identifying information may be made publicly available at any time.

(Authority: 43 CFR 2741.5)

Christina J. Price,

State Director, Acting.

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Dave Allen Wright, M.D.; Decision and Order

On May 6, 2026, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Dave Allen Wright, M.D., of Cincinnati, Ohio (Registrant). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 1, at 1, 3. The OSC proposed the revocation of Registrant's Certificate of Registration No. BW4012720, alleging that Registrant is ''currently without authority to prescribe, administer, dispense, or otherwise handle controlled substances in the State of Ohio, 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 (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), and 1301.46. RFAA, at 3; *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. 21 CFR 1301.43(e). According to the OSC, on October 1, 2025, Registrant's Ohio medical license expired by its own terms. RFAAX 1, at 1. According to Ohio online records, of which the Agency takes official notice, Registrant's Ohio medical license remains expired.[2] eLicense Ohio Professional Licensure License Lookup, https://elicense.ohio./oh_verifylicense (last visited date of signature of this Order). Accordingly, the Agency finds that Registrant is not licensed to practice medicine in Ohio, 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).'').[4] The Agency has applied these principles consistently. *See, e.g., Lawrence Rudolph, D.M.D.,* 89 FR 79310 (2024); *Henry-Norbert O. Ndekwe, M.D.,* 90 FR 15990 (2025); *Benson Sergiles, P.A.,* 90 FR 32016 (2025).

According to Ohio statute, ''[n]o person shall knowingly obtain, possess, or use a controlled substance or a controlled substance analog,'' except pursuant to a ''prescription issued by a licensed health professional authorized to prescribe drugs if the prescription was issued for a legitimate medical purpose.'' Ohio Rev. Code § 2925.11(A),

[1] Based on the Government's submissions in its RFAA dated August 5, 2026, the Agency finds that service of the OSC on Registrant was adequate. The included declaration from a DEA Diversion Investigator (DI) indicates that on May 14, 2026, the DI attempted to contact Registrant via his registered telephone number because the DI had previously found out that Registrant was no longer employed at his registered address and had retired on or around September 2025. RFAAX 2, at 1–2. On the same date, the DI attempt to contact Registrant via his registered email address. *Id.* at 2. Later, on the same date, Registrant returned the DI's phone call and informed the DI that he was no longer domiciled in Ohio or practicing at his registered location, nor was his registered email address a valid means of contact. *Id.* Upon the DI's request to provide an alternative address to personally serve or mail the OSC to Registrant, Registrant declined to inform DEA where he was currently residing for the purposes of updating his registration or receiving mail. *Id.* Registrant did, however, provide the DI with an alternative email address and stated that he could be contacted at this alternative email address. *Id.* Following the telephone conversation, the DI emailed a copy of the OSC to the alternative email address that Registrant had provided and later received an e-receipt confirming successful delivery of the email. *Id.; see also id.,* Appendixes A–B. Here, the Agency finds that Registrant was successfully served the OSC by email and that the DI's efforts to serve Registrant by other means were ''reasonably calculated, under all the circumstances, to apprise [Registrant] of the pendency of the action.''' *Jones* v. *Flowers,* 547 U.S. 220, 226 (2006) (quoting *Mullane* v. *Central Hanover Bank & Trust Co.,* 339 U.S. 306, 314 (1950)). Therefore, due process notice requirements have been satisfied. *See Mohammed S. Aljanaby, M.D.,* 82 FR 34552, 34552 (2017) (finding that service by email satisfies due process where the email is not returned as undeliverable and other methods have been unsuccessful); *Emilio Luna, M.D.,* 77 FR 4829, 4830 (2012) (same).

[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).

[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 Order, is not licensed to practice medicine in Ohio. 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 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 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., Elias Garcia Garcia, P.A.,* 90 FR 31242 (2025); *Jason Weakley, R.N., A.P.R.N.,* 90 FR 10085 (2025); *Khursheed Haider, M.D.,* 90 FR 21950 (2025).

(B)(1)(d) (2025). Further, a '''[l]icensed health professional authorized to prescribe drugs or 'prescriber' means an individual who is authorized by law to prescribe drugs or dangerous drugs or drug therapy related devices in the course of the individual's professional practice.'' *Id.* § 4729.01(I)(2026).[5] The Ohio statute further defines an authorized prescriber as ''[a] physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery.'' *Id.* § 4729.01(I)(5)(2026). Additionally, Ohio law permits ''[a] licensed health professional authorized to prescribe drugs, if acting in the course of professional practice, in accordance with the laws regulating the professional's practice'' to prescribe or administer schedule II, III, IV, and V controlled substances to patients. *Id.* § 3719.06(A)(1)(a)–(b)(2025).

Here, the undisputed evidence in the record is that Registrant lacks a license to practice medicine in Ohio. As already discussed, an individual must be a licensed health professional authorized to prescribe drugs in order to handle controlled substances in Ohio. Thus, because Registrant is not a licensed health professional authorized to prescribe drugs in Ohio, and, therefore, is not authorized to handle controlled substances in Ohio, Registrant is not eligible to maintain a DEA registration in Ohio. 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. BW4012720 issued to Dave Allen Wright, 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 Dave Allen Wright, M.D., to renew or modify this registration, as well as any other pending application of Dave Allen Wright, M.D., for additional registration in Ohio. This Order is effective December 21, 2026.

Signing Authority

This document of the Drug Enforcement Administration was signed on November 6, 2026, by DEA Administrator Terrance C. 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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[5] Section 4729.01 of the Ohio Revised Code was updated on October 9, 2026, but does not change any of the material parts or alter the Agency's decision in this matter.

NATIONAL MEDIATION BOARD

Notice of Proposed Information Collection Request

AGENCY: National Mediation Board.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the National Mediation Board (NMB) will be submitting an information Collection Request (ICR) entitled ''Application for Investigation of Representation Dispute'' to the Office of Management and Budget (OMB) for review and approval. The NMB is seeking the reinstatement, with non-substantive change, of this previously approved collection of information. The change to the information collection is a non-substantive one related to the change in the agency's Washington, DC headquarters address, which was effective August 1, 2026. The NMB did not receive comments on this information collection during the 60-day notice and comment period. OMB will accept comments from the public during the review and approval period. OMB may act on the NMB's ICR only after the 30-day comment period in this notice has closed.

DATES: Comments are due by December 21, 2026.

ADDRESSES: Submit written comments and recommendations for this information collection to the following website: *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under Review—Open for Public Comments'' or by using the search function and entering either the title of the information collection or the OMB control number: 3140–0001.

FOR FURTHER INFORMATION CONTACT: To request a copy of the proposed information collection, email NMB Program Management Specialist Keaira Butler at *keaira.butler@nmb.gov.* Please specify the complete title of the information collection when making your request. If you have questions about the information collection or the NMB's reinstatement request, contact John Gross, Counsel, National Mediation Board, Office of Legal Affairs, P.O. Box 23300, Washington, DC 20026; telephone number: 202–815–1647; email address: *gross@nmb.gov.*

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The NMB publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection contains the following: (1) Type of review requested, *e.g.,* new, revision extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Record keeping burden.

The proposed information collection was previously published in the **Federal Register**, 91 FR 58712–58714, on September 16, 2026 and allowed 60 days for public comment. No comments were received. The purpose of this notice is to allow an additional 30 days for public comment. We encourage written comments and suggestions addressing the following issues: (1) Is this collection necessary to the proper functions of the agency; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the agency enhance the quality, utility, and clarity of the information to be collected; and (5) how might the agency minimize the burden of this collection on the respondents, including through the use of information technology.

Title of Collection: Application for Investigation of Representation Dispute.

OMB Control Number: 3140–0001.

Type of Review: Reinstatement, with non-substantive change, of a previously approved collection of information.