

Texas Medical Board Press Release

**FOR IMMEDIATE RELEASE
Friday, November 5, 2010**

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Medical Board Disciplines 77 Doctors

The Texas Medical Board met October 28-29, 2010. Since its August 26-27 board meeting, the Texas Medical Board has taken disciplinary action against 77 licensed physicians. The actions included 11 violations based on quality of care; nine violations based on unprofessional conduct; four based on other states' action; one based on peer review actions; one based on criminal convictions; eight voluntary surrenders; one suspension; three revocations; 10 based on inadequate medical records; one based on inadequate supervision; 18 corrective orders; one cease and desist order; and 10 orders for minor statutory violations.

The board approved 96 physician licenses at the October board meeting; 492 total have been issued since September 1, 2010, the beginning of FY '11. In addition, Licensure reported that for FY '10, 3,522 licenses had been issued in an average of 36 days. Additionally, 4,218 physician licensure applications have been received, which breaks the record set last year of 4,094.

RULE CHANGES ADOPTED

The board adopted the following rule changes that were published in the *Texas Register*:
Chapter 164, Physician Advertising: Amends §164.4, Board Certification, to:

(1) retain the requirement that physicians may advertise that they are "board certified" only if their certifying board is either the American Board of Oral and Maxillofacial Surgery, or is a member the American Board of Medical Specialties (ABMS) or the American Osteopathic Association Bureau of Osteopathic Specialties (BOS);

(2) provide that physicians whose certifying boards don't meet these requirements may use the term "board certified" only if the Medical Board determines, based on an application by a physician or other entity, that these other Boards have certification requirements that are substantially similar to those of the ABMS or the BOS.

(3) add to the criteria considered by the Medical Board in determining "substantial similarity" that a certifying board requires its physicians to complete postgraduate training accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association, which which included substantial and identifiable supervised training of comprehensive scope in the specialty or subspecialty certified.

(4) permit physicians whose certifying boards were deemed “substantially similar” by the Medical Board prior to September 1, 2010, and who themselves were certified by these other certifying boards prior to September 1, 2010, to use the term “board certified.”

Chapter 172, Temporary and Limited Licenses: Amends §172.5, Visiting Physician Temporary Permit (VPTP), to provide the board greater discretion in determining eligibility for a permit to participate in the Texas A&M KSTAR program.

Chapter 175. Fees And Penalties: Amends §175.1 Application Fees, to eliminate application fees for regular temporary licenses and distinguished professor temporary licenses and adds the fee amount for a regular temporary license to the application fee for full licensure, provisional licenses, telemedicine licenses, and administrative license.

PROPOSED RULE CHANGES

The following proposed rule changes will be published in the *Texas Register for public comment at the Board's February 4, 2011 meeting*:

Chapter 163, Licensure: Amendment to §163.13 Expedited Licensure Process, to provide that applicants for expedited licenses do not have to submit affidavits to the Board confirming that they have requested and are eligible for an immigration waiver.

Chapter 171, Postgraduate Training Permits: Amendment to §171.2, Construction, to remove reference to language regarding annual reporting requirements which are no longer required, and amendment to §171.5, Duties of PIT Holders to Report, to require PIT holders to report fines, citations, and violations only if they are greater \$250, unless the fines, citations, or violations involve drugs or alcohol.

Chapter 187, Procedural Rules: Amendment to §187.8, Subpoenas, to require parties requesting the issuance of a Board subpoena for records to accomplish service of the subpoenas; amendment to §187.14, Informal Resolution of Disciplinary Issues Against a Licensee, to clarify that if a licensee fails to timely accept an offer of settlement by the Quality Assurance committee or if the licensee requests that an Informal Settlement Conference (ISC) be held, the offer shall be deemed to be rejected and an ISC shall be held; amendment to §187.27, Written Answers in SOAH Proceedings and Default Orders, to provide that if a respondent fails to file a written answer to a SOAH complaint, that board staff shall file a motion to remand based on the respondent's default, and upon remand, the board shall review a motion for default and issue a default order upon presentation of evidence in support of the default order; amendment to §187.55, Purpose, for grammatical purposes; and amendment to §187.59, Evidence, to require documentary evidence in a temporary suspension hearing to be pre-filed at least 24 hours before the hearing, and that documentary evidence must be submitted in electronic format where Respondent has been provided notice that a panel member will be appearing by phone.

QUALITY OF CARE

Athari, Mohammad, M.D., Lic. No. E6718, Baytown

On October 29, 2010, the Board and Mohammad Athari, M.D., entered into a Mediated Agreed

Order requiring Dr. Athari to complete within one year the medical record-keeping course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program, or equivalent course; complete within one year eight hours of CME in the topic of the use of treatment guidelines; and pay an administrative penalty of \$4,000 within 60 days. The action was based on Dr. Athari's failure to maintain adequate medical records; and failure to practice medicine in an acceptable professional manner consistent with public health and welfare.

Dannemiller, Timothy Michael, M.D., Lic. No. J5152, Iraan

On October 29, 2010, the Board and Timothy Michael Dannemiller, M.D., entered into an Agreed Order requiring Dr. Dannemiller to complete within one year 16 hours of CME including eight hours in ethics, and eight hours in medical record-keeping. The action was based on Dr. Dannemiller's inappropriate prescription of dangerous drugs to himself and failure to maintain adequate medical records.

Davis, Nora J., M.D., Lic. No. J4071, Houston

On October 29, 2010, the Board and Nora J. Davis, M.D., entered into an Agreed Order requiring Dr. Davis to complete within one year 24 hours of CME including eight hours in medical record-keeping, eight hours in risk management and eight hours in psychopharmacology; complete within one year the course entitled "Maintaining Proper Boundaries" offered by the University of Texas Southwestern Medical Center and the Sante Institute of Professional Education and Research; pass within one year, and within three attempts, the Medical Jurisprudence Examination given by the Texas Medical Board; and pay an administrative penalty of \$1,000 within 60 days. The action was based on Dr. Davis's failure to meet the standard of care and nontherapeutic prescribing in her care and treatment of four patients.

Garcia, Pedro Espinoza, Jr., M.D., Lic. No. E4345, Rio Grande City

On October 29, 2010, the Board and Pedro Espinoza Garcia, Jr., M.D., entered into an Agreed Order publicly reprimanding Dr. Garcia and prohibiting him from practicing spine surgery for the rest of his medical career. In addition, Dr. Garcia must have a physician monitor his practice for eight monitoring cycles; and complete eight hours of CME in ethics and eight hours in medical record-keeping within one year. The board's action was based on Dr. Garcia's failure to treat a patient according to the generally accepted standard of care; negligence in performing medical services; failure to obtain informed consent; providing medically unnecessary services to a patient; and failure to maintain adequate medical records.

Mueller, Francis William, M.D., Lic. No. G5412, San Antonio

On October 29, 2010, the Board and Francis William Mueller, M.D., entered into a three-year Agreed Order publicly reprimanding Dr. Mueller and restricting him from prescribing or dispensing Schedule II drugs in an out-patient setting. In addition, Dr. Mueller must complete within one year 12 hours of CME in the treatment of substance abuse; and pay an administrative penalty of \$5,000 within 30 days. The basis for action was Dr. Mueller's failure to comply with Board guidelines for treatment of pain; failure to meet the standard of care and safeguard against potential complications; dishonorable conduct and non-therapeutic prescribing in his treatment of a patient with a history of overdoses and suicide attempts.

Nwokeji, Cordell O., M.D., Lic. No. M1988, Kingwood

On October 29, 2010, the Board and Cordell O. Nwokeji, M.D., entered into an Agreed Order that requires Dr. Nwokeji to complete within one year eight hours of CME in risk management; and pay an administrative penalty of \$1,000 within 60 days. The action was based on Dr. Nwokeji's failure to practice medicine in an acceptable professional manner when he mistakenly performed a procedure on the wrong side of a patient.

Redfield, James Earl, Jr., M.D., Lic. No. H2713, Nacogdoches

On October 29, 2010, the Board and James Earl Redfield, Jr., M.D., entered into an Agreed Order that requires Dr. Redfield to pass within one year the Medical Jurisprudence Exam given by the Texas Medical Board, within three attempts; complete 16 hours of CME including eight hours in ethics and eight hours in risk management; and pay an administrative penalty of \$3,000 within 60 days. The action was based on Dr. Redfield's failure to obtain adequate informed consent and failure to obtain a gynecological consult prior to removing a patient's ovaries.

Rodriguez, John David, M.D., Lic. No. J6703, San Antonio

On October 29, 2010, the Board and John David Rodriguez, M.D., entered into an Agreed Order requiring Dr. Rodriguez to complete within one year 24 hours of CME including eight hours in risk management, eight hours in medical record-keeping and eight hours in ethics; and pay an administrative penalty of \$2,500 within one year. The action was based on Dr. Rodriguez's failure to meet the standard of care; failure to disclose reasonable alternative treatments to a proposed procedure; and failure to maintain adequate medical records.

Sadana, Amit, M.D., Lic. No. L9880, Portland, OR

On October 29, 2010, the Board and Amit Sadana, M.D., entered into an Agreed Order publicly reprimanding Dr. Sadana and requiring him to complete within one year 16 hours of CME including eight in medical record-keeping and eight in risk management. The action was based on Dr. Sadana's failure to maintain adequate medical records; failure to use proper diligence; and failure to meet the standard of care when he ordered an MRI for a patient with a cardioverter-defibrillator, and ordered an MRI for a patient with a pacemaker. The latter patient experienced cardiac arrest during the procedure and died eight days later.

Wilson, Gary Kyle, M.D., Lic. No. F4694, San Antonio

On October 29, 2010, the Board and Gary Kyle Wilson, M.D., entered into an Agreed Order requiring Dr. Wilson to complete within one year 10 hours of CME in pharmacology, including the topics of drug safety and drug interactions. The action was based on Dr. Wilson's prescribing in a manner inconsistent with public health and welfare, and failure to use proper diligence in his professional practice in the case of one patient.

UNPROFESSIONAL CONDUCT

Banker, Nitesh A., M.D., Lic. No. J9962, The Woodlands

On October 29, the Board and Nitesh A. Banker, M.D., entered into an Agreed Order requiring Dr. Banker to complete 16 hours of CME, including eight hours in ethics, and eight hours in medical record-keeping within one year; within one year pass the Medical Jurisprudence Examination given by the Texas Medical Board within three attempts; and pay an administrative

penalty of \$3,000 within 60 days. The action was based on Dr. Banker's failure to document his rationale for a medical procedure in the medical record; failure to obtain informed consent; and unprofessional conduct in his care and treatment of one patient.

Korngut, Irwin S., M.D., Lic. No. E9753, Dallas

On October 29, 2010, the Board and Irwin S. Korngut, M.D., entered into a Mediated Agreed Order requiring Dr. Korngut to complete five hours of CME in physician-patient communications. The action was based on Dr. Korngut's failure to timely respond to communications from a patient.

Loaisiga, Raul Ernesto, M.D., Lic. No. L0383, Brownsville

On October 29, 2010, the Board and Raul Ernesto Loaisiga entered into a four-year Mediated Agreed Order that requires Dr. Loaisiga to use a female chaperone any time Dr. Loaisiga performs a physical examination on a female patient. The action was based on Dr. Loaisiga's failure to use proper diligence in his professional practice.

Margo, Theodore Edward, M.D., Lic. No. H8231, Fort Worth

On October 29, 2010, the Board and Theodore Edward Margo, M.D., entered into a Mediated Agreed Order requiring Dr. Margo to pay an administrative penalty of \$500 within 90 days. The action was based on Dr. Margo's commission of an offense involving the obstruction of governmental operations.

Mbogua, Caroline N., M.D., Lic. No. J0775, Houston

On October 29, 2010, the Board and Caroline N. Mbogua, M.D., entered into an Agreed Order requiring Dr. Mbogua to pass the Medical Jurisprudence Examination within three attempts, within one year; and pay an administrative penalty of \$2,000 within 24 months. The action was based on Dr. Mbogua's failure to furnish medical records requested by the Board within a reasonable time and failure to cooperate with Board staff.

Moore, Robert Alan, Jr., M.D., Lic. No. E6533, Bellaire

On October 29, 2010, the Board and Robert Alan Moore Jr., M.D., entered into an Agreed Order requiring Dr. Moore to pass within one year, within three attempts, the Medical Jurisprudence Exam given by the Texas Medical Board; complete within one year eight hours of CME in ethics; and pay an administrative penalty of \$5,000 within 60 days. The Action was based on Dr. Moore's unprofessional conduct in providing false information to the Board.

Peyton, Sandra Elizabeth, M.D., Lic. No. K3392, Brownwood

On October 29, 2010, the Board and Sandra Elizabeth Peyton, M.D., entered into an Agreed Order requiring Dr. Peyton to pass the Medical Jurisprudence Examination within three attempts, within one year; and pay an administrative penalty of \$2,500 within 90 days. The action was based on Dr. Peyton's failure to comply with a subpoena for documents or information issued by the Board; failure to update her address; and failure to supply the Board with requested records.

Taylor, Michael Byron, M.D., Lic. No. F2055, Nacogdoches

On October 29, 2010, the Board and Michael Byron Taylor, M.D., entered into a Mediated Agreed Order requiring Dr. Taylor to complete within one year 10 hours of CME in

physician/patient communication; and pay an administrative penalty of \$1,000 within 60 days. The action was based on Dr. Taylor's behaving in a disruptive manner toward a patient in a way that interferes with patient care or could reasonably be expected to adversely impact quality of care.

OTHER STATES' ACTION

Carrera, Eladio Santana, M.D., Lic. No. F6509, Las Vegas, Nevada

On October 29, 2010, the Board and Eladio Santana Carrera, M.D., entered into an Agreed Order requiring Dr. Carrera to comply with all terms and conditions imposed on him by the Nevada State Board of Medical Examiners; and pay an administrative penalty of \$1,000 within 60 days. The action was based on Dr. Carrera's unprofessional conduct, and disciplinary action taken against him in Nevada for failing to provide a safe environment for his patients. Three patients contracted Hepatitis C as a result of nurses reusing single-use Propofol syringes during procedures performed by Dr. Carrera. In Nevada, Dr. Carrera was publically reprimanded, placed on 24-month probation and required to pay a \$15,000 fine.

Garner, Daniel Creston, M.D., Lic. No. J5327, Franklin, TN

On October 29, 2010, the Board and Daniel Creston Garner, M.D., entered into an Agreed Order requiring Dr. Garner to comply with terms imposed by the Tennessee Board of Medical Examiners and pay an administrative penalty of \$1,000 within 60 days. The action was based on disciplinary action taken against Dr. Garner by the Virginia Board of Medicine, based on action taken by the Tennessee Board of Medical Examiners. The Tennessee board placed him on probation and fined him \$2,000 for his failure to have adequate training to supervise laser treatments and act as medical director for Dermacare of Cool Springs, and allowing individuals to practice medicine without a license or beyond the scope of their license.

Ghignone, Marco, M.D., Lic. No. G6932, West Palm Beach, FL

On October 29, 2010, the Board and Marco Ghignone, M.D., entered into an Agreed Order requiring Dr. Ghignone to pay an administrative penalty of \$1,000 within 60 days. The action was based on Dr. Ghignone's sanction by the State of Florida Board of Medicine for a standard of care case.

Ilizarov, Anatoliy M., M.D., Lic. No. L9742, McAllen

On October 29, 2010, the Board and Anatoliy M. Ilizarov, M.D., entered into an Agreed Order requiring Dr. Ilizarov to complete 15 hours of CME in ethics within one year. The Board's action was based on action taken against Dr. Ilizarov by the State of New York Department of Health Administrative Review Board, which censured, reprimanded and fined Dr. Ilizarov \$10,000 for failing to adequately supervise x-ray technologists who performed videofluoroscopies.

PEER REVIEW ACTIONS

Brauer, Kirk Innes, M.D., Lic. No. L5685, Houston

On October 29, 2010, the Board and Kirk Innes Brauer, M.D., entered into an Administrative Agreed Order requiring Dr. Brauer to pay an administrative penalty of \$1,000 within 30 days.

The action was based on disciplinary action taken by Dr. Brauer's peers at Dallas Regional Medical Center.

CRIMINAL CONVICTIONS

Foster, Lyanne Jane, M.D., Lic. No. L8339, Burleson

On October 29, 2010, the Board and Lyanne Jane Foster, M.D., entered into a Mediated Agreed Order revoking Dr. Foster's license, staying the revocation and placing her under the following terms and conditions. Within six months, Dr. Foster must submit to an independent medical evaluation from an evaluating psychiatrist; comply with treatment and rehabilitation; within 18 months pass the Medical Jurisprudence Exam given by the Texas Medical Board within three attempts; and have a licensed Texas board-certified orthopedic surgeon directly observe all surgical procedures Dr. Foster performs in Texas. The action was based on Dr. Foster's felony conviction on international parental kidnapping.

VOLUNTARY SURRENDERS

Cheng, Pay-Zen, M.D., Lic. No. E7854, Houston

On October 29, 2010, the Board and Pay-Zen Cheng, M.D., entered into an Agreed Voluntary Surrender Order in which Dr. Cheng permanently surrendered his Texas medical license due to physical health problems.

Perry, John E., III, M.D., Lic. No. L1430, Houston

On October 29, 2010, the Board and John E. Perry III, M.D., entered into an Agreed Voluntary Surrender Order in which Dr. Perry surrendered his Texas medical license in lieu of further disciplinary proceedings, and agreed not to apply for re-licensure before the first anniversary of his voluntary surrender. The action was based on Dr. Perry's conviction of one count of conspiracy to commit health care fraud.

Philleaux, Ronald Wreyburn, M.D., Lic. No. D1883, Dallas

On October 29, 2010, the Board and Ronald Wreyburn Philleaux, M.D., entered into an Agreed Voluntary Surrender Order in which Dr. Philleaux voluntarily and permanently surrendered his Texas medical license due to a physical condition that has affected his ability to practice medicine.

Pickrell, Michael Bowen, M.D., Lic. No. H7807, Austin

On October 29, 2010, the Board and Michael Bowen Pickrell, M.D., entered into an Agreed Voluntary Surrender Order in which Dr. Pickrell permanently surrendered his medical license in lieu of fulfilling the terms of his 2009 Agreed Order, and to avoid further disciplinary proceedings.

Rangel, Lionel, M.D., Lic. No. C6485, Weslaco

On October 29, 2010, the Board and Lionel Rangel, M.D., entered into an Agreed Order of Voluntary Surrender in which Dr. Rangel permanently surrendered his license due to a physical condition and to avoid further legal action.

Ray, Ronald Doneliet, M.D., Lic. No. F5717, Tallahassee, FL

On October 29, 2010, the Board and Ronald Doneliet Ray, M.D., entered into an Agreed Voluntary Surrender Order in which Dr. Ray voluntarily and permanently surrendered his medical license. The action was based on Dr. Ray's inability to practice medicine with reasonable skill and safety due to a physical impairment.

Tucker, Paul May, M.D., Lic. No. E0297, Garland

On October 29, 2010, the Board and Paul May Tucker, M.D., entered into an Agreed Voluntary Surrender Order in which Dr. Tucker surrendered his license in lieu of further disciplinary proceedings. The action was based on Dr. Tucker's desire to voluntarily surrender his license due to his physical condition related to illness.

White, Ronald Nelson, M.D., Lic. No. E7315, Fort Worth

On October 29, 2010, the Board and Ronald Nelson White, M.D., entered into an Agreed Order of Voluntary Surrender which cancels Dr. White's license on December 31, 2010 and requires Dr. White to completely cease practice in Texas on that date. The action was based on Dr. White's inability to practice medicine with reasonable skill and safety to patients because of illness.

SUSPENSIONS

Wolinski, Clarence Joseph, III, M.D., Lic. No. N4848, Godley

On October 29, 2010, the Board and Clarence Joseph Wolinski III, M.D., entered into an Agreed Order of Suspension, suspending his license until Dr. Wolinski requests in writing to have the suspension stayed or lifted and appears before the Board and provides clear evidence that he is competent to safely practice medicine. The action was based on Dr. Wolinski's inability to practice medicine as a result of a mental or physical condition.

REVOCATIONS

Ramahi, Randy, D.O., Lic. No. J4462, Arlington

On October 29, 2010, the Board entered a Final Order regarding Randy Ramahi, D.O., revoking Dr. Ramahi's medical license. The 2010 Order reflects the findings, adopted by the Board, of an Administrative Law Judge at the State Office of Administrative Hearings who heard the case (SOAH Docket No. 503-09-6208). The Board's SOAH Complaint related to Dr. Ramahi's severe impairment due to substance abuse and his writing controlled drug prescriptions without a valid DPS or DEA registration. Dr. Ramahi may file a motion for rehearing within 20 days of receipt of the Order.

Gonzalez, Jesus Javier, M.D., Lic. No. M1713, Mission

On October 29, 2010, the Board entered a Default Order regarding Jesus Javier Gonzalez, M.D., revoking Dr. Gonzalez's medical license. The 2010 Order reflects Dr. Gonzalez's failure to respond to a Formal Complaint filed by the Board at the State Office of Administrative Hearings (SOAH Docket No. 503-10-5627) related to Dr. Gonzalez's failure to practice medicine in an acceptable professional manner; inappropriate prescription of dangerous drugs; his use of alcohol and drugs in an intemperate manner that could endanger a patient; and his inability to practice

medicine with reasonable skill and safety to patients because of excessive use of drugs, narcotics or chemicals. Dr. Gonzalez may file a motion for rehearing within 20 days of receipt of the Order.

Fernandez, Esperanza, M.D., Lic. No. J9021, Houston

On October 29, 2010, the Board entered a Default Order regarding Esperanza Fernandez, M.D., revoking Dr. Fernandez's medical license. The 2010 Order reflects Dr. Fernandez's failure to respond to a Formal Complaint filed by the Board at the State Office of Administrative Hearings (SOAH Docket No. 503-10-5400) related to Dr. Fernandez's failure to comply with a Board subpoena requesting medical records for a patient for the purpose of conducting an investigation related to prescribing issues. Dr. Fernandez may file a motion for rehearing within 20 days of receipt of the Order.

INADEQUATE MEDICAL RECORDS

Black, Dawn Dickson, M.D., Lic. No. H9803, Houston

On October 29, 2010, the Board and Dawn Dickson Black, M.D., entered into an Agreed Order requiring Dr. Black to complete 10 hours of CME in medical record-keeping within one year; and pay an administrative penalty of \$1,000 within 60 days. The action was based on Dr. Black's making three late entries in a patient's chart without including proper notation indicating the date and time that the late entries were made.

Butts, Jeffrey L., D. O., Lic. No. H7939, Austin

On October 29, 2010, the Board and Jeffrey L. Butts, D. O., entered into a Mediated Agreed Order requiring Dr. Butts to complete within one year five hours of CME in medical record-keeping. The Board's action was based on Dr. Butts' inadequate medical records for one patient.

Calderon, Sheila Farash, M.D., Lic. No. F9270, Frisco TX

On October 15, 2010, the Board and Sheila Farash Calderon, M.D., entered into a Mediated Agreed Order that requires Dr. Calderon to have her practice monitored by another physician for eight consecutive monitoring cycles and complete within one year 10 hours of CME in perioperative care and 10 hours in medical record-keeping. The basis for action was Dr. Calderon's failure to maintain adequate medical records for one liposuction patient.

Crnic, Tracy Christine, M.D., Lic. No. L5710, Amarillo

On October 29, 2010, the Board and Tracy Christine Crnic, M.D., entered into an Agreed Order requiring Dr. Crnic to complete 16 hours of CME including eight hours in risk management and eight hours in physician/patient communications; and pay an administrative penalty of \$3,000 within 60 days. The action was based on Dr. Crnic's failure to meet the standard of care and maintain adequate medical records for one ophthalmic surgical patient.

Hamilton, Harold Bruce, M.D., Lic. No. K1462, Waco

On October 29, 2010, the Board and Harold Bruce Hamilton, M.D., entered into an Agreed Order requiring Dr. Hamilton to pay an administrative penalty of \$3,000 within 60 days. The action was based on Dr. Hamilton's failure to practice medicine in an acceptable professional

manner; obtain informed consent for the procedure he performed on the patient; and maintain adequate documentation.

Kellum, Daniel Hansford, Sr., D.O., Lic. No. E2252, San Antonio

On October 29, 2010, the Board and Daniel Hansford Kellum, Sr., D.O., entered into an Agreed Order requiring Dr. Kellum to complete within one year eight hours of CME in medical record-keeping; and pay an administrative penalty of \$1,000. The action was based on Dr. Kellum's failure to maintain adequate medical records.

Medina, Marelyn, M.D., Lic. No. J9759, McAllen

On October 29, 2010, the Board and Marelyn Medina, M.D., entered into a Mediated Agreed Order requiring Dr. Medina to complete within one year eight hours of CME in medical record-keeping and eight hours in risk management. The basis for the action was Dr. Medina's failure to maintain adequate medical records; and failure to use proper diligence in his professional practice.

Nathani, Imran, M.D., Lic. No. K1581, Tomball

On October 29, 2010, the Board and Imran Nathani, M.D., entered into an Agreed Order requiring Dr. Nathani to complete within one year eight hours of CME in medical record-keeping. The action was based on Dr. Nathani's inadequate medical records for one patient.

Vergel de Dios, Roderick Villaroman, M.D., Lic. No. K1713, McAllen

On October 29, 2010, the Board and Roderick Villaroman Vergel de Dios, M.D., entered into an Agreed Order requiring Dr. Vergel de Dios to complete within one year 20 hours of CME including 10 hours in medical record-keeping and 10 hours in practice management. The action was based on Dr. Vergel de Dios' failure to maintain adequate medical records.

Voglewede, Daniel Charles, M.D., Lic. No. G2504, El Paso

On October 29, 2010, the Board and Daniel Charles Voglewede, M.D., entered into a Mediated Agreed Order requiring Dr. Voglewede to complete within one year eight hours of CME in medical record-keeping. The action was based on Dr. Voglewede's inadequate medical records for one patient.

Weprin, Lawrence Scott, M.D., Lic. No. E0184, Garland

On October 29, 2010, the Board and Lawrence Scott Weprin, M.D., entered into an Agreed Order requiring Dr. Weprin to complete within one year eight hours of CME in medical record-keeping; and pay an administrative penalty of \$4,000 within 180 days. The action was based on Dr. Weprin's inadequate medical records and failure to use proper diligence in his professional practice in his care and treatment of one patient.

INADEQUATE SUPERVISION

Dickerson, Joe Wesley, M.D., Lic. No. B6104, Jasper

On October 29, 2010, the Board and Joe Wesley Dickerson, M.D., entered into an Agreed Voluntary Surrender Order in which Dr. Dickerson voluntarily surrendered his Texas medical

license in lieu of further disciplinary proceedings. The action was based on Dr. Dickerson's desire to retire and his failure to adequately supervise a physician assistant under his supervision.

FAST TRACK ORDERS

The board issued 10 orders for minor statutory violations.

CORRECTIVE ORDERS

Corrective orders are for violations that do not warrant restricting a physician's license but may include requirements such as administrative penalties, continuing medical education or chart monitoring.

Adair, Maureen Lenore, M.D., Lic. No. F6376
Aeschlimann, Carlos A., M.D., Lic. No. H9033
Aponte, Miriam, M.D., Lic. No. G6646
Brown, Stephen Longmoor, M.D., Lic. No. J4008
Chang, Yong Dae, M.D., Lic. No. J6087
Chaudhari, Swetanshu, M.D., Lic. No. N5616
Concha, Lourdes B., M.D., Lic. No. L8018
Gil, Jose D., M.D., Lic. No. F0105
Hiner, Hervy H., Jr., M.D., Lic. No. F5569
Morton, James William, M.D., Lic. No. E8078
Rankin, Douglas Hall, M.D., Lic. No. F2867
DeCelis, Carlos Rubin, M.D., Lic. No. L4682
Ryman, James Lowell, M.D., Lic. No. M4501
Sustache, Gilberto, Jr., M.D., Lic. No. L8210
Tran, James Le Thanh, M.D., Lic. No. L4766
Trevino, Ricardo Jose, M.D., Lic. No. D2135
Zabalgoita-Reyes, Miguel, M.D., Lic. No. H8901
Zuniga, Higinio, M.D., Lic. No. D0603

CEASE AND DESIST

Asiatico, Victor, Houston

On November 3, 2010, the Board entered a Cease and Desist Order against Victor Asiatico, prohibiting Mr. Asiatico from practicing as a physician, prescribing medication, impersonating or identifying himself as a physician. The action was based on the Board's finding that Mr. Asiatico unlawfully engaged in the unlicensed practice of medicine in Fort Bend County, seeing patients at Unimed Medical Clinic in Katy. Mr. Asiatico represented himself as a physician by using the term "doctor" with reference to himself to staff and patients. Mr. Asiatico used the designation "Dr." and "Supervised Clinician" associated with his name on printed prescription pads, which also listed the name and DEA/DPS controlled substance registration numbers of a licensed Texas physician without that physician's knowledge. The Board also found Mr. Asiatico saw, treated and prescribed controlled substances to three patients using the prescription pad, signing his name with the "M.D." suffix behind his signature.

Addendum: The following order was approved shortly after the November 5, 2010 news release was posted to the Web.

Janowitz, David Hillel, M.D., Lic. No. G8196, Houston

On November 15, 2010, the Board and David Hillel Janowitz, M.D., entered into an Agreed Order publicly reprimanding Dr. Janowitz and subjecting him to the following terms and conditions: have a physician monitor his practice for 12 monitoring cycles; complete within one year 24 hours of CME including eight in medical record-keeping, eight in anger management, eight in treatment of high-risk obstetrical care including diabetes during pregnancy; and pay an administrative penalty of \$6,000 within 60 days. The action was based on Dr. Janowitz's failure to meet the standard of care; failure to safeguard against potential complications; failure to respond in a timely fashion when requested by emergency room or hospital staff; and action taken against him by his peers for two incidents of disruptive behavior.