

Texas Medical Board Press Release

FOR IMMEDIATE RELEASE

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TMB disciplines 26 physicians at October meeting, adopts rules changes

At its October 20, 2017 meeting, the Texas Medical Board disciplined 26 licensed physicians and issued one cease and desist order.

The disciplinary actions included: six orders related to quality of care violations, four orders related to unprofessional conduct, four voluntary surrenders/revocations, one suspension, two terminations of suspension, one order related to nontherapeutic prescribing, one order related to improper prescribing, four orders related to violation of prior Board order, and three orders related to other states' actions.

The Board issued 139 physician licenses at the October meeting, bringing the total number of physician licenses issued in FY18 to 580.

RULE CHANGES ADOPTED

CHAPTER 163. LICENSURE

The amendments to **§163.2**, **163.4**, **163.6**, **163.13**, and the repeal of **§163.7**, concerning Licensure.

The amendment to **§163.2**, concerning Full Texas Medical License, deletes language under subsection (d)(5)(A) setting forth requirements related to §163.7 of this title (relating to the Ten Year Rule). The amendments reflect the repeal of §163.7 of this title.

The amendment to **§163.4**, concerning Procedural Rules for Licensure Applicants, deletes language under subsection (d)(5)(D) related to §163.7 of this title. The amendments reflect the repeal of §163.7 of this title.

The amendment to **§163.6**, concerning Examinations Accepted for Licensure, deletes language under subsection (e)(1), requiring that an applicant pass the jurisprudence examination within three attempts. The changes are made pursuant to Senate Bill 674 (85th Legislature, Regular Session).

The repeal of **§163.7**, concerning Ten Year Rule, repeals requirements that an applicant have passed an examination listed in §163.6(a) of this title (relating to Examinations Accepted for Licensure) for licensure within the ten-year period prior to the filing date of the application. The amendments remove an unnecessary impediment to licensure for physicians who have maintained competency through the active practice of medicine, and otherwise meet all general eligibility requirements.

The amendment to **§163.13**, concerning Expedited Licensure Process, adds a new subsection (b), creating an expedited licensing process for out-of-state psychiatrists. The new language is in accordance with Senate Bill 674, 85th Legislative Regular Session, which requires the Board to create an expedited licensing process for applicants who hold an unrestricted license to practice medicine issued in another state, are board certified in psychiatry, and meet other general eligibility requirements.

CHAPTER 171. POST GRADUATE TRAINING PERMITS

The amendment to **§171.3**, concerning Physician-in-Training Permits, adds language to subsection (d)(2)(C), clarifying that a physician-in-training permit shall expire not only upon the date the permit holder obtains full licensure, but

temporary or limited licensure as well. The purpose of the amendment is to align the language of §171.3 with §163.9 of this title (relating to Only One License), which provides that a person may not have more than one license or permit at the same time, and that upon the issuance of any license or permit, all previously issued licenses and permits, including postgraduate training permits, shall be considered to be terminated.

CHAPTER 172. TEMPORARY AND LIMITED LICENSES

The amendments to **§172.4**, concerning State Health Agency Temporary License and **§172.8**, concerning Faculty Temporary License.

The amendments to **§172.4**, deletes language under paragraphs (1)(C) and (2)(A) referencing §163.7 of this title (relating to the Ten Year Rule). The amendments reflect the repeal of §163.7 of this title.

The amendments to **§172.8**, deletes language under subsection (a)(2), requiring that an applicant pass the jurisprudence examination within three attempts. The changes are made pursuant to Senate Bill 674 (85th Legislature, Regular Session). Further amendments to subsection (k), delete language referencing §163.7 of this title. The amendments reflect the repeal of §163.7.

CHAPTER 174. TELEMEDICINE

The amendments to **§§174.1 - 174.3, 174.5 - 174.9** and new **§174.4**, concerning Mental Health Services and the repeal of **§§174.10 - 174.12**, concerning Telemedicine.

The title of Chapter 174 is renamed to "Telemedicine and Mental Health Services" and creates a new Subchapter A, "Telemedicine" and a new Subchapter B, "Mental Health Services".

The amendments to **§174.1**, concerning Purpose, add language that the purpose of the telemedicine rules is to clarify the requirements of Chapter 111 of the Texas Occupations code related to the provision of telemedicine health services.

The amendments to **§174.2**, concerning Definitions, delete multiple definitions dealing with telemedicine while adding new definitions of "Prescription," "Store and forward technology," "Telehealth services," "Telemedicine medical services," and "Ultimate user" to comport with the new definitions in Senate Bill 1107 dealing with telemedicine and telehealth services.

The amendments to **§174.3**, concerning Prevention of Fraud and Abuse, delete the current detailed requirements for protocols to prevent fraud and abuse through the use of telemedicine services, and substitute a requirement that a consistent physician's protocols to prevent fraud and abuse must be consistent standard established by the Health and Human Services Commission pursuant to §531.02161 of the Government Code.

New **§174.4**, concerning Notice to Patients, adds language requiring physicians communicating with patients by electronic communications other than telephone or facsimile to provide patients with written or electronic notification of the physician's privacy practices prior to providing telemedicine services. The amendment further requires that the notices of privacy practice be consistent with federal standards under 45 CFR Parts 160 and 164. Additionally, the amendments require physicians providing telemedicine medical services to provide patients with notice of how to file a complaint with the Board.

The amendments to **§174.5**, concerning Issuance of Prescriptions, sets out requirements for valid prescriptions issued as a result of a telemedicine medical service and limits the treatment of chronic pain through telemedicine medical services.

The amendments to **§174.6**, concerning Minimum Standards for the Provision of Telemedicine Medical Services, delete multiple requirements for providing telemedicine services and substitute simplified minimum requirements for providing a health care service or procedure as a telemedicine medical service that comport with Senate Bill 1107.

The amendments to **§174.7**, concerning Enforcement Authority rename the section and delete language related to providing telemedicine services under the Board's former definitions and requirements. The amendments clarify the Board's enforcement authority to investigation and discipline physicians for violations of statutes and rules to telemedicine services.

The amendments to **§174.8**, concerning State Licensure, rename the section, delete language related to evaluation and treatment of the patient superseded by SB 1107, and add language clarifying that physicians providing telemedicine services must possess a full Texas Medical license when treating residents of Texas.

The amendments to **§174.9**, concerning Provision of Mental Health Services, delete former rules regarding the provision of mental health care through telemedicine services and substitute simplified requirements for providing mental health services. These requirements include: a requirement of licensure or certification; establishment of a provider/patient relationship; and a requirement to conform with the standard of care. The amendments make clear that technology may be used to provide mental health services to patients in a different location from the licensed or certified provider. The amendments also make clear that the Board may investigate and discipline, or appropriately refer provider to proper regulatory authority, for violations of rules related to the provision of mental health services.

The repeal of **§174.10**, concerning Medical Records for Telemedicine Medical Services, **§174.11**, concerning On Call Services, and **§174.12**, concerning State Licensure. The repeals are necessary to ensure that the Board rules comport with SB 1107 and are not duplicative of other Board rules related to the provision of telemedicine and telemedicine services.

CHAPTER 175. FEES AND PENALTIES

The amendments to **§175.1**, concerning Application and Administrative Fees; and **§175.2**, concerning Registration and Renewal Fees.

The amendment to **§175.1** deletes language tying fee calculation for the Prescription Drug Monitoring Program (PMP) to Article IX, §18.55 of House Bill 1, 84th Legislature, and adds language requiring fee calculation to be made in accordance with the Texas General Appropriations Act. The amendment will increase flexibility under the rules for any future PMP fee changes necessitated by amendments made to the Medical Board's cost allocation for PMP administration through the General Appropriations Act.

The amendment to **§175.2** deletes language tying fee calculation for the Prescription Drug Monitoring Program to Article IX, §18.55 of House Bill 1, 84th Legislature, and adds language requiring fee calculation to be in accordance with the Texas General Appropriations Act. The amendment will increase flexibility under the rules for any future PMP fee changes necessitated by amendments made to the Medical Board's cost allocation for PMP administration through the General Appropriations Act.

CHAPTER 178. COMPLAINTS

The amendments to **§178.3**, concerning Complaint Procedure Notification.

The amendment to **§178.3** deletes the word "Procedure" from the title, deletes language related to the type size of printed copies of the board approved notification statement regarding complaints on billing statements and written contracts for services. The amendment adds language setting allowing telemedicine providers to provide the Board approved complaint notification statement through: a prominently displayed link on a website, in a provider app; by recording, or in a bill for services.

CHAPTER 187. PROCEDURAL RULES

The amendments to **§187.16**, concerning Informal Show Compliance Proceedings (ISCs), **§187.18**, concerning Informal Show Compliance Proceeding and Settlement Conference Based on Personal Appearance, and **§187.83**, concerning Proceedings for Cease and Desist Orders.

The amendments to **§187.16** set out a finding that the statutory minimum requirements related to the Informal Show Compliance Proceedings (ISCs), as set out in the Texas Occupations Code, §164. et.seq., are comprehensive and complete. The amendments state that rules related to ISC proceedings will be promulgated only as necessary to be consistent with statutory requirements. The amendment deletes provisions duplicative of §164 of the Texas Occupations Code and deletes an incorrect reference to providing 30 rather than 45 days notice prior to an ISC. The amendments also changes the title of rule 187.16 to read “Informal Show Compliance (ISC) Information and Notices,” as this title is more descriptive of the contents of the rule and abbreviated the references to “informal meetings” and “Informal Show Compliance Proceedings” to “ISC.”

The amendment to **§187.18**, deletes ISC requirements duplicative of those set out in §164.003 and §164.0031 of the Occupations Code and clarify the procedures for conducting an ISC. The amendment also changes the title of section 187.18 to read “ISC Scheduling, Process and Procedures,” as this is more descriptive of the contents of the rule and adopted a change to the preamble of subsection (d) to read “ISCs shall be conducted in accordance with §164.003 and §164.0032 of the Act. In addition to ISC requirements under these laws, the board representative may also....”

The amendment to **§187.83**, corrects a typographical error in a citation to Texas Occupations Code §164.052.

CHAPTER 190. DISCIPLINARY GUIDELINES

The amendments to **§190.8(1)(L)**, concerning Violation Guidelines.

The amendment deletes language and requirements related to establishing a defined physician-patient relationship before prescribing any dangerous drug or controlled substance, and substitutes language requiring establishing a valid practitioner-patient relationship, a term defined by SB 1107 in amended Texas Occupations Code §111.005.

DISCIPLINARY ACTIONS

QUALITY OF CARE

Armstrong, Raymond G., M.D., Lic. No. D6364, San Antonio

On October 20, 2017, the Board and Raymond G. Armstrong, M.D., entered into an Agreed Order prohibiting him from treating patients for addiction or providing psychiatric care to patients unless such patients are being treated by him for those conditions in an emergency department setting; within one year complete at least eight hours of CME, divided as follows: four hours in risk management and four hours in medical recordkeeping. The Board found Dr. Armstrong failed to recognize and appropriately respond to a patient by failing to appreciate the patient’s distress and make appropriate referrals for her in a timely manner which resulted in the patient’s suicide.

Castillon, Frank, III, M.D., Lic. No. M0682, Lubbock

On October 20, 2017, the Board and Frank Castillon, III, M.D., entered into an Agreed Order on Formal Filing requiring him to have his practice monitored by another physician for eight consecutive monitoring cycles; within one year complete at least 24 hours of CME, divided as follows: eight hours in surgical safety, eight hours in neurological monitoring and eight hours in risk management; and within 60 days pay an administrative penalty of \$6,000. The Board found Dr. Castillon failed to meet the standard of care for several surgical patients. Specifically, he failed to use adequate surgical technique during an operation requiring corrective surgery, performed an incorrect, and non-consented, spinal level surgery, improperly discharged a patient after failing to recognize a small cerebral contusion which was also missed by interpreting radiologist, and diagnosed a fourth patient with loss of brainstem function too soon after anesthetic agents had been administered. Ultimately, however, the patient did meet brain death criteria. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Skie, Gregory, M.D., Lic. No. G5617, Arlington

On October 20, 2017, the Board and Gregory Skie, M.D., entered into an Agreed Order requiring him to have his practice monitored by another physician for eight consecutive monitoring cycles; and within one year complete at least 12 hours of CME, divided as follows: eight hours in risk management and four hours in proper prescribing. The Board found Dr. Skie failed to safeguard against potential complication for a high risk patient by renewing controlled substances

prescriptions instead of adjusting his prescribing based on the patient having a surplus of medications rather than issuing full prescriptions.

Thomas, John P., M.D., Lic. No. J6763, Lubbock

On October 20, 2017, the Board and John P. Thomas, M.D., entered into an Agreed Order on Formal Filing requiring him to have his practice monitored by another physician for eight consecutive monitoring cycles. The Board found Dr. Thomas failed to timely address a post-operative internal bleed after performing a gallbladder surgery and failed to timely address a post-operative bile leak after a surgery for a second patient. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Lowery, Erica Herndon, M.D., Lic. No. P2482, Baytown

On October 20, 2017, the Board and Erica Herndon Lowery, M.D., entered into an Agreed Order requiring her to have her practice monitored by another physician for eight consecutive monitoring cycles; and within one year complete at least 28 hours of CME, divided as follows: eight hours in handling high risk pregnancy, eight hours in medical recordkeeping, eight hours in risk management and four hours in informed consent. The Board found Dr. Lowery failed to meet the standard of care in the obstetric care of one patient by failing to timely address the signs of fetal distress, failed to perform and document an adequate patient history and failed to obtain the patient's written informed consent for a surgical vaginal delivery.

Velasquez, Michael A., D.O., Lic. No. L2726, El Paso

On October 20, 2017, the Board and Michael A. Velasquez, D.O., entered into an Agreed Order requiring him to within one year complete at least eight hours of CME, divided as follows: four hours in risk management and four hours in drug-seeking behavior; and within 60 days pay an administrative penalty of \$2,000. The Board found Dr. Velasquez failed to meet the standard of care in the treatment and management of a patient's chronic non-cancer pain and did not follow through on referrals to specialists.

UNPROFESSIONAL CONDUCT

Devaneson, Paul Prabhakar, M.D., Lic. No. F8465, Lubbock

On October 20, 2017, the Board and Paul Prabhakar Devaneson, M.D., entered into and Agreed Order requiring him to within one year and three attempts pass the Medical Jurisprudence Exam; and within one year complete at least 16 hours of CME, divided as follows: eight hours in anger management and eight hours in ethics. The Board found Dr. Devaneson sent harassing and sexually inappropriate messages to his former office manager through social media.

Lin, Nicholas, M.D., Lic. No. N6911, San Antonio

On October 20, 2017, the Board and Nicholas Lin, M.D., entered into an Agreed Order on Formal Filing publicly referring Dr. Lin to the Texas Physician Health Program and requiring him to within 90 days pay an administrative penalty of \$5,000. The Board found Dr. Lin entered into a deferred adjudication of a Class A Misdemeanor offense related to a physical altercation with two females. The circumstances surrounding his arrest were not connected with the practice of medicine. Dr. Lin is required pursuant to Community Supervision and Correction Department Rehabilitation Program to participate in abstinence, drug testing and an Aggression Control Program. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Loftus, Thomas Stuart, M.D., Lic. No. L5439, Austin

On October 20, 2017, the Board and Thomas Stuart Loftus, M.D., entered into a Mediated Agreed Order requiring him to modify the disclosures that are provided to his patients to adequately and fully reflect his financial interest in Capitol Neurodiagnostics, PLLC and to indicate whether they are an in-network or out-of-network provider, and provide copies of the modified disclosures within 30 days to the Board; within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete at least 16 hours of CME, divided as follows: four hours in medical recordkeeping, eight hours in risk management and four hours in medical ethics; and within 60 days pay an administrative penalty of \$2,500. The Board found Dr. Loftus failed to disclose his financial relationship with Capitol Neurodiagnostics, PLLC. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Martin, Earl Edward, D.O., Lic. No. L4559, Tomball

On October 20, 2017, the Board and Earl Edward Martin, D.O., entered into an Agreed Order publicly reprimanding Dr. Martin and requiring him to within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete the professional boundaries course offered by the California San Diego Physician Assessment and Clinical Education (PACE) program; within one year complete the prescribing course offered by the PACE program; within one year complete at least 20 hours of CME, divided as follows: four hours in risk management, four hours in ethics, four hours in treating migraine headaches, four hours in treatment of chronic pain and four hours in medical recordkeeping; and within 60 days pay an administrative penalty of \$2,000. The Board found Dr. Martin failed to take an adequate history and document an adequate medical rationale for opioids he prescribed to a patient for migraine headaches and admitted to having a sexual relationship with the patient.

VOLUNTARY SURRENDER/REVOICATION

Conner, Byron Felton, M.D., Lic. No. J8496, North Richland Hills

On October 20, 2017, the Board and Byron Felton Conner, M.D., entered into an Agreed Order of Revocation Upon Formal Filing, in which Dr. Conner agreed to the revocation of his Texas medical license in lieu of further disciplinary proceedings. The Board found that Dr. Conner entered a guilty plea to conspiracy to commit health care fraud and is awaiting sentencing, which has been deferred pending the prosecution of other health care providers against whom charges are pending, and Dr. Conner's cooperation in such prosecution. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Diamond, Howard, M.D., Lic. No. H4283, Sherman

On October 20, 2017, the Board and Howard Diamond, M.D., entered into an Agreed Order of Revocation, in which Dr. Diamond agreed to the revocation of his Texas medical license in lieu of further disciplinary proceedings. The Board found that on July 6, 2017, an indictment was filed against Dr. Diamond in the United States District Court for the Eastern District of Texas, Sherman Division. Dr. Diamond has pleaded not guilty to the criminal charges.

Jeyaraj, David Vijay, M.D., Lic. No. L2354, Houston

On October 20, 2017, the Board and David Vijay Jeyaraj, M.D., entered into an Agreed Order of Voluntary Surrender in which Dr. Jeyaraj agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. The Board found Dr. Jeyaraj improperly operated an unregistered pain management clinic.

Warshawsky, Benjamin Joseph, M.D., Lic. No. BP10057676, Austin

On October 20, 2017, the Board and Benjamin Joseph Warshawsky, M.D., entered into an Agreed Order of Voluntary Surrender on Formal Filing in which Dr. Warshawsky agreed to voluntarily surrender his Texas physician in training permit in lieu of further disciplinary proceedings. The Board found Dr. Warshawsky was arrested by the Temple Police Department for driving while intoxicated and entered into the Bell County Pre-Trial Intervention Program. Dr. Warshawsky later resigned from employment with his residency program in lieu of termination. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

SUSPENSION

Fath, Steven Wade, M.D., Lic. No. K8144, Dallas

On October 20, 2017, the Board and Steven Wade Fath, M.D., entered into an Agreed Order of Voluntary Suspension suspending Dr. Fath's Texas medical license until he requests in writing to have the suspension stayed or lifted, and appears before the Board to provide evidence that he is physically, mentally, and otherwise competent to safely practice medicine, which shall include at a minimum, completion of the specific cognitive and health evaluations recommended by the Center for Professional Education for Physicians (CPEP) in Denver, Colorado in the proficiency testing and completion of a residency-like program. Dr. Fath shall reappear before the Board to request modification of this order so he may enroll and participate in the residency-like program. The Board found Dr. Fath was recommended by CPEP to not

engage in the active practice of medicine until he completes a specified cognitive and health evaluation, as well as a residency-like training.

TERMINATION OF SUSPENSION

Deaton, Benjamin Andrew, M.D., Lic. No. M1623, Houston

On October 20, 2017, the Board and Benjamin Andrew Deaton, M.D., entered into an Agreed Order Granting Termination of Suspension under the following terms: publicly reprimanding him; limit his practice to a group or institutional setting approved in advance; abstain from the consumption of prohibited substances as defined in the order; participate in the Board's drug testing program; within 30 days obtain a Board-approved treating psychiatrist and follow all recommendations for care and treatment; and participate in Alcoholics Anonymous activities no less than three times a week. The Board found Dr. Deaton agreed to voluntarily surrender his Colorado Medical License to avoid a disciplinary hearing related to his failure to report his participation in the Texas Physician Health Program on his initial licensure application. Results from his Independent Medical Evaluation are that he is safe to resume the practice of medicine provided he participates in on-going psychiatric treatment and substance abuse monitoring.

Gibbons, Gregory Michael, M.D., Lic. No. N3670, Bellaire

On October 20, 2017, the Board entered an Order Granting Termination of Suspension, reinstating Dr. Gibbon's Texas medical license under the following terms: abstain from the consumption of prohibited substances as defined in the order; participate in the Board's drug testing program; within 30 days submit to the Board physicians who agree to serve as a treating psychiatrist and follow all recommendations for care and treatment by the Board-approved physician; and participate in Alcoholics Anonymous activities no less than three times a week. Dr. Gibbons was previously temporarily suspended for attempting to treat three patients while impaired due to alcohol consumption.

NONTHERAPEUTIC PRESCRIBING

Aguirre-Burgos, Jesus Ignacio, M.D., Lic. No. E6206, Laredo

On October 20, 2017, the Board and Jesus Ignacio Aguirre-Burgos, M.D., entered into an Agreed Order requiring him to within seven days surrender his DEA controlled substances registration certificates and shall not reregister without authorization from the Board; have his practice monitored by another physician for eight consecutive monitoring cycles; within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete at least 24 hours of CME, divided as follows: eight hours of in-person CME in risk management, eight hours in drug-seeking behavior and eight hours in in-person CME in medical recordkeeping; and within one year pay an administrative penalty of \$3,000. The Board found Dr. Aguirre-Burgos voluntarily surrendered his DEA registration due to concerns related to his prescribing practices, failed to meet the standard of care when prescribing to multiple patients for chronic pain, failed to meet the standard of care when he prescribed phentermine to three patients, and failed to maintain adequate medical records.

IMPROPER PRESCRIBING

Seabold, Chad, M.D., Lic. No. N1442, Houston

On October 20, 2017, the Board and Chad Seabold, M.D., entered into a Mediated Agreed Order publicly reprimanding Dr. Seabold, publicly referring him to the Texas Physician Health Program, and requiring him to within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete the professional boundaries 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 of CME, divided as follows: four hours in risk management and four hours in medical recordkeeping. The Board found Dr. Seabold prescribed dangerous drugs and controlled substances over a period of several years to someone with whom he had a close personal relationship and prescribed dangerous drugs to himself over a period of several years. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

VIOLATION OF PRIOR BOARD ORDER

Lucas, Marshall Brent, M.D., Lic. No. J0080, The Woodlands

On October 20, 2017, the Board and Marshall Brent Lucas, M.D., entered into an Agreed Order Upon Formal Filing requiring him to within one year complete at least eight hours of CME in ethics and/or risk management; and within 60 days pay an administrative penalty of \$500. The Board found Dr. Lucas did not release a patient's medical records within 15 days of receipt of the request. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Parkey, Paul James, M.D., Lic. No. D3362, Wichita Falls

On October 20, 2017, the Board and Paul James Parkey, M.D., entered into an Agreed Order publicly reprimanding him. The Board found Dr. Parkey violated his 2014 Order by failing to timely pay his chart monitor fees as required.

Saifee, Nafees Fatima, M.D., Lic. No. E3762, Fort Worth

On October 20, 2017, the Board and Nafees Fatima Saifee, M.D., entered into an Agreed Order Modifying Prior Order which modifies her June 2016 Order. The modification requires her to within six months complete at least 6.5 hours of CME in the topic of HIPAA. The Board found Dr. Saifee failed to timely complete all the CME required under the 2016 Order. All other terms of the 2016 Order remain in effect.

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

On October 20, 2017, the Board and Paul Eric Stoufflet, M.D., entered into an Agreed Order publicly reprimanding Dr. Stoufflet. The Board found Dr. Stoufflet violated his 2015 and 2017 Orders by failing to timely compensate a chart monitor and by failing to pay an administrative penalty within the required timeframe.

OTHER STATES' ACTIONS

Baghdoian, Michael, M.D., Lic. No. D8654, Southgate, MI

On October 20, 2017, the Board and Michael Baghdoian, M.D., entered into an Agreed Order prohibiting Dr. Baghdoian from practicing in Texas until he requests permission and appears before the Board to provide evidence that adequately indicates that he is physically, mentally, and otherwise competent to safely practice. The Board found Dr. Baghdoian entered into a Consent Order with the Michigan Board of Medicine for performing wrong site surgery, was reprimanded and paid a fine of \$1,000.

Dimowo, John Oruyopita, M.D., Lic. No. K4883, El Paso

On October 20, 2017, the Board entered a Final Order regarding John Oruyopita Dimowo, M.D., restricting him from practicing medicine in the state of Texas until he requests permission and appears before the Board to provide evidence that indicates he is physically, mentally, and otherwise competent to safely practice. The Board found Dr. Dimowo was authorized to return to practice medicine in the state of California following misdemeanor convictions for unlawfully prescribing controlled substances. The action was based on the findings of an administrative law judge. This order resolves a formal complaint filed at SOAH. Dr. Dimowo has 25 days from the service of the order to file a motion for rehearing.

Lawal, Adegboyega Hakeem, M.D., Lic. No. L3372, Milwaukee, WI

On October 20, 2017, the Board and Adegboyega Hakeem Lawal, M.D., entered into an Agreed Order requiring him to comply with all terms of the Final Decision and Order entered by the Wisconsin Medical Examining Board (WMEB). The Board found that on April 19, 2017, Dr. Lawal was disciplined by the WMEB and received a one week suspension of his license for failing to meet the standard of care in the treatment of a patient.

CEASE AND DESIST

Ethridge, Christopher, No License, Whitehouse

On October 20, 2017, the Board and Christopher Ethridge entered into an Agreed Cease and Desist order prohibiting Mr. Ethridge from practicing medicine in the state of Texas without a license issued by the Texas Medical Board. Mr.

Ethridge shall also cease and desist from identifying himself as a doctor. The Board found that on or about March 20, 2017, Mr. Ethridge engaged in the practice of medicine by diagnosing, or offering to treat a patient's injury and publicly professed to be a physician, by identifying himself as a physician to emergency response personnel responding to an emergency call involving a patient with a self-inflicted gunshot wound to the head.

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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.