

Texas Medical Board Press Release

FOR IMMEDIATE RELEASE

February 26, 2015

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TMB disciplines 45 physicians at February meeting, adopts rule changes

At its February 13, 2015 meeting, the Texas Medical Board disciplined 45 licensed physicians and issued three cease and desist orders. The disciplinary actions included eight orders related to quality of care violations, five orders related to unprofessional conduct, five revocations, three voluntary surrenders, four suspensions, one order related to criminal activity, four orders related to peer review actions, three orders related to other states' actions, one order related to nontherapeutic prescribing, three orders related to inappropriate prescribing, one order related to violation of prior Board order, three orders related to violation of Board rules, one order related to failure to properly supervise or delegate, and three orders related to inadequate medical records.

The Board issued 185 physician licenses at the February meeting, bringing the total number of physician licenses issued in FY15 to 1,591.

RULE CHANGES ADOPTED

CHAPTER 185. PHYSICIAN ASSISTANTS

§185.16, Employment Guidelines

The Amendments to §185.16, relating to Employment Guidelines, delete language related to limits on the number of physician assistants (PAs) that may be supervised by a physician. The amendments relate to general supervision only. The amendments are not intended to change laws related to limits on the numbers of PAs that may have prescriptive delegation authority.

§185.18, Discipline of Physician Assistants

The Amendment to §185.18, relating to Disciplinary Action of Physician Assistants, changes the word "shall" to "may" in subsection (a), to reflect that the PA Board has the authority to enter non-disciplinary remedial plans to resolve certain matters.

CHAPTER 166. PHYSICIAN REGISTRATION

§166.2, Continuing Medical Education

The Amendment to §166.2, relating to Continuing Medical Education, adds new subsection (d), providing that a licensee will be presumed to have complied with minimum requirements related to continuing medical education (CME) set forth under subsection (a)(1) and (3) if the licensee is meeting the requirements of the Maintenance of Certification Program (MOC) set forth by a specialty or sub-specialty member board of the American Board of Medical Specialties (ABMS), and the ABMS member board's MOC program mandates completion of CME credits that meet the minimum criteria set forth under subsection (a)(1). The amendments further add language clarifying that new subsection (d) would not exempt a licensee from completing the requirement for two credits involving the study of medical ethics and/or professional responsibility. The remaining amendments include a correction to a reference in subsection (c) to the number of ethics and/or professional responsibility hours that are required under the section, and otherwise represent general cleanup of the rule.

CHAPTER 192. OFFICE-BASED ANESTHESIA SERVICES

§192.2, Provision of Anesthesia Services in Outpatient Settings

The Amendments to §192.2, relating to Provision of Anesthesia Services in Outpatient Settings, add language related to requirements on stocking lipid emulsion, and maintaining appropriate policies, agreements, and procedures to address emergencies.

§192.5, Inspections

The Amendment to §192.5, relating to Inspections, adds language providing that in addition to having the authority to conduct inspections of an operating surgeon's office site and documents, the board may conduct inspections of a mobile anesthesia provider's practice and procedures related to storage, transport, and setup of necessary equipment, as well as related documents.

DISCIPLINARY ACTIONS

QUALITY OF CARE

Diaz, J. Jesus, M.D., Lic. No. E0882, Houston

On February 13, 2015, the Board and J. Jesus Diaz, M.D., entered into an Agreed Order publicly reprimanding Dr. Diaz and suspending his Texas medical license. The suspension will automatically be lifted for the sole and exclusive purpose of Dr. Diaz undergoing an assessment by the Knowledge, Skills, Training, Assessment, and Research (KSTAR) program's Clinical Competency Assessment Program; within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete at least 32 hours of CME, divided as follows: eight hours in ethics, eight hours in supervision and delegation, eight hours in prescribing to friends and family members and eight hours in performing basic clinical examinations, including descending testes; and pay an administrative penalty of \$15,000 within 60 days. The Board found Dr. Diaz inappropriately attempted an in-office orchiopexy surgery on a child patient, inappropriately administered morphine and chloral hydrate, and failed to provide appropriate follow-up care; failed to provide appropriate surgical care and treatment to four patients; inappropriately self-prescribed medication on a regular basis and provided primary care services to his wife, including prescriptions for narcotic analgesics, failed to document the justification for a large number of laboratory and radiographic tests and prescriptions he provided for his wife; failed to keep adequate records of controlled substances; provided false information to the Board and failed to report hospital peer review action and his completion of office-based procedures using higher than level I anesthesia services; and permitted an unlicensed individual, his brother, to evaluate, diagnose and treat several patients.

Durrani, Omar Hayat, M.D., Lic. No. M1648, Houston

On February 13, 2015, the Board and Omar Hayat Durrani, M.D., entered into an Agreed Order requiring Dr. Durrani to within one year complete at least eight hours of CME in risk management. The Board found Dr. Durrani failed to perform an adequate work-up in his evaluation of the patient for a possible pheochromocytoma prior to recommending or proceeding with surgery.

Miller, Thomas Harrop, Jr., M.D., Lic. No. E7673, Abilene

On February 13, 2015, the Board and Thomas Harrop Miller, Jr., M.D., entered into an Agreed Order requiring Dr. Miller to within 30 days enroll in and within 180 days successfully complete the Knowledge, Skills, Training, Assessment, and Research (KSTAR) program. The Board found Dr. Miller failed to return to Hendrick Medical Center in a timely manner to address issues regarding his post-surgery care of one urology patient and entered into a voluntary agreement with Hendrick Medical Center to limit his practice to consulting and acting as assistant surgeon.

Remirez, Carlos Manuel, M.D., Lic. No. G7869, El Paso

On February 13, 2015, the Board and Carlos Manuel Remirez, M.D., entered into an Agreed Order requiring Dr. Remirez to comply with any terms and conditions imposed by the Texas Department of Insurance-Division of Worker's Compensation (TDI-DWC); have his practice monitored by another physician for eight consecutive monitoring cycles and within one year complete at least eight hours of CME in risk management. The Board found Dr. Remirez received a disciplinary action by the TDI-DWC. Dr. Remirez failed to adequately document his clinical findings and medical decision-making for six patients. Specifically, Dr. Remirez's records were lacking in adequate support for the treatment provided.

Speece, Arthur James, III, D.O., Lic. No. E7286, Grand Prairie

On February 13, 2015, the Board and Arthur James Speece, III, D.O., entered into an Agreed Order requiring Dr. Speece to within one year complete at least 16 hours of CME, divided as follows: eight hours in medical recordkeeping, four hours in risk management or ethics and four hours in pain management. The Board found Dr. Speece's medical recordkeeping was inadequate and the diagnosis of radiculopathy was not supported by the medical records.

Stoufflet, Paul Eric, M.D., Lic. No. H8440, Austin

On February 13, 2015, the Board and Paul Eric Stoufflet, M.D., entered into an Agreed Order requiring Dr. Stoufflet to have his practice monitored by another physician for eight consecutive monitoring cycles; within one year complete the medical recordkeeping course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program and within one year complete at least eight hours in prescribing and/or treating chronic pain. The Board found Dr. Stoufflet failed to meet the standard of care with respect to eight patients who were treated for chronic pain and failed to adequately follow the Board's guidelines for treating and documenting chronic pain.

Tan, Ricardo Barrera, M.D., Lic. No. E7515, Arlington

On February 13, 2015, the Board and Ricardo Barrera Tan, M.D., entered into an Agreed Order requiring Dr. Tan to have his practice monitored by another physician for 12 consecutive monitoring cycles; within one year complete the medical recordkeeping course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; within 60 days provide the Board with a copy of the informed consent form he utilizes regarding the alternative and complementary nature of his practice for review and approval; and pay an administrative penalty of \$2,500 within 90 days. The Board found Dr. Tan prescribed thyroid supplements to one minor patient even though the patient's thyroid levels were normal; failed to fully evaluate complaints regarding the patient's psychological functioning; and failed to maintain adequate medical records, including evidence that Dr. Tan failed to obtain appropriate informed consent from the patient.

Valdez, Ronald Anthony, M.D., Lic. No. G5722, San Antonio

On February 13, 2015, the Board and Ronald Anthony Valdez, M.D., entered into an Agreed Order publicly reprimanding Dr. Valdez and requiring him to within one year complete 16 hours of CME, divided as follows: eight hours in high risk obstetrics and gynecology complications and eight hours in medical recordkeeping. The Board found Dr. Valdez failed to timely and appropriately respond after he was notified that a patient was experiencing post-partum hemorrhaging. Dr. Valdez's records related to the patient were inadequate and lacked sufficient information regarding treatment.

UNPROFESSIONAL CONDUCT

Campbell, Odette Louise, M.D., Lic. No. H9609, Plano

On February 13, 2015, the Board and Odette Louise Campbell, M.D., entered into a Mediated Agreed Order requiring Dr. Campbell to within one year and three attempts pass the Special Purpose Exam (SPEX); within one year and three attempts pass the Medical Jurisprudence Exam and have her practice monitored by another physician for eight consecutive monitoring cycles. The Board found Dr. Campbell completed a pre-trial diversion agreement to resolve allegations associated with discrepancies in billing and recordkeeping and underwent a knowledge and skills assessment through the LifeGuard program that showed Dr. Campbell displayed a less than adequate knowledge base with many of the practice-based competencies tested, as well as deficiencies in prescriptive practices. Dr. Campbell has complied with all recommendations made as a result of the assessment. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Cole, George Martin, D.O., Lic. No. F5175, Dallas

On February 13, 2015, the Board and George Martin Cole, D.O., entered in an Agreed Order requiring Dr. Cole to pay an administrative penalty of \$500 within 60 days. The Board found Dr. Cole entered into a Consent Order from the Texas Department of Insurance-Division of Worker's Compensation (TDI-DWC) for a violation of documentation requirements related to a designated doctor examination and report.

Kayass, Ahmad Abo, M.D., Lic. No. M9768, Mesquite

On February 13, 2015, the Board and Ahmad Abo Kayass, M.D., entered into an Agreed Order requiring Dr. Kayass to within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete at least 8 hours of CME, divided as follows: four hours in ethics and four hours in patient boundaries; and pay an administrative penalty of \$2,000 within 60 days. The Board found Dr. Kayass engaged in inappropriate conduct with a non-patient during a patient exam. Specifically, Dr. Kayass admitted to an exchange of social information with the patient's mother and also admitted to later sending a text message to the patient's mother.

Koenigsberg, Alan David, M.D., Lic. No. G7837, Plano

On February 13, 2015, the Board and Alan David Koenigsberg, M.D., entered into an Agreed Order requiring Dr. Koenigsberg to within one year complete at least 12 hours of CME, divided as follows: eight hours in medical recordkeeping and four hours in physician-patient communications. The Board found Dr. Koenigsberg failed to respond to communication from a patient and to document his rationale for the patient's treatment in the medical record.

Rembecki, Richard Michael, M.D., Lic. No. J2461, Sioux Falls, SD

On February 13, 2015, the Board and Richard Michael Rembecki, M.D., entered into an Agreed Order publicly reprimanding Dr. Rembecki and requiring him to within 30 days comply with the medical records requests of the patients at issue and provide notice to former patients at the practice at issue in this complaint of the procedure they may use to obtain their medical records; within one year complete at least 24 hours of CME, divided as follows: eight hours in risk management, eight hours medical recordkeeping and eight hours in ethics; within one year and three attempts pass the Medical Jurisprudence Exam and pay an administrative penalty of \$2,500 within 90 days. The Board found Dr. Rembecki failed to properly respond to patient requests for medical records and terminated patient care without providing reasonable notice to the patients. In addition, Dr. Rembecki failed to respond to a Board subpoena and failed to cooperate with Board staff.

REVOCACTION

Cotropia, Joseph, M.D., Lic. No. F6543, Houston

On February 13, 2015, the Board entered a Final Order revoking Joseph Cotropia, M.D.'s Texas medical license. The Board found Dr. Cotropia, through advanced practice nurses he supervised, failed to meet the standard of care with respect to nine patients that were treated for chronic pain at an unlicensed pain management clinic. Additionally, Dr. Cotropia failed to properly supervise his midlevels and failed to maintain adequate medical records. The action was based on the findings of an administrative law judge at the State Office of Administrative Hearings. This order resolves a formal complaint filed at the State Office of Administrative Hearings. Dr. Cotropia has 20 days from the service of the order to file a motion for rehearing.

Evans, Donnie, M.D., Lic. No. H5705, Cleveland

On February 13, 2015, the Board and Donnie Evans, M.D., entered into an Agreed Order of Revocation, revoking Dr. Evans' Texas medical license and requiring him to immediately cease practicing in Texas. Dr. Evans agreed to the revocation of his license in lieu of further disciplinary proceedings. The Board found Dr. Evans operated two pain management clinics illegally after surrendering his pain management clinic certificates.

Novelli, William Joseph, Jr., M.D., Lic. No. F9887, Beaumont

On February 13, 2015, the Board and William Joseph Novelli, Jr., M.D., entered into an Agreed Order of Revocation, revoking Dr. Novelli's Texas medical license and requiring him to immediately cease practicing in Texas. Dr. Novelli agreed to the revocation of his license in lieu of further disciplinary proceedings. Dr. Novelli was under investigation by the Board regarding allegations that he nontherapeutically prescribed controlled substances to patients. Due to his medical condition, Dr. Novelli has decided to conclude his practice of medicine in Texas.

Trevino, James Gregory, M.D., Lic. No. J7292, San Antonio

On February 13, 2015, the Board entered a Default Order against James Gregory Trevino, M.D., which revoked his Texas medical license. On May 13, 2014, the Board filed a Complaint with the State Office of Administrative Hearings (SOAH) in

Docket No. 503-14-3580. The Complaint alleged Dr. Trevino failed to cooperate in multiple open investigations by the Board and failed to comply with Board subpoena. Dr. Trevino was served notice of the Complaint but no response has been received by the Board to date. All other deadlines passed without any response from Dr. Trevino, therefore the Board granted a Determination of Default and Dr. Trevino's Texas medical license was revoked by Default Order. This order resolves a formal complaint filed at the State Office of Administrative Hearings

Webb, John Q.A., Jr. M.D., Lic. No. E3137, Houston

On February 13, 2015, the Board and John Q.A. Webb, Jr., M.D., entered into an Agreed Order of Revocation, revoking Dr. Webb's Texas medical license and requiring him to immediately cease practicing in Texas. Dr. Webb agreed to the revocation of his license in lieu of further disciplinary proceedings. The Board found Dr. Webb was alleged to have delegated medical responsibility to an unqualified person and was engaged in improper billing practices related to the inappropriate delegation.

VOLUNTARY SURRENDER

Cruz, Ramon Apostol, M.D., Lic. No. K3703, Denton

On February 13, 2015, the Board and Ramon Apostol Cruz, M.D., entered into an Agreed Voluntary Surrender in which Dr. Cruz agreed to voluntarily surrender his Texas medical license within 30 days in lieu of further disciplinary proceedings. Dr. Cruz had been indicted for felony prescription fraud in the 158th Judicial District Court, in Denton County, Texas. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Hewett, Bernie Gene, M.D., Lic. No. C7640, Not in practice

On February 13, 2015, the Board and Bernie Gene Hewett, M.D., entered into an Agreed Voluntary Surrender in which Dr. Hewett agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Hewett was under investigation regarding the revocation of his license to practice medicine in New Mexico.

Murphy, James Thomas, M.D., Lic. No. N0301, Sturgeon Bay, WI

On February 13, 2015, the Board and James Thomas Murphy, M.D., entered into an Agreed Voluntary Surrender Order in which Dr. Murphy agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. The Board found Dr. Murphy was subject to disciplinary action by the New York State Department of Health.

SUSPENSION

Bellantoni, Christine, M.D., Lic. No. N2940, Not Given

On February 13, 2015, the Board and Christine Bellantoni, M.D., entered into an Agreed Order of Suspension, suspending Dr. Bellantoni's Texas medical license until such a time as she requests in writing to have the suspension stayed or lifted, and appears before the Board and provides clear and convincing evidence that she is physically, mentally, and otherwise competent to safely practice medicine. The Board found Dr. Bellantoni is unable to practice medicine with reasonable skill and safety to patients because of illness or as a result of a mental or physical condition.

Debenedetto, Richard Bruce, M.D., Lic. No. J9579, South Padre Island

On February 13, 2015, the Board and Richard Bruce Debenedetto, M.D., entered into an Agreed Order of Suspension, suspending Dr. Debenedetto's Texas medical license. Dr. Debenedetto shall immediately cease practice on or before February 13, 2015, shall sign an automatic revocation of his license if sentenced to incarceration for the charges upon which he was convicted in Kerr County, shall not treat or otherwise serve as a physician for his immediate family, and shall not prescribe, dispense, administer or authorize controlled substances or dangerous drugs with addictive potential or potential for abuse to himself or his immediate family. Prior to seeking a termination of his suspension, Dr. Debenedetto shall at a minimum take and pass the Medical Jurisprudence Exam within three attempts, shall not reregister or otherwise obtain DEA/DPS controlled substances registration certificates without prior Board authorization and after successfully completing the prescribing course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program and complete at least 12 hours of in-person CME, divided as follows:

eight hours in medical recordkeeping and four hours of risk management. The Board found that Dr. Debenedetto prescribed to five patients without conducting proper physical examinations or maintaining adequate medical records, failed to follow Board rules for the treatment of chronic pain and did not monitor the patients for compliance while they were under his treatment. Furthermore, on February 20, 2014, Dr. Debenedetto was indicted by a Kerr County Grand Jury on six felony charges involving five patients and was later convicted of the six charges. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Khan, Ataur-Rehman Rizwan, M.D., Lic. No. L6461, Cypress

On February 13, 2015, the Board and Ataur-Rehman Rizwan Khan, M.D., entered into an Agreed Order suspending Dr. Khan's Texas medical license until such a time as he requests in writing to have the suspension stayed or lifted, and appears before the Board and provides clear and convincing evidence that he is physically, mentally, and otherwise competent to safely practice medicine. Dr. Khan shall submit to an evaluation by the Texas Physician Health Program (PHP) within 30 days and comply with any and all recommendations made by PHP. The Board found Dr. Khan resigned his medical staff privileges at North Cypress Medical Center (NCMC) in January 2014. In April 2014, Dr. Khan was escorted from NCMC by security after entering an unauthorized area of the facility. Dr. Khan subsequently sent harassing text messages to an NCMC physician and was charged with sending harassing communications by text message in Harris County, Texas. The Board found Dr. Khan suffers from mental illness and has substance abuse issues.

Suarez, Laura, M.D., Lic. No. H2819, San Antonio

On February 13, 2015, the Board and Laura Suarez, M.D., entered into an Agreed Rehabilitation Order suspending Dr. Suarez's Texas medical license until such a time as she requests in writing to have the suspension stayed or lifted, and appears before the Board and provides clear and convincing evidence that she is physically, mentally, and otherwise competent to safely practice medicine; within seven days Dr. Suarez shall surrender her DEA/DPS controlled substances registration certificates; within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete a review course in the subject of internal medicine or rheumatology; within one year complete at least eight hours of CME in proper delegation and supervision; abstain from the consumption of prohibited substances as defined in the Order; within 30 days retain a Board-certified psychiatrist and follow all recommendations for care and treatment; participate in Alcoholics Anonymous no less than four times per week and participate in Caduceus no less than two times per week. The Board found Dr. Suarez used alcohol or drugs in an intemperate manner that could endanger a patient's life and was unable to practice medicine with reasonable skill and safety to patients.

CRIMINAL ACTIVITY

Stalker, Matthew Jay, M.D., Lic. No. M4564, Bluffton, SC

On February 13, 2015, the Board and Matthew Jay Stalker, M.D., entered into an Agreed Order revoking Dr. Stalker's Texas medical license, staying the revocation and placing Dr. Stalker on probation under the following terms: within one year and three attempts pass the Medical Jurisprudence Exam and within one year complete at least eight hours of in-person CME in ethics. The Board found Dr. Stalker engaged in unprofessional and criminal conduct. Specifically, Dr. Stalker was placed on deferred adjudication for breach of computer security, a misdemeanor crime of moral turpitude.

PEER REVIEW ACTIONS

Cazares-Zavala, Jose, M.D., Lic. No. D8679, El Paso

On February 13, 2015, the Board and Jose Cazerres-Zavala, M.D., entered into an Agreed Order on Formal Filing prohibiting Dr. Cazerres-Zavala from performing any surgical procedures in an office setting with exception of limited tasks as listed in the Order. The Board found Dr. Cazerres-Zavala lost his surgical privileges at a health care facility due to a physical impairment. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Martinez, Carlos, M.D., Lic. No. D7171, San Antonio

On February 13, 2015, the Board and Carlos Martinez, M.D., entered into an Agreed Order requiring Dr. Martinez to submit to an independent medical evaluation and follow all recommendations for care and treatment. Dr. Martinez shall

not practice medicine in Texas until the IME is completed and the results are provided to the Compliance Division of the Board. Unless the IME notes Dr. Martinez is unable to safely practice, then he may resume the practice of medicine during the pendency of the ISC process. However, Dr. Martinez may not practice obstetrics anesthesia until further action is taken by the Board. The Board found Dr. Martinez resigned his hospital privileges due to cardiac health reasons while under investigation for his treatment of three patients, failed to consider alternative treatments for pain for two of the patients and failed to call for anesthesiologist assistance when he faced epidural difficulty with one patient.

Syed, Sabir Allauddin, M.D., Lic. No. BP10044207, Longview

On February 13, 2015, the Board and Sabir Allauddin Syed, M.D., entered into an Agreed Order publicly reprimanding Dr. Syed. The Board found Dr. Syed was the subject of a remediation plan related to poor communication and boundary issues and was terminated from his residency program as a result of his failure to comply with the terms of the remediation plan.

Steele, John B., M.D., Lic. No. P4617, Houston

On February 13, 2015, the Board and John B. Steele, M.D., entered into an Agreed Order requiring Dr. Steele to surrender his DEA/DPS controlled substances certificates if he has not already done so. The Board found Dr. Steele admitted to violations alleged by Board staff regarding diverting medications and resigning from Cypress Fairbanks Medical Center while under investigation for diversion of controlled substances. Dr. Steele admitted to having substance abuse problems and obtaining medications in an improper manner.

OTHER STATES' ACTIONS

Chiriboga, Augusto, M.D., Lic. No. G7794, McAllen

On February 13, 2015, the Board and Augusto Chiriboga, M.D., entered into an Agreed Order publicly reprimanding Dr. Chiriboga and requiring him to within one year complete at least eight hours of CME in ethics and pay an administrative penalty of \$500 within 90 days. The Board found Dr. Chiriboga was disciplined by the Louisiana State Board of Medical Examiners following allegations that he violated the standard of care in regard to the care and interventional pain management treatment of several patients.

Harris, William Bruce, M.D., Lic. No. G4465, Bay Minette, AL

On February 13, 2015, the Board and William Bruce Harris, M.D., entered into an Agreed Order publicly reprimanding Dr. Harris and requiring him to complete all CME as required by the Alabama Medical Licensure Commission (AMLC) and provide proof of compliance with the ALMC Order to the Board; and pay an administrative penalty of \$2,500 within 90 days. The Board found Dr. Harris was the subject of a disciplinary action by the AMLC as a result of insufficient CME credits for annual registration.

Sherrill, Kimberly Ann, M.D., Lic. No. F7160, Little Rock, AR

On February 13, 2015, the Board and Kimberly Ann Sherrill, M.D., entered into an Agreed Order requiring Dr. Sherrill to complete all terms as required by the Consent Order issued by the Alaska State Medical Board (ASMB) and provide proof of compliance with the ASMB Consent Order to the Board. The Board found Dr. Sherrill was the subject of a disciplinary action by the ASMB as a result of insufficient CME credits for annual registration.

NONTHERAPEUTIC PRESCRIBING

Paige, Robert Warren, M.D., Lic. No. D7230, Amarillo

On February 13, 2015, the Board and Robert Warren Paige, M.D., entered into an Agreed Order requiring Dr. Paige to have his practice monitored by another physician for eight consecutive monitoring cycles; within one year complete at least 16 hours of CME, divided as follows: eight hours in risk management and eight hours in medical recordkeeping and pay an administrative penalty of \$2,000 within 60 days. The Board found Dr. Paige's prescribing and treatment of several patients was nontherapeutic because it was not supported by documented objective medical evidence or adequate medical records.

INAPPROPRIATE PRESCRIBING

Adedapo, Raymond Taiwo, M.D., Lic. No. N4879, Houston

On February 13, 2015, the Board and Raymond Taiwo Adedapo, M.D., entered into an Agreed Order requiring Dr. Adedapo to within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete at least eight hours of CME in proper prescribing and pay an administrative penalty of \$1,000 within 60 days. The Board found Dr. Adedapo inappropriately prescribed controlled substances to his family member in the absence of immediate need.

Flores, Michael Anthony, M.D., Lic. No. L7377, Donna

On February 13, 2015, the Board and Michael Anthony Flores, M.D., entered into an Agreed Order prohibiting Dr. Flores from treating or otherwise serving as a physician for his immediate family; Dr. Flores shall not prescribe, dispense, administer or authorize any controlled substances or dangerous drugs to himself or his immediate family; requiring Dr. Flores to have his practice monitored by another physician for eight consecutive monitoring cycles; and within one year complete at least 32 hours of CME, divided as follows: eight hours in physician-patient boundaries, eight hours in medical recordkeeping, eight hours in risk management and eight hours in medical ethics. The Board found Dr. Flores prescribed controlled substances to his wife beyond the 72 hour period of immediate need on multiple occasions; failed to maintain adequate medical records related to his prescribing to his wife and failed to adequately address signs of substance abuse by his wife.

Whitman, Daniel Emanuel, M.D., Lic. No. F3379, Webster

On February 13, 2015, the Board and Daniel Emanuel Whitman, M.D., entered into an Agreed Order requiring Dr. Whitman to within one year complete the professional boundaries course offered by Santé Institute of Professional Education and Research or the professional boundaries course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; within one year complete at least 24 hours of CME, divided as follows: four hours in drug seeking behavior, eight hours in risk management, eight hours in medical recordkeeping and four hours in ethics and pay an administrative penalty of \$2,000 within 60 days. The Board found Dr. Whitman inappropriately prescribed dangerous drugs and controlled substances to his fiancée and failed to perform and document adequate history and physical examination findings and prescribed controlled substances in amounts beyond immediate need.

VIOLATION OF PRIOR BOARD ORDER

Reis, Marcos, M.D., Lic. No. G0810, Brownsville

On February 13, 2015, the Board and Marcos Reis, M.D., entered into a Modified Agreed Order requiring Dr. Reis to complete the 20 hours of CME within one year and 30 days of the entry of the June 2013 Order and within 120 days pay an additional \$2,000 administrative penalty. The Board found Dr. Reis has not complied with terms of his 2013 Order. All other provisions of the Order, as modified, remain in full force.

VIOLATION OF BOARD RULES

Barker, Craig Wayne, M.D., Lic. No. K7654, Lubbock

On February 13, 2015, the Board and Craig Wayne Barker, M.D., entered into an Agreed Order requiring Dr. Barker to within one year complete at least 24 hours of CME, divided as follows: 16 hours in medical recordkeeping and eight hours in pain management. The Board found that Dr. Barker failed to maintain adequate medical records for a patient and failed to adhere to the guidelines for the treatment of chronic pain.

Dulemba, John Frank, M.D., Lic. No. H1484, Denton

On February 13, 2015, the Board and John Frank Dulemba, M.D., entered into an Agreed Order requiring Dr. Dulemba to within one year complete the medical recordkeeping course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program and within one year complete at least four hours of CME in risk

management. The Board found Dr. Dulemba failed to maintain adequate medical records, failed to provide reasonable information on his discussion with the patients as to the risks, benefits and complications of the procedures and failed to adequately document his rationale for the treatment of patients' chronic pain.

Uribe-Botero, Gonzalo, M.D., Lic. No. E1956, Houston

On February 13, 2015, the Board and Gonzalo Uribe-Botero, M.D., entered into an Agreed Order requiring Dr. Uribe-Botero to have his practice monitored by another physician for eight consecutive monitoring cycles. The Board found DR. Uribe-Botero failed to correct deficiencies in the medical records and failed to include relevant and critical medical decision-making information in his medical records.

FAILURE TO PROPERLY SUPERVISE OR DELEGATE

Abrams, David Paul, D.O., Lic. No. K7960, Houston

On February 13, 2015, the Board and David Paul Abrams, D.O., entered into a Mediated Agreed Order publicly reprimanding Dr. Abrams and prohibiting him from serving as a supervisor for any midlevel providers or non-licensed clinical staff having any direct patient contact; shall not serve as medical director for any medical practice and shall limit his practice to a group or an institutional setting. The Board found Dr. Abrams improperly delegated in his office practice and failed to maintain adequate medical records. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

INADEQUATE MEDICAL RECORDS

Adesoba, Samuel Adekiya, M.D., Lic. No. K7235, Houston

On February 13, 2015, the Board and Samuel Adekiya Adesoba, M.D., entered into an Agreed Order on Formal Filing requiring Dr. Adesoba to have his practice monitored by another physician for eight consecutive monitoring cycles; within one year year and three attempts pass the Special Purpose Exam (SPEX) and within six months complete at least eight hours of CME in medical recordkeeping. The Board found Dr. Adesoba failed to adhere to accepted guidelines regarding the maintenance of adequate medical records with respect to eight patients who were treated for upper respiratory infections. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Davis, Hong Wang, M.D., Lic. No. K8107, Plano

On February 13, 2015, the Board and Hong Wang Davis, M.D., entered into an Agreed Order requiring Dr. Davis to within one year complete at least 16 hours of CME, divided as follows: eight hours in medical recordkeeping and eight hours in family medicine. The Board found Dr. Davis failed to take an adequate history of a patient and failed to document the use of Botox under the patient's eyes which was an off-label use, failed to document that the patient consented to such an off-label use and failed to document the patient's hypothyroidism and any discussion with the patient regarding concerns about Botox injections and hypothyroidism.

Gonino, V. John, D.O., Lic. No. J2032, Rockwall

On February 13, 2015, the Board and V. John Gonino, D.O., entered into an Agreed Order on Formal Filing publicly reprimanding Dr. Gonino. The Board found Dr. Gonino failed to maintain adequate medical records and did not obtain informed consent from a patient. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

CEASE AND DESIST

Davis, Larry Dean, D.C., No License, Plano

On February 13, 2015, the Board and Larry Dean Davis, D.C., entered into an Agreed Cease and Desist Order prohibiting Mr. Davis from engaging in the practice of medicine in the state of Texas and prohibiting him from acting as, or holding himself out to be, a physician, or in any express or implied manner, exercising the medical practice authority of a

physician in the state of Texas. The Board found Mr. Davis advertised himself on a public media website, youtube.com, as a "Plano Texas Thyroid Doctor – Thyroid Doctor in Plano." Mr. Davis failed to designate the authority under which his title is issued or the college or honorary degree that gives rise to the use of the title.

Paico, Lorena, No License, El Paso

On February 13, 2015, the Board and Lorena Paico entered into an Agreed Cease and Desist Order prohibiting Ms. Paico from practicing medicine in the state of Texas. Ms. Paico shall cease and desist any unlicensed practice of medicine in the state of Texas. The Board found Ms. Paico was alleged to have engaged in the unlicensed practice of medicine by conducting post-operative visits to a patient in El Paso, Texas.

Paico-Garcia, Max Ciro, No License, El Paso

On February 13, 2015, the Board and Max Ciro Paico-Garcia entered into an Agreed Cease and Desist Order prohibiting Mr. Paico-Garcia from practicing medicine in the state of Texas. Mr. Paico-Garcia shall cease and desist any unlicensed practice of medicine in the state of Texas. The Board found Mr. Paico-Garcia was alleged to have engaged in the unlicensed practice of medicine by conducting post-operative visits to a patient in El Paso, Texas.

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To view disciplinary orders, 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 "View Board Actions."

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