

# **Texas Medical Board Press Release**

**FOR IMMEDIATE RELEASE**

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## **Texas Medical Board suspends or restricts 21 licensees in pain clinic crackdown**

Seventeen physicians and four physician assistants involved in the illegal operation of pain clinics were suspended or restricted by the Texas Medical Board and Texas Physician Assistant Board December 3-14, 2012, during two weeks of back-to-back disciplinary hearings.

"This represents more than two years of hard and sometimes dangerous work by TMB staff," said Dr. Irvin Zeitler, Jr., TMB president. "The doctors and physician assistants involved in these illegal operations have been fueling an epidemic of prescription drug abuse and fraud that is killing more people than heroin and cocaine combined. We hope this sends the message that pill mills aren't welcome in Texas."

The medical board staff worked closely with the Drug Enforcement Administration, the Department of Public Safety, the Texas State Board of Pharmacy, the Texas Board of Nursing and local law enforcement in Houston, Harris County and surrounding counties.

The following physicians and physician assistants were disciplined:

### **Wiseman, Benjamin E., M.D., Lic. No. F4701, Houston**

On December 3, 2012, a disciplinary panel of the Texas Medical Board temporarily suspended, with notice, the medical license of Benjamin E. Wiseman, M.D. The Board found that Dr. Wiseman poses a continuing threat to the public welfare due to his failure to adequately supervise mid-level providers and due to inappropriate prescribing of controlled substances. Dr. Wiseman supervised advanced practice nurses and physician assistants who prescribed controlled substances without a legitimate medical need. The temporary suspension remains in effect until it is superseded by a subsequent order of the Board.

### **Nguyen, Ngoc X., M.D., Lic. No. J3173, Houston**

On December 4, 2012, a disciplinary panel of the Texas Medical Board temporarily suspended, with notice, the medical license of Ngoc X. Ngyuen, M.D. The Board found that Dr. Nguyen poses a continuing threat to the public welfare due to his failure to adequately supervise mid-level providers and due to

inappropriate prescribing of controlled substances. The temporary suspension remains in effect until it is superseded by a subsequent order of the Board.

**Boyle, John, P.A., Lic. No. PA00219, Houston**

On December 5, 2012, a disciplinary panel of the Texas Physician Assistant Board temporarily restricted, with notice, the license of John Boyle, P.A., immediately prohibiting him from the practice of treating chronic pain patients and requiring him to surrender the DPS/DEA certificates that allow him to prescribe controlled substances. The Board found Mr. Boyle poses a continuing threat to the public welfare because he inappropriately prescribed controlled substances and was not adequately supervised by a physician. The temporary restriction remains in effect until it is superseded by a subsequent order of the Board.

**Omamogho, Rose G., P.A., Lic. No. PA04033, Houston**

On December 5, 2012, a disciplinary panel of the Texas Physician Assistant Board temporarily restricted, with notice, the license of Rose G. Omamogho, P.A., after determining that her continued practice of medicine poses a threat to public welfare. The order prohibits Ms. Omamogho from treating chronic pain patients and requires her to surrender her DPS/DEA certificates that allow her to prescribe controlled substances. The Board found Ms. Omamogho poses a continuing threat to the public welfare because she participated in the illegal operation of a pain clinic and inappropriately prescribed controlled substances. The temporary restriction remains in effect until it is superseded by a subsequent order of the Board.

**Tafel, John A., M.D., Lic. No. H9722, Houston**

On December 4, 2012, a disciplinary panel of the Texas Medical Board temporarily suspended, with notice, the medical license of John A. Tafel, M.D. The Board found that Dr. Tafel poses a continuing threat to the public welfare due to his improper and illegal operations of four pain clinics including two unregistered pain clinics and due to inappropriate prescribing of controlled substances. The temporary suspension remains in effect until it is superseded by a subsequent order of the Board.

**Husaini, Innad Hasan, M.D., Lic. No. K6006, Houston**

On December 4, 2012, a disciplinary panel of the Texas Medical Board temporarily restricted, with notice, the medical license of Innad Hasan Husaini, M.D., requiring Dr. Husaini to immediately surrender his DEA/DPS controlled substance certificates. Dr. Husaini is also prohibited from treating chronic pain patients and shall not supervise or delegate prescriptive authority to physician extenders. The Board found that Dr. Husaini poses a continuing threat to the public welfare due to his improper and illegal operation of a pain management clinic based on his inappropriate ownership and unlawful method and manner of prescribing controlled substances. The temporary restriction remains in effect until it is superseded by a subsequent order of the Board.

**Hyde, Linda Carol, M.D., Lic. No. J0011, Conroe**

On December 7, 2012, a disciplinary panel of the Texas Medical Board temporarily restricted, with notice, the medical license of Linda Carol Hyde, M.D., requiring Dr. Hyde to immediately cease treating chronic pain patients and surrender her DEA/DPS controlled substance certificates. In addition, Dr. Hyde is prohibited from supervising or delegating prescriptive authority to physician extenders, may not prescribe for herself or her family and must surrender any Pain Management Certificates issued to her by the Board. The Board found Dr. Hyde's continued practice of medicine poses a continuing threat to public welfare, and that she failed to adequately supervise advanced nurse practitioners and/or physician assistants at two pain clinics. The temporary restriction remains in effect until it is superseded by a subsequent order of the Board.

**Simmons, Clyde W., Jr., M.D., Lic. No. D7303, Houston**

On December 10, 2012, a disciplinary panel of the Texas Medical Board temporarily restricted, with notice, the medical license of Clyde W. Simmons, Jr., M.D., prohibiting him from treating chronic pain patients, prohibiting him from prescribing controlled substances except for post-operative patients (limited to a one-week period) and prohibiting him from supervising or delegating prescriptive authority to physician extenders. The Board found that Dr. Simmons poses a continuing threat to the public welfare due to his improper and illegal operation of an unregistered pain management clinic and his inappropriate prescribing of controlled substances. The temporary restriction remains in effect until it is superseded by a subsequent order of the Board.

**Rockett, Carl, M.D., Lic. No. K8459, Houston**

On December 10, 2012, a disciplinary panel of the Texas Medical Board temporarily restricted, with notice, the medical license of Carl Rockett, M.D., after determining that Dr. Rockett presents a continuing threat to the public welfare. The order prohibits Dr. Rockett from treating patients for chronic pain, from supervising or delegating prescriptive authority to physician-extenders and limits Dr. Rockett's prescription of scheduled drugs to the hospital or outpatient surgical setting for the sole purpose of providing anesthesia associated with procedures. The restriction remains in effect until it is superseded by a subsequent order of the Board.

**Ramanathan, Subramaniam V., M.D., Lic. No. M0624, The Woodlands**

On December 10, 2012, a disciplinary panel of the Texas Medical Board temporarily restricted, with notice, the medical license of Subramaniam V. Ramanathan, M.D., requiring him to cease treating chronic pain patients, refrain from supervising or delegating prescriptive authority to physician assistants and advance practice nurses, surrender any and all pain management certificates issued to him by the Board and surrender his DPS and DEA certificates for controlled substances. The Board found Dr. Ramanathan, who operated two pain management clinics, did not adequately supervise physician extenders and poses a

continuing threat to public welfare. The temporary restriction remains in effect until it is superseded by a subsequent order of the Board.

**Khuu, Chau Doan, M.D., Lic. No. M4838, Houston**

On December 10, 2012, a disciplinary panel of the Texas Medical Board temporarily suspended, without notice, the medical license of Chau Doan Khuu, M.D., requiring Dr. Khuu to immediately cease the practice of medicine after determining that Dr. Khuu presents a continuing threat to the public welfare. The Board found that Dr. Khuu illegally operated a clinic as it related to the method and manner of prescribing controlled substances and failed to adequately supervise mid-levels working under his delegation and prescriptive authority. A temporary suspension hearing, with notice, will be held as soon as practicable with 10 days' notice to Dr. Khuu, unless the hearing is specifically waived by Dr. Khuu. The suspension remains in effect until the Board takes further action.

**Dailey, Warren Bertrand, M.D., Lic. No. F8454, Houston**

On December 10, 2012, a disciplinary panel of the Texas Medical Board temporarily restricted, with notice, the medical license of Warren Bertrand Dailey, M.D., prohibiting him from prescribing Schedule II and III medications, except for methadone at the clinics where he is the medical director, and prohibits him from supervising or delegating prescriptive authority to physician extenders. The Board found Dr. Dailey's continued practice of medicine, including his involvement in the improper and illegal operation of pain clinics poses a continuing threat to public welfare. The temporary restriction remains in effect until it is superseded by a subsequent order of the Board.

**McClellan, David M., M.D., Lic. No. G0476, Crosby**

On December 11, 2012, a disciplinary panel of the Texas Medical Board temporarily restricted, with notice, the medical license of David M. McClellan, M.D., prohibiting him from prescribing Schedules II, III, IV and V controlled substances to non-established patients. The Board found Dr. McClellan's continuation in the practice of medicine constitutes a threat to the public welfare based on his prescribing controlled substances without a legitimate medical need. The temporary restriction remains in effect until it is superseded by a subsequent order of the Board.

**Focke, John H., III, M.D., Lic. No. E4336, College Station**

On December 12, 2012, a disciplinary panel of the Texas Medical Board temporarily restricted, with notice, the medical license of John H. Focke, III, M.D., prohibiting him from supervising or delegating prescriptive authority to physician assistants and advanced practice nurses. The Board found Dr. Focke's continuation in the practice of medicine constitutes a threat to the public welfare based on his inadequate supervision of Howard N. Barbour, APN, an advanced practice nurse who was prescribing controlled substances without a legitimate medical need under Dr. Focke's supervision and prescriptive delegation. The

temporary restriction remains in effect until it is superseded by a subsequent order of the Board.

**Kobs, Darcey Gus, III, M.D., Lic. No. H8180, Bellaire**

On December 11, 2012, a disciplinary panel of the Texas Medical Board temporarily suspended, with notice, the medical license of Darcey Gus Kobs, III, M.D. The Board found that Dr. Kobs poses a continuing threat to the public welfare due to his improper operation of a pain clinic, failure to adequately supervise those acting under his supervision and failure to establish a proper physician-patient relationship prior to prescribing a controlled substance. The temporary suspension remains in effect until it is superseded by a subsequent order of the Board.

**Marks, Timothy N., M.D., Lic. No. J3719, Houston**

On December 12, 2012, a disciplinary panel of the Texas Medical Board temporarily restricted, with notice, the medical license of Timothy N. Marks, M.D., prohibiting Dr. Marks from supervising PAs, APNs or other mid-level providers except for a Certified Registered Nurse Anesthetist in an interventional or surgical procedure in a hospital, surgical center or Board-approved office-based anesthesia setting; prohibiting Dr. Marks from ordering, prescribing, and dispensing scheduled drugs except while providing anesthesia services in a hospital, surgical center, or Board-approved office-based anesthesia setting; and prohibiting Dr. Marks from treating chronic pain patients with scheduled drugs other than with interventional anesthesia procedures that do not employ scheduled drugs.. The Board found Dr. Marks is a continuing threat to the public welfare due to his participation in the illegal operation of a medical clinic and inadequate supervision of his delegates. The temporary restriction remains in effect until it is superseded by a subsequent order of the Board.

**Ahlschier, Allan Dee, M.D., Lic. No. D7516, Houston**

On December 14, 2012, a disciplinary panel of the Texas Medical Board temporarily suspended, with notice, the medical license of Allan Dee Ahlschier, M.D., requiring him to immediately cease practicing medicine. The Board found Dr. Ahlschier's continuation in the practice of medicine would constitute a continuing threat to the public welfare and that Dr. Ahlschier was engaging in the practice of improper and illegal prescribing of controlled substances without a medical basis. The temporary suspension remains in effect until it is superseded by a subsequent order of the Board.

**Dorman, John Wesley, M.D., Lic. No. D5375**

On December 14, 2012, a disciplinary panel of the Texas Medical Board temporarily suspended, with notice, the medical license of John Wesley Dorman, M.D., requiring him to immediately cease practicing medicine. The Board found Dr. Dorman's continuation in the practice of medicine would constitute a continuing threat to the public welfare and that Dr. Dorman was engaging in the practice of improper and illegal prescribing of controlled substances without a

medical basis. The temporary suspension remains in effect until it is superseded by a subsequent order of the Board.

**Harrison, Prentiss Lee, P.A., Lic. No. PA00256, Houston**

On December 14, 2012, a disciplinary panel of the Texas Physician Assistant Board temporarily restricted, with notice, the P.A. license of Prentiss Lee Harrison, requiring Mr. Harrison to cease treating chronic pain patients and immediately surrender his DEA/DPS controlled substance certificates. In addition, he is not allowed to be delegated any prescriptive authority for controlled substances from his supervising physician. The Board found Mr. Harrison poses a continuing threat to the public welfare due to his improper operation of pain clinics, including the method and manner in which controlled substances were prescribed. The temporary restriction remains in effect until it is superseded by a subsequent order of the Board.

**Hooper, Larry E., P.A., Lic. No. PA00968, Houston**

On December 14, 2012, a disciplinary panel of the Texas Physician Assistant Board temporarily restricted, with notice, the P.A. license of Larry E. Hooper, requiring Mr. Hooper to immediately cease treating chronic pain patients and to immediately surrender his DEA/DPS controlled substance certificates. In addition, he is not allowed to be delegated any prescriptive authority for controlled substances from his supervising physician. The Board found Mr. Hooper poses a continuing threat to the public welfare due to his inappropriate prescribing of controlled substances. The temporary restriction remains in effect until it is superseded by a subsequent order of the Board.

**Whitefield, Barrett Doyle, M.D., Lic. No. L1495, Odessa**

On December 14, 2012, a disciplinary panel of the Texas Medical Board temporarily suspended, without notice, the medical license of Barrett Doyle Whitefield, M.D., requiring him to immediately cease the practice of medicine. On November 28, 2012, Dr. Whitefield was indicted on criminal charges of conspiracy to possess controlled substances, with intent to distribute. A temporary suspension hearing, with notice, will be held as soon as practicable with 10 days' notice to Dr. Whitefield, unless the hearing is specifically waived by Dr. Whitefield. The suspension remains in effect until the Board takes further action.

To view the complete orders, visit the Texas Medical Board homepage. Click on "Look Up a Doctor," accept the usage terms, and enter the licensee's license number or name. Click on the result to view the doctor or physician assistant's full profile.