

2003 Press Releases

Friday, June 20, 2003

Medical Board Suspends License of Dallas Physician

The Texas State Board of Medical Examiners today (June 20) temporarily suspended the license of Daniel Andrew Maynard, D.O., of Dallas, in a new emergency procedure established by legislation signed by the governor June 10.

Under provisions of SB 104 authored by Senator Jane Nelson and passed by the 78th Legislature, the agency can temporarily suspend or restrict a license without notice or hearing if the person's continuation in practice constitutes a threat to the public welfare. The board is then required to hold a hearing at the earliest possible date after providing 10 days' notice of the hearing.

Using this new authority, a disciplinary panel of the board met today and temporarily suspended the Dallas doctor's license. A temporary suspension order remains in effect until the board takes further action. A hearing on the temporary suspension will be held July 7 at which time Dr. Maynard will have the opportunity to respond to the board's charges. If the temporary suspension is affirmed at that hearing, a full hearing called an informal settlement conference will be held as soon as practicable to seek a permanent resolution of the allegations.

Dr. Maynard's office was raided by local, state and federal law enforcement officials based on information regarding non-therapeutic prescribing, medically unnecessary prescribing and possible patient harm, including deaths, as a result of his prescribing activity. The panel determined that Dr. Maynard had violated several provisions of the Medical Practice Act by failing to keep adequate medical records related to treatment of Intractable Pain Patients; failure to practice medicine in an acceptable professional manner consistent with public health and welfare; committing unprofessional or dishonorable conduct that is likely to deceive or defraud the public; and by prescribing dangerous drugs and controlled substances to persons who are known or should have been known to be a drug abuser.

SB 104 provides numerous provisions to strengthen regulation of the practice of medicine. The legislation broadened the scope of the board's powers to take immediate action to protect the public by adding the option to temporarily restrict as well as suspend a license and by revising the definition of what constitutes grounds for temporary actions.

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., is strengthening and accelerating the disciplinary process for licensees who fail to meet the required standards of professional proficiency and behavior.

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