

Medical License Revocation Prevented

In what at first glance appeared to be a serious case where the Medical Board would revoke a physician's license, Nelson Hardiman's successful defense resulted in a five-year probation that enabled the doctor to continue practicing medicine. The physician had been convicted of multiple felonies resulting from importation of unapproved drugs in violation of the Food, Drug and Cosmetic Act and federal prescription drug laws. Nelson Hardiman overcame the Board's argument that the physician was a smuggler and related allegations of unprofessional conduct by presenting evidence that the doctor brought low-cost oncology medications—with the same chemical composition as those approved by the FDA—from abroad solely to provide to patients who lacked insurance and could not afford their expensive American counterpart drugs. By highlighting the altruistic motives of a doctor who did not comprehend FDA requirements, Nelson Hardiman averted the medical license revocation of a physician who had dedicated a lifetime of service to his profession without regard to patients' ability to pay. As a result, this dedicated physician continues to provide medical services to the uninsured and other patients in his community.