

## Texas Medical Board Press Release

### FOR IMMEDIATE RELEASE

March 14, 2023

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### **TMB disciplines 27 physicians at March meeting**

At its March 3, 2023 meeting, the Texas Medical Board disciplined 27 licensed physicians.

The disciplinary actions included: four orders related to unprofessional conduct, four orders related to quality of care, four voluntary surrenders/revocations, one revocation, one suspension, five orders related to nontherapeutic prescribing, one order related to improper supervision or delegation, one order related to violation of prior order, four orders related to other states' actions, one order related to inadequate medical records, and one order related to a Texas Physician Health Program violation. The Board also ratified four cease and desist orders.

The Board issued 319 physician licenses at the March meeting, bringing the total number of physician licenses issued in Fiscal Year 2023 to 2,944.

### **DISCIPLINARY ACTIONS**

#### **UNPROFESSIONAL CONDUCT**

##### **Aboughali, Wael Ata, M.D., Lic. No. M1444, Baytown**

On March 3, 2023, the Board and Wael Ata Aboughali, M.D., entered into an Agreed Order of Probated Suspension, suspending Dr. Aboughali's Texas medical license; however, the suspension is stayed and he is placed on probation under the following terms: comply with all terms of federal probation for a period of two years, including maintaining full-time employment and completing payment of all restitution and any and all other requirements imposed by the Southern District Court; and shall not be permitted to supervise and delegate prescriptive authority to physician assistants and advanced practice nurses or supervise surgical assistants. The Board found Dr. Aboughali pled guilty to one count of making false statements related to health care matters and was sentenced to probation on December 27, 2022.

##### **Sam, Stanley, M.D., Lic. No. R8822, Aubrey**

On March 3, 2023, the Board and Stanley Sam, M.D., entered into a Waiver Order requiring him to comply with all terms of the agreement entered on or around May 23, 2022 with Denton County Criminal Court No. 2. The Board found Dr. Sam entered into deferred adjudication for a Class A Misdemeanor of Assault Causing Bodily Injury to a Family Member.

##### **Sneed, David Lee, D.O., Lic. No. F4549, Austin**

On March 3, 2023, the Board and David Lee Sneed, D.O., entered into an Agreed Order requiring him to within one year and three attempts pass the Medical Jurisprudence Exam; and within one year complete at least 12 hours of CME, divided as follows: eight hours in risk management and four hours in ethics. The Board found Dr. Sneed agreed to enter into a settlement with the U.S. Department of Justice to resolve allegations that he received illegal kickbacks in exchange for ordering laboratory testing.

##### **Srestha, Dominic Gregory, M.D., Lic. No. L0617, Sugar Land**

On March 3, 2023, the Board and Dominic Gregory Srestha, M.D., entered into an Agreed Order requiring him to within one year complete the TMB Remedial Coaching Program at the University of Texas at Dallas School of Management; and within one year complete at least 32 hours of CME, divided as follows: eight hours in communication, eight hours in ethics, eight hours in HIPAA and eight hours in boundaries. The Board found Dr. Srestha acted unprofessional towards

one patient and other employees and inappropriately released a patient's private health information that he had received from another provider.

## **QUALITY OF CARE**

### **Banjo, Chaim, M.D., Lic. No. G4442, Mesquite**

On March 3, 2023, the Board and Chaim Banjo, M.D., entered into an Agreed Order on Formal Filing prohibiting him from possessing, administering, or prescribing controlled substances in Texas; within seven days surrender his DEA controlled substances registration certificates and shall not reregister without prior Board approval; within one year complete the medical recordkeeping course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; and shall not supervise or delegate prescriptive authority to a physician assistant or advanced practice nurse or supervise a surgical assistant. The Board found Dr. Banjo failed to adequately document appropriate rationale for his prescribing for the patients at issue and failed to maintain adequate medical records. Dr. Banjo's prescribing of anorectic medication escalated in amounts and dosage over time without adequate documentation justifying his treatment rationale. The order resolves a formal complaint filed at the State Office of Administrative Hearings.

### **Dott, Kenneth Wayne, D.O., Lic. No. H8008, Irving**

On March 3, 2023, the Board and Kenneth Wayne Dott, D.O., entered into an Agreed Order requiring him to within seven days surrender his DEA controlled substances registration certificates to eliminate Schedules II-V and shall not reregister without prior Board approval; have his practice monitored by another physician for eight consecutive monitoring cycles; within one year and three attempts pass the Medical Jurisprudence Exam; within 60 days pay an administrative penalty of \$5,000; and shall not supervise or delegate prescriptive authority to a physician assistant or advanced practice nurse or supervise a surgical assistant. The Board found Dr. Dott failed to meet the standard of care in his treatment and prescribing to two patients by prescribing alprazolam, zolpidem and antibiotics to the patients without appropriate indications and monitoring.

### **Havins, Jeremiah Daniel, M.D., Lic. No. Q4425, Waco**

On March 3, 2023, the Board and Jeremiah Daniel Havins, M.D., entered into an Agreed Order requiring him to within a year complete at least 12 hours of CME, divided as follows: four hours in medical recordkeeping and eight hours in risk management. The Board found Dr. Havins' choice to utilize Pelvic Floor Therapy was not adequately supported by the patient's diagnosis or medical records and therefore its use was inconsistent with the standard of care for a patient diagnosed with orthostatic tachycardia.

### **Williams, Balmore Willoughby, M.D., Lic. No. L2751, Cleveland**

On March 3, 2023, the Board and Balmore Willoughby Williams, M.D., entered into an Agreed Order requiring him to within one year complete the prescribing course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; have his practice monitored by another physician for 12 consecutive monitoring cycles; and within one year complete at least 32 hours of CME, divided as follows: 8 hours in medical recordkeeping, 8 hours in chronic pain, 4 hours in treating narcolepsy and other sleep conditions, 4 hours in treating anxiety and depression and 8 hours in ADD/ADHD. The Board found Dr. Williams violated the standard of care in his treatment of several patients, whose diagnoses included chronic pain, Attention Deficit Disorder (ADHD), anxiety disorders and/or narcolepsy and failed to maintain adequate medical records for the patients.

## **VOLUNTARY SURRENDER/REVOCATION**

### **Arredondo, Adam Gallardo, M.D., Lic. No. K7648, Waxahachie**

On March 3, 2023, the Board and Adam Gallardo Arredondo, M.D., entered into an Agreed Order of Voluntary Surrender in which he agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. The Board found Dr. Arredondo pleaded guilty and was convicted in federal court for charges related to illegal kickbacks in Oklahoma.

### **Christensen, John Neal, D.O., Lic. No. F9303, Canton, SD**

On March 3, 2023, the Board and John Neal Christensen, D.O., entered into an Agreed Order of Voluntary Surrender in which he agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Christensen was under investigation for failing to properly examine and order appropriate diagnostics for a patient. Additionally, his privileges were revoked on February 9, 2022 by the U.S. Department of State for failure to maintain adequate medical records for several patients.

**Pollack, Lee S., M.D., Lic. No. H5730, Spring**

On March 3, 2023, the Board and Lee S. Pollack, M.D., entered into an Agreed Order of Voluntary Surrender in which Dr. Pollack agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. The Board found Dr. Pollack was under investigation for violations of his 2021 Order.

**Vasquez, Robert Eloy, M.D., Lic. No. G5730, Boerne**

On March 3, 2023, the Board and Robert Eloy Vasquez, M.D., entered into an Agreed Order of Voluntary Surrender in which he agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. The Board found Dr. Vasquez violated terms of his 2015 Order. Dr. Vasquez indicated his desire to surrender his license due to his age and his wish to cease practice in order to pursue other business opportunities.

## **REVOCAATION**

**Inthanousay, Pohn Paul, D.O., Lic. No. J9103, Arlington**

On March 3, 2023, the Board entered a Default Order regarding Pohn Paul Inthanousay, D.O., which revoked his Texas medical license. On September 26, 2022, the Board filed a Complaint with the State Office of Administrative Hearings (SOAH), alleging unprofessional conduct. Dr. Inthanousay failed to appear at the SOAH hearing and no responsive pleading was ever filed by Dr. Inthanousay. The Board granted a Determination of Default and Dr. Inthanousay's license was revoked by Default Order. The order resolves a formal complaint filed at SOAH. Dr. Inthanousay has 25 days from the service of the order to file a motion for rehearing.

## **SUSPENSION**

**Kaesler, Kelly, M.D., Lic. No. D5760, Houston**

On March 3, 2023, the Board and Kelly Kaesler, M.D., entered into an Agreed Order suspending his license until such time as he requests in writing to have the suspension lifted and appears before the Board to provide evidence that he is physically, mentally, and otherwise competent to safely practice medicine; within 30 days schedule an assessment with the Texas A&M Health Science Center Knowledge, Skills, Training, Assessment, and Research (KSTAR) program; shall not treat or otherwise serve as a physician for his immediate family and shall not prescribe, dispense, administer or otherwise authorize controlled substances or dangerous drugs with addictive potential to himself or immediate family; within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete at least eight hours of CME, divided as follows: four hours in medical recordkeeping and four hours in risk management; and shall not supervise or delegate prescriptive authority to a physician assistant or advanced practice nurse or supervise a surgical assistant. The Board found Dr. Kaesler's documentation in the treatment of a patient was substandard and lacked basic information. Dr. Kaesler appears to rely on his wife to run his practice, transcribe medical records and help him communicate with patients. Further, Dr. Kaesler admitted to self-prescribing testosterone and not keeping medical records.

## **NONTHERAPEUTIC PRESCRIBING**

**Abron, Stephanie Christina, M.D., Lic. No. N7983, Houston**

On March 3, 2023, the Board and Stephanie Christina Abron, M.D., entered into an Agreed Order prohibiting her from possessing, administering or prescribing controlled substances in Texas; shall not use her Texas license in any jurisdiction to diagnose, treat, or prescribe to patients for pain in Texas as defined in the order; within 90 days pay an administrative penalty of \$1,000; within one year complete at least 20 hours of CME, divided as follows: eight hours in risk management, eight hours in prescribing controlled substances and four hours in ethics; and shall not supervise or

delegate prescriptive authority to a physician assistant or advanced practice nurse or supervise a surgical assistant. The Board found Dr. Abron entered into a business agreement with a non-physician and became part owner of a clinic engaged in pill mill activities. Patients were on same high doses and would receive refills before 30 days and they were not thoroughly assessed for risk of dependence or diversion. Medical records lacked required information for treating chronic pain and Dr. Abron lacked prescription authority agreements with delegates who were utilizing her prescribing credentials.

**Menes, Stephanie Ifeoma, M.D., Lic. No. N1764, Forest Hill**

On March 3, 2023, the Board and Stephanie Ifeoma Menes, M.D., entered into an Agreed Order prohibiting her from possessing, administering, or prescribing controlled substances in Texas; shall not reregister DEA controlled substances registrations without prior Board approval; have her 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 12 hours of CME, divided as follows: four hours in prescribing narcotics, four hours in drug seeking behaviors and four hours in medical recordkeeping; within 60 days pay an administrative penalty of \$3,000; and shall not supervise or delegate prescriptive authority to a physician assistant or advanced practice nurse or supervise a surgical assistant. The Board found Dr. Menes inappropriately prescribed controlled substances to 10 patients without documenting valid medical purposes causing harm to many patients. Dr. Menes surrendered her DEA registration following a DEA investigation into her prescribing.

**Smith, Raleigh Arnold, III, M.D., Lic. No. F4547, Aransas Pass**

On March 3, 2023, the Board and Raleigh Arnold Smith, III, M.D., entered into a Mediated Agreed Order publicly reprimanding Dr. Smith and restricting his license under the following terms: shall not use his Texas license in any jurisdiction to diagnose, treat, or prescribe Schedule II controlled substances to patients in Texas; shall not use his Texas license in any jurisdiction to diagnose, treat, or prescribe Schedule III, IV, or V controlled substances to patients in Texas for chronic or post-surgical, post-procedure, persistent non-chronic pain as defined in Board rules; within 30 days refer any and all current patients receiving controlled substances for chronic pain to appropriate specialists; shall not treat or otherwise serve as a physician for immediate family and shall not prescribe, dispense, administer or authorize controlled substances or dangerous drugs with addictive potential to himself or immediate family; within one year and three attempts pass the Medical Jurisprudence Exam; have his practice monitored by another physician for 12 consecutive monitoring cycles; within one year complete at least 16 hours of CME, divided as follows: four hours in prescribing, four hours in risk management, four hours in medical recordkeeping and four hours in boundaries; and shall not supervise or delegate prescriptive authority to a physician assistant or advanced practice nurse or supervise a surgical assistant. The Board found Dr. Smith failed to meet the standard of care for six patients receiving controlled substances, failed to monitor the patients, failed to maintain adequate medical records, failed to adequately supervise midlevels, inappropriately prescribed to family members, and admitted to leaving pre-signed, blank prescriptions for controlled substances at his office for his nurse practitioner to prescribe in his absence. The order resolves a formal complaint filed at the State Office of Administrative Hearings.

**Thompson, Katherine H., M.D., Lic. No. K1699, Bellaire**

On March 3, 2023, the Board and Katherine H. Thompson, M.D., entered into an Agreed Order prohibiting her from using her Texas license in any jurisdiction to diagnose, treat, or prescribe controlled substances to patients in Texas for chronic or post-surgical, post-procedure, persistent non-chronic pain as defined in Board rules or engage in the practice of pain management; within 30 days refer all current pain management patients to appropriate specialists; within seven days request modification to limit her DEA controlled substances registration certificate to Schedules III-V and not reregister without prior Board approval; shall not possess, administer, or prescribe Schedule II controlled substances in Texas; within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete at least 20 hours of CME, divided as follows: 4 hours in risk management, 4 hours in ethics, 4 hours in drug-seeking behavior and 4 hours in medical recordkeeping; within 60 days pay an administrative penalty of \$3,000; and shall not supervise or delegate prescriptive authority to a physician assistant or advanced practice nurse or supervise a surgical assistant. The Board found Dr. Thompson nontherapeutically prescribed controlled substances, failed to monitor patients and maintain documentation for treatment and billing records.

**Tran, Thomas Tung, M.D., Lic. No. J6043, Ennis**

On March 3, 2023, the Board and Thomas Tung Tran, M.D., entered into an Agreed Order requiring him to within one year complete the prescribing course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; shall not possess, administer, prescribe, or otherwise authorize approval of refills of benzodiazepines; and shall not supervise or delegate prescriptive authority to a physician assistant or advanced practice nurse or supervise a surgical assistant. The Board found Dr. Tran prescribed controlled substances to seven patients without appropriate indications or monitoring and failed to maintain adequate medical records.

### **IMPROPER SUPERVISION OR DELEGATION**

#### **Maldonado, Jorge Luis, M.D., Lic. No. K2359, San Antonio**

On March 3, 2023, the Board and Jorge Luis Maldonado, M.D., entered into an Agreed Order requiring him to within one year complete at least 20 hours of CME, divided as follows: eight hours in medical recordkeeping and twelve hours in supervision of midlevel providers. The Board found Dr. Maldonado failed to adequately supervise his delegate who nontherapeutically prescribed controlled substances to a patient and failed to maintain adequate medical records for the patient.

### **VIOLATION OF PRIOR ORDER**

#### **Mendez, Leovares Antonio, M.D., Lic. No. K9127, Garland**

On March 3, 2023, the Board and Leovares Antonio Mendez, M.D., entered into an Agreed Modification Order, modifying his June 2019 Order. The modification requires an additional four cycles of chart monitoring. The Board found Dr. Mendez violated his 2019 Order by failing to implement the chart monitor recommendations. All other terms of the order remain in effect until superseded by subsequent order of the Board.

### **OTHER STATES' ACTIONS**

#### **Kilpatrick, Robert, M.D., Lic. No. T0828, Castle Pines, CO**

On March 3, 2023, the Board and Robert Kilpatrick, M.D., entered into a Waiver Order requiring him to within 90 days pay an administrative penalty of \$1,000. The Board found Dr. Kilpatrick entered a Settlement Agreement with the Nevada State Board of Medical Examiners based on one count of Failure to Seek Consultation in a Doubtful or Difficult Case.

#### **Logue, Dora, M.D., Lic. No. D6564, Baltimore, MD**

On March 3, 2023, the Board and Dora Logue, M.D., entered into a Waiver Order publicly reprimanding Dr. Logue and requiring her to within 90 days pay an administrative penalty of \$5,000; and comply with all terms of the agreement entered on or around October 18, 2022 with the Maryland Board of Physicians. The Board found Dr. Logue was disciplined in Maryland based on unprofessional conduct.

#### **Nguyen, John, M.D., Lic. No. L4601, Porterville, CA**

On March 3, 2023, the Board and John Nguyen, M.D., entered into a Waiver Order prohibiting him from practicing medicine in the state of Texas until such time as he requests permission and appears before the Board to provide evidence that he is physically, mentally, and otherwise competent to safely practice medicine. The Board found Dr. Nguyen had a disciplinary action entered in California based on malpractice history and disciplinary history including being found to have committed unprofessional conduct, professional incompetence, gross negligence, or repeated negligent acts, and having staff privileges in a hospital terminated.

#### **Rizzo, Joseph, M.D., Lic. No. J7643, Lubbock**

On March 3, 2023, the Board and Joseph Rizzo, M.D., entered into a Waiver Order prohibiting him from practicing medicine in the state of Texas until such time as he requests permission and appears before the Board to provide evidence that he is physically, mentally, and otherwise competent to safely practice medicine. The Board found Dr. Rizzo surrendered his New Mexico medical license while under investigation in lieu of disciplinary action or further proceedings.

## **INADEQUATE MEDICAL RECORDS**

### **Almendarez, Valentin, Jr., M.D., Lic. No. J5531, San Antonio**

On March 3, 2023, the Board and Valentin Almendarez, Jr., M.D., entered into an Agreed Order requiring him to 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. Almendarez's medical record failed to include an indication that he discussed alternative treatments to surgery with two patients.

## **TXPHP VIOLATION**

### **Robinson, Estella, M.D., Lic. No. H6932, El Paso**

On March 3, 2023, the Board and Estella Robinson, M.D., entered into an Agreed Order prohibiting her from practicing medicine in the state of Texas until such time as she requests permission and appears before the Board to provide evidence that she is physically, mentally, and otherwise competent to safely practice medicine; within 30 days schedule an assessment with the Texas A&M Health Science Center Knowledge, Skills, Training, Assessment, and Research (KSTAR) program; obtain an independent monitoring psychiatrist and follow any recommendations for care and treatment; abstain from the consumption of prohibited substances as defined in the order; participate in the Board's drug testing program; participate in the activities of Alcoholics Anonymous no less than three times a week; participate in the activities of Caduceus meetings no less than three times a month; and shall not supervise or delegate prescriptive authority to a physician assistant or advanced practice nurse or supervise a surgical assistant. The Board found Dr. Robinson failed to complete the terms of her Texas Physician Health Program agreement, failed to undergo testing and abstain from the use of prohibited substances.

## **CEASE & DESISTS**

### **Freudenberger, Joe, No License, Richmond**

On March 3, 2023, the Board and Joe Freudenberger entered into an Agreed Cease and Desist Order prohibiting Mr. Freudenberger from practicing medicine in the state of Texas without a license issued by the Texas Medical Board and within 60 days pay an administrative penalty of \$10,000. The Board found Mr. Freudenberger, Chief Executive Officer of OakBend Medical Center, engaged in the practice of medicine when he denied or delayed hospital admissions or transfers for four patients against the direction of the treating emergency room physician.

### **Poepplein, Joseph, No License, El Paso**

On March 3, 2023, the Board and Joseph Poepplein entered into an Agreed Cease and Desist Order prohibiting Mr. Poepplein from practicing medicine in the state of Texas without a license issued by the Texas Medical Board. The Board found Mr. Poepplein performed a nonsurgical cosmetic procedure without proper delegation from a physician or physician's midlevel qualified to provide appropriate evaluation of the patient.

### **Rodriguez, Marisol, No License, Plano**

On March 3, 2023, the Board and Marisol Rodriguez entered into an Agreed Cease and Desist Order prohibiting Ms. Rodriguez from acting as, or holding herself out to be, a licensed physician in the state of Texas. The Board found Ms. Rodriguez advertised various nonsurgical cosmetic procedures on social media for a spa where she also describes herself as a "Medical Skin Therapist."

### **Sapir, Edit, No License, Dallas**

On March 3, 2023, the Board and Edit Sapir entered into an Agreed Cease and Desist Order prohibiting Ms. Sapir from practicing medicine in the state of Texas without a license issued by the Texas Medical Board. The Board found Ms. Sapir performed cosmetic facial injections without proper evaluation of the patient by a physician or physician's midlevel.

*To view disciplinary orders and Board action history, 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 "Current Board Action."*

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