

## Texas Medical Board Press Release

### FOR IMMEDIATE RELEASE

October 29, 2020

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### **TMB disciplines 19 physicians at October meeting**

At its October 16, 2020 meeting, the Texas Medical Board disciplined 19 licensed physicians.

The disciplinary actions included: seven orders related to quality of care violations, four orders related to unprofessional conduct, two voluntary surrenders/revocations, two revocations, one order related to peer review action, one order related to other states' actions, one order related to Texas Physician Health Program violation, and one order related to inadequate medical records. The Board also ratified eight cease and desist orders.

The Board issued 175 physician licenses at the October meeting, bringing the total number of physician licenses issued in FY21 to 566.

### **DISCIPLINARY ACTIONS**

#### **QUALITY OF CARE**

##### **Balat, Isam, M.D., Lic. No. E0795, Houston**

On October 16, 2020, the Board and Isam Balat, M.D., entered into an Agreed Order requiring him to within one year complete at least 16 hours of CME, divided as follows: six hours of CME in current concepts on the treatment of endometriosis, six hours in medical recordkeeping and four hours in risk management. The Board found Dr. Balat resigned his hospital privileges while quality of care issues related to 10 patients were being investigated. Dr. Balat performed urogynecological surgical procedures on the patients who experienced suboptimal outcomes, longer hospital stays and who required long-term follow-up care. Additionally, Dr. Balat failed to maintain adequate medical records on the patients.

##### **Chaney, Paul Eugene, M.D., Lic. No. P1734, Waco**

On October 16, 2020, the Board and Paul Eugene Chaney, M.D., entered into an Agreed Order requiring him to within one year complete at least 12 hours of CME, divided as follows: eight hours in critical care management and four hours in risk management. The Board found Dr. Chaney discharged a pediatric patient without confirming the patient's vitals were rechecked. The patient subsequently presented at another ER in a significantly worsened condition and was diagnosed with septic shock. The patient died prior to transfer.

##### **Henry, Craig B., M.D., Lic. No. H2942, Arlington**

On October 16, 2020, the Board and Craig B. Henry, M.D., entered into an Agreed Order requiring him to within one year complete at least 16 hours of CME, divided as follows: eight hours in medical recordkeeping and eight hours in hormone therapy. The Board found Dr. Henry failed to adequately document his rationale for the treatments provided and the justification for his medical decision-making regarding a patient's hormone replacement therapy.

##### **Kuban, David Larry, D.O., Lic. No. F9699, Granbury**

On October 16, 2020, the Board and David Larry Kuban, D.O., entered into an Agreed Order requiring him to within one year complete at least eight hours of CME in diagnosis and treatment of lymphatic malignancies. The Board found Dr. Kuban failed to meet the standard of care by failing to address a patient's symptoms early enough to diagnose and, therefore, treat the patient's Hodgkin's lymphoma.

##### **Pflieger, Kurt Loring, M.D., Lic. No. J5444, Rockwall**

On October 16, 2020, the Board and Kurt Loring Pflieger, M.D., entered into an Agreed Order on Formal Filing requiring him to have his practice monitored by another physician for six consecutive monitoring cycles; and within one year complete at least 12 hours of CME, divided as follows: eight hours in psychiatric diagnosis, management, and treatment of adolescent patients and four hours in diagnosis, management, and treatment of ADHD and adherence to the guidelines of the American Academy of Pediatrics. The Board found Dr. Pflieger failed to meet the standard of care by improperly continuing to treat a 14-year-old patient with medication without obtaining prior medical records or conducting a proper history or evaluation. Dr. Pflieger prescribed medications to the patient for an extended period of time without properly documenting his medical rationale or referring the patient to a psychiatrist. The order resolves a formal complaint filed at the State Office of Administrative Hearings.

**Puig, Carlos Eduardo, M.D., Lic. No. N6588, McAllen**

On October 16, 2020, the Board and Carlos Eduardo Puig, M.D., entered into an Agreed Order publicly reprimanding Dr. Puig and requiring him to have his practice monitored by another physician for eight consecutive monitoring cycles; within one year complete at least eight hours of CME, divided as follows: four hours in risk management and four hours in appropriate and timely communication with staff. The Board found Dr. Puig failed to meet the standard of care with respect to two patients experiencing high-risk deliveries and whose infants subsequently died following delivery. Dr. Puig had his privileges restricted by his employer's peer review committee.

**Wijay, Danielle Andry, M.D., Lic. No. R5693, Houston**

On October 16, 2020, the Board and Danielle Andry Wijay, M.D., entered into an Agreed Order requiring her to within 30 days schedule an assessment with the Texas A&M Health Science Center Knowledge, Skills, Training, Assessment and Research (KSTAR) program; have her practice monitored by another physician for eight consecutive monitoring cycles; and within one year complete at least 24 hours of CME, divided as follows: eight hours in anesthesia risks and complications, eight hours in risk management, four hours in physician-patient communications and four hours in medical recordkeeping. The Board found Dr. Wijay failed to meet the standard of care and keep adequate medical records for a patient during her anesthesia care.

**UNPROFESSIONAL CONDUCT**

**Del Pino, Dino Mario, M.D., Lic. No. M0054, McAllen**

On October 16, 2020, the Board and Dino Mario Del Pino, M.D., entered into an Agreed Order requiring him to within one year complete the professional boundaries course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program. The Board found Dr. Del Pino engaged in unprofessional conduct when he made inappropriate comments about a nurse's personal life.

**Garner, Garrett H., M.D., Lic. No. K5536, Plano**

On October 16, 2020, the Board and Garrett H. Garner, M.D., entered into an Agreed Order requiring him to within one year complete at least eight hours of CME, divided as follows: four hours in boundaries and four hours in risk management. The Board found Dr. Garner engaged in unprofessional conduct attempting to comfort a patient following a procedure by kissing her on the cheek.

**Lane, Frank Elmer, M.D., Lic. No. G3541, Dallas**

On October 16, 2020, the Board entered a Final Order regarding Frank Elmer Lane, M.D., requiring him to within one year complete at least eight hours of CME, divided as follows: four hours in ethics and four hours in medical record keeping; and within 60 days pay an administrative penalty of \$500. The Board found Dr. Lane failed to timely respond to a patient's request for copies of her medical records. The action was based on the findings of two administrative law judges at the State Office of Administrative Hearings (SOAH). The order resolves a formal complaint filed at SOAH.

**Lang, John Andrew, M.D., Lic. No. L6483, Lubbock**

On October 16, the Board and John Andrew Lang, M.D., entered into an Agreed Order under the following terms: shall not treat or serve as a physician for his immediate family and shall not prescribe, dispense, administer, or authorize controlled substances or dangerous drugs with potential for abuse to himself or immediate family; within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete at least 24 hours of CME, divided as

follows: four hours in ethics, four hours in risk management, four hours in medical recordkeeping, four hours in physician communications and eight hours in controlled substances; and within 60 days pay an administrative penalty of \$3,000. The Board found Dr. Lang nontherapeutically prescribed controlled substances and dangerous drugs to friends and family and did not keep adequate medical records for those patients. With respect to another patient, Dr. Lang stuck himself with a suturing needle; continued to suture the patient with the contaminated needle, and failed to keep adequate medical records for the patient.

#### **VOLUNTARY SURRENDER/REVOICATION**

##### **Eichelberger, Philip T., M.D., Lic. No. C6308, Baytown**

On October 16, 2020, the Board and Philip T. Eichelberger, M.D., entered into an Agreed Order of Voluntary Surrender in which Dr. Eichelberger agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Eichelberger was under investigation by the Board regarding his prescribing of controlled substances.

##### **Jagella, Eugene, M.D., Lic. No. R2134, Del Rio**

On October 16, 2020, the Board and Eugene Jagella, M.D., entered into an Agreed Order of Voluntary Surrender in which Dr. Jagella agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Jagella was under investigation by the Board regarding the revocation of his Massachusetts medical license in December 2019 and as a result of allegations related to his prescribing of opiates to several patients.

#### **REVOICATION**

##### **Howard, Thomas Edward, Jr., M.D., Lic. No. G0730, Fort Worth**

On October 16, 2020, the Board entered a Default Order regarding Thomas Edward Howard, Jr., M.D., which revoked his Texas medical license. On July 21, 2020, the Board filed a Complaint with the State Office of Administrative Hearings (SOAH), alleging unprofessional conduct. Dr. Howard failed to appear at the SOAH hearing and no responsive pleading was ever filed by Dr. Howard. The Board granted a Determination of Default and Dr. Howard's license was revoked by Default Order. This order resolves a formal complaint filed at SOAH. Dr. Howard has 25 days from the service of the order to file a motion for rehearing.

##### **Karnes, Jeffrey, M.D., Lic. No. BP10064196, Houston**

On October 16, 2020, the Board entered a Default Order regarding Jeffrey Karnes, M.D., which revoked his Texas physician-in-training permit. On December 10, 2019, the Board filed a Complaint with the State Office of Administrative Hearings (SOAH), alleging unprofessional conduct. Dr. Karnes failed to appear at the SOAH hearing and no responsive pleading was ever filed by Dr. Karnes. The Board granted a Determination of Default and Dr. Karnes' permit was revoked by Default Order. This order resolves a formal complaint filed at SOAH. Dr. Karnes has 25 days from the service of the order to file a motion for rehearing.

#### **PEER REVIEW ACTION**

##### **Courtney, Stephen Paul, M.D., Lic. No. J1639, Plano**

On October 16, 2020, the Board and Stephen Paul Courtney, M.D., entered into an Agreed Order requiring him to within 60 days pay an administrative penalty of \$3,000. The Board found Dr. Courtney resigned his privileges at Baylor Scott & White, Frisco, Texas, while he was subject to a peer review investigation regarding his care of several patients.

#### **OTHER STATES' ACTIONS**

##### **Dambro, Mark Richard, M.D., Lic. No. H3998, Fort Worth**

On October 16, 2020, the Board and Mark Richard Dambro, M.D., entered into a Waiver Order publicly reprimanding Dr. Dambro and requiring him to within 60 days pay an administrative penalty of \$500. The Board found Mr. Dambro was

disciplined by the Maryland State Board of Physicians due to failure to submit to a criminal records check in a timely manner.

#### **TXPHP VIOLATION**

##### **Galusha, Andrea Lyn, M.D., Lic. No. K8902, Flower Mound**

On October 16, 2020, the Board and Andrea Lyn Galusha, M.D., entered into an Agreed Order requiring her for a period of five years to abstain from the consumption of prohibited substances as defined in the Order; for a period of five years participate in the Board's drug testing program; participate in the activities of Alcoholics Anonymous no less than three times per week; within 30 days obtain a preapproved board certified psychiatrist specializing in addiction to serve as a treating psychiatrist and follow all recommendations for continued care and treatment; and participate in the activities of a county or state medical society committee on physician health and rehabilitation, including any weekly meetings. The Board found Dr. Galusha tested positive for alcohol use while under her Texas Physician Health Program monitoring agreement.

#### **INADEQUATE MEDICAL RECORDS**

##### **Jumao-As, Ramil, M.D., Lic. No. L2359, San Antonio**

On October 16, 2020, the Board and Ramil Jumao-As, M.D., entered into an Agreed Order on Formal Filing requiring him to within one year complete at least 20 hours of CME, divided as follows: eight hours in risk management, eight hours in medical recordkeeping and four hours in physician-patient communications; and within 90 days pay an administrative penalty of \$2,000. The Board found a late rounding time contributed to a delay in diagnosis of a patient's bowel obstruction and referral to surgery and that Dr. Jumao-As should have more completely documented the patient care in the medical record. The order resolves a formal complaint filed at the State Office of Administrative Hearings.

#### **AGREED CEASE & DESISTS**

##### **Cotter, Adolfo, M.D., No TX License, St. Paul, MN**

On October 16, 2020, the Board and Adolfo Cotter, M.D., entered into an Agreed Cease and Desist Order prohibiting Dr. Cotter from practicing medicine, including the practice of telemedicine on Texas patients, both in and from the state of Texas without a license issued by the Texas Medical Board. The Board found Dr. Cotter, who is not licensed in Texas, exercised medical judgment and rendered a medical opinion that affected the treatment of a patient residing in the state of Texas.

##### **Durrett, Lance, D.C., No License, The Woodlands**

On October 16, 2020, the Board and Lance Durrett, D.C., entered into an Agreed Cease and Desist Order prohibiting Dr. Durrett, D.C., from practicing medicine in the state of Texas without a license issued by the Texas Medical Board and prohibiting him from holding himself out to be a licensed physician in the state of Texas. The Board found Dr. Durrett, D.C., on his website was referring to himself as "doctor," or "Dr.," without stating that he is not a licensed physician in the state of Texas and was diagnosing and offering to treat patients with stem cell treatments for physical disease or disorders including disc degeneration outside the scope of practice of a chiropractor.

##### **Leslie, Trisha, No License, West Lake Hills**

On October 16, 2020, the Board and Trisha Leslie entered into an Agreed Cease and Desist Order prohibiting Ms. Leslie from practicing medicine without a license issued by the Texas Medical Board or holding herself out to be a licensed physician in the state of Texas. The Board found Ms. Leslie advertises the use of a Lamprobe device to remove skin tags and other minor skin growths. Ms. Leslie does not work under the supervision of a physician and is not qualified to diagnose skin growths or skin conditions.

##### **Madden, Karisha L., DDS, No License, Houston**

On October 16, 2020, the Board and Karisha L. Madden, DDS, entered into an Agreed Cease and Desist Order prohibiting Ms. Madden from practicing medicine in the state of Texas without a license issued by the Texas Medical Board and

prohibiting her from holding herself out to be a licensed physician in the state of Texas. The Board found Ms. Madden advertised on her website that she offered services, including Botox, dermal fillers, and other skin treatments and treated a patient with Dysport injections.

**Moore, Dustin, No License, Houston**

On October 16, 2020, the Board and Dustin Moore entered into an Agreed Cease and Desist Order prohibiting Mr. Moore from practicing medicine in the state of Texas without a license issued by the Texas Medical Board and prohibiting him from holding himself out to be a licensed physician in the state of Texas. The Board found Mr. Moore admitted to administering skin treatment injections including Botox for a period of several years and without proper physician involvement.

**Omana, Alicia C., No License, Spring**

On October 16, 2020, the Board and Alicia C. Omana entered into an Agreed Cease and Desist Order prohibiting Ms. Omana from practicing medicine in the state of Texas without a license issued by the Texas Medical Board and prohibiting her from holding herself out to be a licensed physician in the state of Texas. The Board found Ms. Omana stated on her website that she was trained as a medical doctor and noted she was a physician. Her website offers patients phone medical consultations and offered no medical disclaimer statement. Ms. Omana has since removed references to herself as "Dr. Omana" and clarifies that she is not a licensed M.D.

**Pryor, Bryant Allan, M.D., No License, Houston**

On October 16, 2020, the Board and Bryant Allan Pryor, M.D., entered into an Agreed Cease and Desist Order prohibiting Mr. Pryor from practicing medicine in the state of Texas without a license issued by the Texas Medical Board and prohibiting him from holding himself out to be a licensed physician in the state of Texas. The Board found Mr. Pryor, who surrendered his Texas medical license in 2018 after being indicted on a felony count of conspiracy to distribute and dispense controlled substances, posted a video online wearing scrubs in which he refers to himself as "Dr. Pryor," and the "travel doctor," and makes the statement "for my fellow clinicians," then lists the types of individuals who should be tested for the COVID-19 virus.

**Solis-Gonzalez, Gabriela, No License, Houston**

On October 16, 2020, the Board and Gabriela Solis-Gonzalez entered into an Agreed Cease and Desist Order prohibiting Ms. Solis-Gonzalez from practicing medicine in the state of Texas without a license issued by the Texas Medical Board and prohibiting her from holding herself out to be a licensed physician in the state of Texas. The Board found Ms. Solis-Gonzalez was arrested and charged with practicing medicine without a licensee, a third-degree felony, following an undercover investigation by the Houston Police Department at a medical spa that she owned and operated.

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*To view disciplinary orders and Board action history, visit the TMB website, click on "Look Up A License," accept the usage terms, then type in a licensee's name. Click on the name shown in the search results to view the licensee's full profile. Within that profile is a button that says "Current Board Action."*

*All releases and bulletins are also available on the TMB website under the "Newsroom" heading.*