

2004 Press Releases

Wednesday, February 11, 2004

34 Doctors Disciplined

During its February 5-7 Board meeting, the Texas State Board of Medical Examiners took disciplinary action against 34 licensed physicians, who received one or more of the following actions: nine surrenders/revocations, with one stayed under certain terms and conditions; five suspensions, with three stayed under certain terms and conditions; four restrictions; nine public reprimands; and 12 administrative penalties, totaling \$56,000.

New Licenses Issued

During its February 5-7 Board meeting, the Board approved the licensure applications of 313 physicians.

Rule Changes

The Board adopted the following rule changes that were published in the Texas Register: Chapter 165, Medical Records. Amendments to §§165.1 and 165.2 and new §165.5 concerning medical records. The amendments will clarify the definitions for medical records and maintenance of records and add Health Insurance Portability and Accountability Act (HIPAA) requirements. New §165.5 outlines the requirements concerning transfer or disposal of medical records.

Proposed Rule Changes

The Board proposed the following rule changes for publication in the Texas Register and comment: Proposed changes to Chapter 163, Licensure. Rule review and proposed amendments to §§163.1-163.7, 163.11 and 163.12 concerning eligibility for licensure and general clean up. Chapter 164, Physician Advertising, proposed amendment to §164.4 regarding advertising board certification. Chapter 175, Fees, Penalties, and Applications, proposed amendments to §§175.1 and 175.4 relating to increases in application and registration fees for licenses and permits issued by the Board and mandated by Texas Online Authority. Chapter 183, Acupuncture, proposed amendment to §183.15 regarding the use of professional titles.

For copies of rule changes or proposed rules, write the Board at MC 264, P. O. Box 2018, Austin, TX 78768-2018, or e-mail jill.wiggins@tmb.state.tx.us .

ALLEN, DAVID DANIEL, M.D., ALLEN, TX, Lic. #H6007

On 2-6-04, the Board and Dr. Allen entered into an Agreed Order assessing an administrative penalty of \$10,000. The action was based on allegations that Dr. Allen submitted two falsified CME documents to a hospital.

BILSING, WILLIAM ALBERT, M.D., NORMANGEE, TX, Lic. #C2986

On 2-6-04 the Board and Dr. Bilsing entered into an Agreed Order assessing an administrative penalty in the amount of \$500. The action was due to Dr. Bilsing's failure to keep adequate medical records.

BOVELLE, RENEE CLAUDIA, M.D., WASHINGTON, DC, Lic. #L1275

On 2-6-04 the Board and Dr. Bovellet entered into an Agreed Order publicly reprimanding Dr. Bovellet. The action was based on allegations that Dr. Bovellet was disciplined by the Nevada State Board of Medical Examiners for practicing medicine while her registration was inactive.

BUTLER, THOMAS C., M.D., LUBBOCK, TX, Lic. #H5108

On 2-6-04 the Board and Dr. Butler entered into an Agreed Order accepting Dr. Butler's voluntary surrender of his license. The action was based on Dr. Butler's conviction of several felonies relating to his plague research at Texas Tech Health Sciences Center in Lubbock, Texas.

CHANDLER, MATTHEW TAFT, M.D., RICHARDSON, TX, Lic. #J6372

On 2-6-04, the Board and Dr. Chandler entered into an Agreed Order accepting Dr. Chandler's voluntary and permanent surrender of his license. The action was based on allegations that Dr. Chandler engaged in sexual relationships with four of his patients.

EMERSON, TIMOTHY JOE, M.D., SAN ANGELO, TX, Lic. #G8831

On 2-6-04 the Board revoked Dr. Emerson's license. The action was based on his conviction of a felony offense for possession of a firearm while under a restraining order. Dr. Emerson may file a Motion for Rehearing within 20 days of the Order. If a Motion for Rehearing is filed and the Board denies the motion, the Order is final. If a Motion for Rehearing is filed and the Board grants the motion, the Order is not final and a hearing will be scheduled.

FINN, S. SAM, M.D., DALLAS, TX, Lic. #H1079

On 2-6-04 the Board and Dr. Finn entered into an Agreed Order publicly reprimanding Dr. Finn. The action was based on the allegation that Dr. Finn fused a spinal column in the wrong location.

FORTSON, WAYNE EVERETT, M.D., KILGORE, TX, Lic. #E9636

On 2-6-04 the Board and Dr. Fortson entered into an Agreed Order publicly reprimanding Dr. Fortson and assessing an administrative penalty in the amount of \$5,000. This action was based on allegations that Dr. Fortson violated Board rules by failing to provide the Board with information in a timely manner.

GALLANT, KENNETH JOSEPH, D.O., BELTON, TX, Lic. #TP10007936

On 2-6-04 the Board revoked Dr. Gallant's license. The action was based on conduct that resulted in dismissal from his residency program. Dr. Gallant may file a Motion for Rehearing within 20 days of the Order. If a Motion for Rehearing is filed and the Board denies the motion, the Order is final. If a Motion for Rehearing is filed and the Board grants the motion, the Order is not final and a hearing will be scheduled.

GUERRA, ANTONIO FRED, M.D., SAN ANTONIO, TX, Lic. #F9511

On 2-6-04 the Board and Dr. Guerra entered into an Agreed Order requiring that Dr. Guerra obtain 15 hours CME in medical record keeping, pass the Medical Jurisprudence Exam within one year, and pay an administrative penalty in the amount of \$1,000. The action was based on violation of a Board rule concerning appropriate charges for medical records.

HAMILTON, JON-PAUL, M.D., HOUSTON, TX, Lic. #K0312

On 2-6-04 the Board and Dr. Hamilton entered into an Agreed Order suspending Dr. Hamilton's license; however, the suspension was stayed and Dr. Hamilton was placed on probation for seven years under terms and conditions including abstaining from alcohol and drugs, submitting to random drug testing, and continuing with psychiatric treatment. The action was based on Dr. Hamilton's drug abuse and self-prescription of Phenobarbital.

HOWARD, ANNETTE M, M.D., HOUSTON, TX, Lic. #J5161

On 2-6-04 the Board and Dr. Howard entered into an Agreed Order publicly reprimanding Dr. Howard, ordering her to perform 200 hours of community service, and assessing an administrative penalty in the amount of \$5,000. The action was based on allegations that Dr. Howard treated a patient and authorized refills of prescriptions while her medical license was suspended.

JOHNSON, CHARLES ANDERS, M.D., SUGAR LAND, TX, Lic. #H3900

On 2-6-04 the Board and Dr. Johnson entered into an Agreed Order revoking Dr. Johnson's license; however, the revocation was stayed and Dr. Johnson was placed on probation for 10 years under terms and conditions including psychiatric treatment, abstaining from drugs and alcohol, and submitting to random drug testing. The action was based on Dr. Johnson's intemperate use of drugs.

KELLEY, JARED LEE, M.D., IRVING, TX, Lic. #F1701

On 2-6-04, the Board and Dr. Kelley entered into an Agreed Order suspending Dr. Kelley's license; however, the suspension was stayed, and Dr. Kelley was placed on probation for 10 years under terms and conditions including abstaining from alcohol or drugs, and submitting to random drug testing. The action was based on Dr. Kelley's self-prescribing of drugs.

LEVY, DAVID JULIEN, D.O., ALVORD, TX, Lic. #D1455

On 2-6-04 the Board and Dr. Levy entered into an Agreed Order in which Dr. Levy voluntarily and permanently surrendered his license. The action was due to illness that rendered Dr. Levy unable to practice medicine.

LOYA, JUAN FRANCISCO, M.D., EL PASO, TX, Lic. #J4309

On 2-6-04, the Board and Dr. Loya entered into an Agreed Order suspending Dr. Loya's license. The suspension was based on allegations that Dr. Loya violated a prior Board Order by consuming prohibited drugs.

MALAVE, ERNESTO, M.D., LAMPASAS, TX, Lic. #J7063

On 2-6-04, the Board and Dr. Malave entered into an Agreed Order suspending Dr. Malave's license; however, the suspension was stayed, and Dr. Malave was placed on probation for seven years under terms and conditions including restricting Dr. Malave's ability to prescribe controlled

substances, attending Board-approved CME, and paying a \$5,000 administrative penalty. The action was based on Dr. Malave receiving deferred adjudication for delivery of a controlled substance.

MARTIN, RAYMOND ANDREW, M.D., LUBBOCK, TX, Lic. #F4946

On 2-6-04 the Board revoked Dr. Martin's license effective 3-20-04. The action was based on unprofessional conduct with a patient. Specifically, Dr. Martin had a sexual relationship with his patient. Dr. Martin may file a Motion for Rehearing within 20 days of the Order. If a Motion for Rehearing is filed and the Board denies the motion, the Order is final. If a Motion for Rehearing is filed and the Board grants the motion, the Order is not final and a hearing will be scheduled.

MITCHELL, RODERICK LEE, M.D., DAINGERFIELD, TX, Lic. #F9834

On 2-6-04 the Board and Dr. Mitchell entered into an Agreed Order requiring Dr. Mitchell to enroll in and successfully complete a remedial education course of at least two days duration in appropriate prescribing of controlled substances. The action was based on deficiencies in medical record documentation.

MOLINA, HECTOR OSCAR, M.D., COLLEYVILLE, TX, Lic. #K2755

On 2-6-04 the Board and Dr. Molina entered into an Agreed Order restricting Dr. Molina's license for three years and assessing a \$25,000 administrative penalty. The action was based on violations of Board Rule 174 regarding telemedicine, and failing to establish the proper doctor/patient relationship before prescribing controlled substances.

MONTOYA-ZERMENO, M. CARMEN, M.D., WHARTON, TX, Lic. #G6057

On 1-29-04 the Board and Dr. Montoya-Zermeno entered into an Agreed Order restricting Dr. Montoya-Zermeno's license for eight years under terms and conditions including monitoring of her medical practice, abstaining from consumption of alcohol or drugs, and submitting to random drug testing. The action was based on violation of a prior Board Order.

MYERS, FRANCES ALETHEA, M.D., McALLEN, TX, Lic. #H3497

On 2-6-04 the Board and Dr. Myers entered into an Agreed Order assessing an administrative penalty in the amount of \$500. The action was based on the allegation that Dr. Myers failed to timely produce medical records upon request of the patient.

PENDLETON, MICHAEL JEROME, M.D., CORPUS CHRISTI, TX, Lic. #L4091

On 2-6-04 the Board and Dr. Pendleton entered into an Agreed Order publicly reprimanding Dr. Pendleton. The action was based on allegations that Dr. Pendleton failed to obtain expert consultative assistance.

REDDING, TODD S., M.D., BARTLESVILLE, OK, Lic. #J2271

On 2-6-04, the Board and Dr. Redding entered into an Agreed Order suspending Dr. Redding's license until such time as he personally appears before the Board and provides evidence and information which in the discretion of the Board indicates that he is physically, mentally and otherwise competent to safely practice medicine. Such evidence and information shall

include the physician's successful completion of the probation period imposed upon his Oklahoma license by the Oklahoma Board.

SANCHEZ G, ARMANDO, M.D., HOUSTON, TX, Lic. #H3164

On 2-6-04 the Board revoked Dr. Sanchez G's license. The action was based upon the fact that Dr. Sanchez G solicited the murder for hire of a patient. Dr. Sanchez G may file a Motion for Rehearing within 20 days of the Order. If a Motion for Rehearing is filed and the Board denies the motion, the Order is final. If a Motion for Rehearing is filed and the Board grants the motion, the Order is not final and a hearing will be scheduled.

SIDDIQI, MOHAMMAD IFTEKHAR, M.D., SPRING, TX, Lic. #K8840

On 2-6-04 the Board and Dr. Siddiqi entered into an Agreed Order publicly reprimanding Dr. Siddiqi and assessing an administrative penalty in the amount of \$500. The action was based on allegations that Dr. Siddiqi discharged a patient from a hospital stay without properly assessing the patient's blood sugar level.

STOKOE, CHRISTOPHER THOMAS, M.D., PLANO, TX, Lic. #K2805

On 2-6-04, the Board and Dr. Stokoe entered into an Agreed Order assessing an administrative penalty in the amount of \$500. The action was based on allegations that Baylor/Richardson Hospital terminated Dr. Stokoe's privileges for failing to respond to requests to complete delinquent medical records in a timely manner.

SU, CHARLES YIENG-CHU, M.D., SOUTHLAKE, TX, Lic. #J3383

On 2-6-04 the Board and Dr. Su entered into an Agreed Order publicly reprimanding Dr. Su. The action was based on the allegation that Dr. Su failed to diagnose a ruptured popliteal artery.

TAN, PING NGI, M.D., HAMILTON, TX, Lic. #F2476

On 2-6-04 the Board and Dr. Tan entered into an Agreed Order restricting Dr. Tan's license for three years under certain terms and conditions including having a chaperone present while treating female patients, and attending focused CME. The action was based on allegations that Dr. Tan failed to maintain proper boundaries with a patient.

VILLAMIL, ALFONSO, M.D., CORPUS CHRISTI, TX, Lic. #K1120

On 2-6-04 the Board and Dr. Villamil entered into an Agreed Order assessing an administrative penalty in the amount of \$1,000. The action was based on allegations that Dr. Villamil failed to release medical records in a timely manner.

WILLIAMS, ROBERT ALLEN, M.D., PHOENIX, AZ, Lic. #F2993

On 2-6-04 the Board and Dr. Williams entered into an Agreed Order publicly reprimanding Dr. Williams. The action was based on disciplinary action by another state.

WILSON, MARK SEAN, M.D., CORPUS CHRISTI, TX, Lic. #L5615

On 2-6-04 the Board and Dr. Wilson entered into an Agreed Order publicly reprimanding Dr. Wilson and assessing an administrative penalty in the amount of \$1,000. The action was based on allegations that Dr. Wilson

violated a prior Board Order by ingesting a prescription drug without notifying the Board.

WILSON, W. BRAD, M.D., NACOGDOCHES, TX, Lic. #H3293

On 2-6-04 the Board and Dr. Wilson entered into an Agreed Order extending Dr. Wilson's current probated suspension for an additional two years and assessing an administrative penalty in the amount of \$1,000. The action was based on allegations that Dr. Wilson violated his prior Board Order by self-prescribing dangerous drugs.

ZINGERY, LEWIS W., M.D., AUSTIN, TX, Lic. #F4724

On 2-6-04 The Board and Dr. Zingery entered into an Agreed Order wherein Dr. Zingery voluntarily and permanently surrendered his medical license effective January 15, 2004. The action was based on Dr. Zingery nontherapeutically prescribing pain medications to multiple patients.

The Texas State Board of Medical Examiners, the state agency that regulates physicians, physician assistants, surgical assistants and acupuncturists, provides consumer protection through licensure, investigation and disciplinary action. The Board, under President Lee S. Anderson, M.D., and Executive Director Donald W. Patrick, M.D., J.D., and mandated by Senate Bill 104 of the 78th Legislature, is strengthening and accelerating the disciplinary process for licensees who fail to meet the required standards of professional proficiency and behavior. Information on filing a complaint is on the agency web site at www.tsbme.state.tx.us or by calling (800) 201-9353.

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