1623(a)(1)(C))), the Foreign Claims Settlement Commission hereby gives notice that on April 13, 2020, the Commission will complete the claims adjudication programs referred to the Commission by the Department of State by letter dated October 7, 2014 (the “Iraq II program”), involving claims of United States nationals against the Republic of Iraq that were settled under the “Claims Settlement Agreement Between the Government of the United States of America and the Government of the Republic of Iraq,” dated September 2, 2010.

Brian M. Simkin,
Chief Counsel.

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NATIONAL CREDIT UNION ADMINISTRATION**Agency Information Collection Activities: Proposed Collection; Comment Request**

AGENCY: National Credit Union Administration (NCUA).

ACTION: Notice and request for comment.

SUMMARY: The National Credit Union Administration (NCUA), as part of a continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on the following extensions of a currently approved collection, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments should be received on or before June 2, 2020 to be assured consideration.

ADDRESSES: Interested persons are invited to submit written comments on the information collection to Mackie Malaka, National Credit Union Administration, 1775 Duke Street, Suite 6060, Alexandria, Virginia 22314; Fax No. 703–519–8579; or Email at PRAComments@NCUA.gov.

FOR FURTHER INFORMATION CONTACT:

Address requests for additional information to Mackie Malaka at the address above or telephone 703–548–2704.

SUPPLEMENTARY INFORMATION:

OMB Number: 3133–0135.

Title: Authorization Agreement for Electronic Funds Transfer Payment.

Type of Review: Extension of a currently approved collection.

Abstract: The NCUA is required under the Debt Collection Improvement Act of 1996 to issue payments to credit unions and all other entities electronically. The “Authorization Agreement for Electronic Funds Transfer Payment” form is used to maintain up-to-date and accurate electronic payment data for new and existing credit unions. NCUA will use the information to update its vendor (credit union) electronic routing and transit data database to enable transmittal of funds and payments. If this information is not collected, NCUA will not be able to make payment electronically through the Automated Clearing House (ACH) and will be in non-compliance with the Debt Collection Improvement Act of 1996.

Affected Public: Private Sector: Not-for-profit institutions.

Estimated No. of Respondents: 100.

Estimated No. of Responses per Respondent: 1.

Estimated Total Annual Responses: 100.

Estimated Burden Hours per Response: 15 mins.

Estimated Total Annual Burden Hours: 25.

OMB Number: 3133–0166.

Title: Home Mortgage Disclosure Act (HMDA), 12 CFR 1003 (Reg C).

Type of Review: Extension of a currently approved collection.

Abstract: HMDA was enacted in 1975 and requires most mortgage lenders lending in metropolitan areas to collect data about their housing-related lending activity. The Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 transferred rulemaking authority for HMDA to the Consumer Financial Protection Bureau (CFPB).

Regulation C, 12 CFR part 1003, requires financial institutions that meet certain thresholds to report data annually about Each application or loan, including the application date; the action taken and the date of that action; the loan amount; the loan type and purpose; and, if the loan is sold, the type of purchaser; Each applicant or borrower, including ethnicity, race, sex, and income; and Each property, including location and occupancy status.

A covered lender generally must update information quarterly, all reportable transaction must be recorded within 30 calendar days after the end of the calendar quarter in which final action is taken on a loan application register (LAR), and must submit the completed LAR annually to the appropriate Federal agency by March 1 of the year following the year covered by the LAR. The Federal Financial Institutions Examination Council (FFIEC) then prepares a disclosure statement from data submitted by the financial institutions, and provides the disclosure statement to the financial institution. Within three business days of receiving its statement, the financial institution must make a copy available at its home office. In addition, within ten business days of receiving its disclosure statement, the financial institution must either: (1) Make the disclosure statement available in at least one branch office in every Metropolitan Statistical Area (MSA) and Metropolitan Division (Division) where it has an office or (2) post a notice in at least one branch office per MSA and Division where it has an office stating that the disclosure statement is available upon written request. A covered lender must make each public disclosure statement available to the public for five years.

Each financial institution must retain its completed LAR for three years and during that period it must make its LAR available to the public after redacting certain information to protect the privacy of its applicants and borrowers.

Affected Public: Private Sector; Not-for-profit institutions.

Estimated No. of Respondents: 1,108.

Estimated No. of Responses per Respondent: 1,172.

Estimated Total Annual Responses: 1,298,105.