

deter similar acts by Registrant, the registrant community, and by future applicants for registration. *Stein*, 84 FR at 46972–73.

Here, Registrant did not timely or properly answer the allegations, and was therefore deemed to be in default. 21 CFR 1301.43(c), (e), (f); RFAA, at 1–4. To date, Registrant has not filed a motion with the Office of the Administrator to excuse the default. 21 CFR 1301.43(c)(1). Registrant has thus failed to timely or properly answer the allegations contained in the OSC/ISO and has not otherwise availed herself of the opportunity to refute the Government’s case. As such, Registrant has not accepted responsibility for the proven violations, has made no representations regarding her future compliance with the CSA, and has not made any demonstration that she can be trusted with a registration.¹²

Further, the interests of specific and general deterrence weigh in favor of revocation. Registrant’s misconduct in this matter concerns the CSA’s “strict requirements regarding registration” and “the need to prevent the diversion of drugs from legitimate to illicit channels,” and, therefore, goes to the heart of the CSA’s “closed regulatory system” specifically designed “to conquer drug abuse and to control the legitimate and illegitimate traffic in controlled substances.” *Gonzales v. Raich*, 545 U.S. at 12–14. Registrant’s egregious misconduct involved issuing controlled substance prescriptions without state authority to so do and obtaining a controlled substance by fraud. *Supra* Section IV.B. If the Agency were to allow Registrant to keep her registration under these circumstances, it would send a dangerous message that compliance with the law and preventing diversion are not essential to maintaining a registration.

In sum, Registrant has not offered any evidence on the record that rebuts the Government’s case for revocation of her registration, and Registrant has not

demonstrated that she can be entrusted with the responsibility of a registration. Accordingly, the Agency will order the revocation of Registrant’s registration.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(g)(1) and 21 U.S.C. 824(a)(4), I hereby revoke DEA Certificate of Registration No. MA5242792 issued to Tracy Amerson-Rivers, A.P.R.N. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(g)(1) and 21 U.S.C. 824(a)(4), I hereby deny any pending applications of Tracy Amerson-Rivers, A.P.R.N., to renew or modify this registration, as well as any other pending application of Tracy Amerson-Rivers, A.P.R.N., for additional registration in Texas. This Order is effective December 1, 2025.

Signing Authority

This document of the Drug Enforcement Administration was signed on October 9, 2025, by Administrator Terrance Cole. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Antony Vanbang, M.D.; Decision and Order

On June 9, 2025, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Antony Vanbang, M.D., of Denver, Colorado (Registrant). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 1 at 1, 4. The OSC proposed the revocation of Registrant’s Certificate of Registration, No. FV5019460, alleging that Registrant’s registration should be revoked because Registrant is currently “without authority to prescribe, administer, dispense, or otherwise

handle controlled substances in the State of Colorado, the state in which [he is] registered with DEA.” *Id.* at 2 (citing 21 U.S.C. 824(a)(3)).

The OSC notified Registrant of his right to file a written request for hearing, and that if he failed to file such a request, he would be deemed to have waived his right to a hearing and be in default. *Id.* at 2–3 (citing 21 CFR 1301.43). Here, Registrant did not request a hearing, and the Agency finds him to be in default. RFAA, at 2.¹ “A default, unless excused, shall be deemed to constitute a waiver of the registrant’s/applicant’s right to a hearing and an admission of the factual allegations of the [OSC].” 21 CFR 1301.43(e).

Further, “[i]n the event that a registrant . . . is deemed to be in default . . . DEA may then file a request for final agency action with the Administrator, along with a record to support its request. In such circumstances, the Administrator may enter a default final order pursuant to [21 CFR] 1316.67.” *Id.* 1301.43(f)(1). Here, the Government has requested final agency action based on Registrant’s default pursuant to 21 CFR 1301.43(c), (f), 1301.46. RFAA, at 1; *see also* 21 CFR 1316.67.

Findings of Fact

The Agency finds that, in light of Registrant’s default, the factual allegations in the OSC are deemed admitted. According to the OSC, on April 16, 2025, the Colorado Medical Board suspended Registrant’s license to practice medicine in the State of Colorado. RFAAX 1, at 2. According to Colorado online records, of which the Agency takes official notice,² Registrant’s Colorado medical license remains suspended. Colorado Division of Professions and Occupations, <https://apps2.colorado.gov/dora/licensing/lookup/licenselookup.aspx> (last visited date of signature of this Order). Accordingly, the Agency finds that Registrant is not licensed to practice

¹² Even if the Agency were to consider Registrant’s purported answers, which were deemed noncompliant by the ALJ, the Agency would still find that Registrant has failed to accept responsibility. In this regard, in her April 21 and April 24 purported answers, Registrant characterized the OSC/ISO factual allegations as the result of “administrative oversight,” and not “diversion” or “abuse of prescribing authority.” Registrant’s inability or unwillingness to accept that the proven violations constitute diversion of controlled substances undermines any attempt on her part to accept responsibility for the misconduct. *See Gonzales v. Raich*, 545 U.S. at 12–14 (“Congress was particularly concerned with the need to prevent the diversion of drugs from legitimate to illicit channels.”); *Phong H. Tran, M.D.*, 90 FR 14383, 14385 (2025) (“Respondent’s attempts to minimize this egregious misconduct undermine any purported acceptance of responsibility.”).

¹ Based on the Government’s submissions in its RFAA dated August 11, 2025, the Agency finds that service of the OSC on Registrant was adequate. Specifically, the Government’s included Declaration from a DEA Special Agent indicates that on June 23, 2025, Registrant was personally served with a copy of the OSC at his residence. RFAAX 2, at 2.

² Under the Administrative Procedure Act, an agency “may take official notice of facts at any stage in a proceeding—even in the final decision.” United States Department of Justice, Attorney General’s Manual on the Administrative Procedure Act 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979).

medicine in Colorado, the state in which he is registered with DEA.³

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to suspend or revoke a registration issued under 21 U.S.C. 823 “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, 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. *Gonzales v. Oregon*, 546 U.S. 243, 270 (2006) (“The Attorney General can register a physician to dispense controlled substances ‘if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.’ . . . The very definition of a ‘practitioner’ eligible to prescribe includes physicians ‘licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which he practices’ to dispense controlled substances. 802(21).”). The Agency has applied these principles consistently. *See, e.g., James L. Hooper, M.D.*, 76 FR 71371, 71372 (2011), *pet. for rev. denied*, 481 F. App’x 826 (4th Cir. 2012); *Frederick Marsh Blanton, M.D.*, 43 FR 27616, 27617 (1978).⁴

³ Pursuant to 5 U.S.C. 556(e), “[w]hen an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.” The material fact here is that Registrant, as of the date of this decision, is not licensed to practice medicine in Colorado. Accordingly, Registrant may dispute the Agency’s finding by filing a properly supported motion for reconsideration of findings of fact within fifteen calendar days of the date of this Order. Any such motion and response shall be filed and served by email to the other party and to the DEA Office of the Administrator, Drug Enforcement Administration at dea.addo.attorneys@dea.gov.

⁴ This rule derives from the text of two provisions of the Controlled Substances Act (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(g)(1). Because Congress has clearly mandated that a practitioner possess state authority in order to be deemed a practitioner under the CSA, DEA has held repeatedly that

According to Colorado statute, “dispense” means “to deliver a controlled substance to an ultimate user, patient, or research subject by or pursuant to the lawful order of a practitioner, including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery.” Colo. Rev. Stat. 18–18–102(9) (2025). Further, a “practitioner” means a “physician . . . or other person licensed, registered, or otherwise permitted, by this state, to distribute, dispense, conduct research with respect to, administer, or to use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.” *Id.* 18–18–102(29).

Here, the undisputed evidence in the record is that Registrant lacks authority to practice medicine in Colorado. As discussed above, a physician must be a licensed practitioner to dispense a controlled substance in Colorado. Thus, because Registrant lacks authority to practice medicine in Colorado and, therefore, is not authorized to handle controlled substances in Colorado, Registrant is not eligible to maintain a DEA registration. Accordingly, the Agency will order that Registrant’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. FV5019460 issued to Antony Vanbang, M.D. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(g)(1), I hereby deny any pending applications of Antony Vanbang, M.D., to renew or modify this registration, as well as any other pending application of Antony Vanbang, M.D., for additional registration in Colorado. This Order is effective December 1, 2025.

Signing Authority

This document of the Drug Enforcement Administration was signed on October 17, 2025, by Administrator Terrance Cole. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal

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, M.D.*, 76 FR at 71371–72; *Sheran Arden Yeates, M.D.*, 71 FR 39130, 39131 (2006); *Dominick A. Ricci, M.D.*, 58 FR 51104, 51105 (1993); *Bobby Watts, M.D.*, 53 FR 11919, 11920 (1988); *Frederick Marsh Blanton, M.D.*, 43 FR at 27617.

Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Dawn Evert, N.P.; Decision and Order

On February 25, 2025, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause and Immediate Suspension of Registration (OSC/ISO) to Dawn Evert, N.P., of Pueblo, Colorado (Registrant). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 1, at 1. The OSC/ISO informed Registrant of the immediate suspension of her DEA Certificate of Registration, No. ME1730870, pursuant to 21 U.S.C. 824(d), alleging that Registrant’s continued registration is “an imminent danger to the public health or safety.” *Id.* (quoting 21 U.S.C. 824(d)). The OSC/ISO also proposed the revocation of Registrant’s registration, alleging that her registration is inconsistent with the public interest. *Id.* (citing 21 U.S.C. 823(g)(1)(B) and (D), 824(a)(4)).

More specifically, the OSC/ISO alleged that Registrant unlawfully prescribed controlled substances to four patients, which included prescribing dangerous combinations of controlled substances, failing to establish a medical justification for the prescribing of controlled substances, and failing to sufficiently monitor patients receiving controlled substance prescriptions. *Id.* at 1–2. The OSC/ISO alleged that the issuance of these prescriptions violated both state and federal law. *Id.* at 3. (citing 21 U.S.C. 823(g)(1)(D)).¹

On April 29, 2025, the Government submitted an RFAA requesting that the Agency issue a default final order revoking Registrant’s registration.

¹ According to the OSC/ISO and Agency records, Registrant’s registration expired on August 31, 2025. RFAAX 1, at 3. The fact that a registrant allows her registration to expire during the pendency of an administrative enforcement proceeding does not impact the Agency’s jurisdiction or prerogative under the Controlled Substances Act to adjudicate the OSC/ISO to finality. *Jeffrey D. Olsen, M.D.*, 84 FR 68474, 68476–79 (2019).