

2005 Press Releases

Wednesday, April 13, 2005

78 Doctors Disciplined

During its April 7-8 Board meeting, the Texas State Board of Medical Examiners took disciplinary action against 71 licensed physicians, who received one or more of the following actions: six surrenders/revocations; 16 suspensions, with 10 stayed and probated; 16 restrictions; eight public reprimands; and 41 administrative penalties totaling \$137,500. The board temporarily suspended the license of seven physicians since the last board meeting. On March 22, the Texas State Board of Physician Assistant Examiners took disciplinary action against one physician assistant.

New Licenses Issued

During its April 7-8 Board meeting, the Board approved the licensure applications of 376 physicians.

Rule Changes

The Board adopted the following rule changes that were published in the Texas Register: Chapter 182, Use of Experts: Addition of §182.7 regarding the use of Executive Committee members to make interim appointments of expert panelists until the next board meeting.

Disciplinary Actions

The following are summaries of the Board actions. The full text of the Board orders will be available on the board's web site at www.tsbme.state.tx.us about 10 days after the Board meeting. The orders provide all information that is public regarding the facts of the case and violations of the law.

Disciplinary Actions

AGUILAR, MARIA ISABEL, MD., SAN ANTONIO, TX, Lic. #BP40019871

On April 8, 2005, the Board and Dr. Aguilar entered into an Agreed Order assessing an administrative penalty of \$500. The action was based on allegations that she improperly failed to report an arrest for shoplifting on her application for licensure.

AL-SHALCHI, NAJAH MUHAMAD, MD., SAN ANTONIO, TX, Lic. #G1809

On April 8, 2005, the Board and Dr. Al-Shalchi entered into an Agreed Order requiring Dr. Al-Shalchi to complete 10 hours of ethics courses and assessing an administrative penalty of \$5,000. The action was based on allegations that Dr. Al-Shalchi failed to adequately explain, when he renewed his license, his prior knowledge of a federal government investigation into Medicare claim improprieties and his being disciplined by Methodist Health Care System for failing to disclose this knowledge.

ALLEN, DALE RAY, MD., ARLINGTON, TX, Lic. #D4590

On April 8, 2005, the Board and Dr. Allen entered into an Agreed Order assessing an administrative penalty of \$500. The action was based on allegations that Dr. Allen failed to document a physical examination appropriate to a patient's history.

BEREZOSKI, ROBERT N. JR., MD., SUGARLAND, TX, Lic. #E0812

On April 8, 2005, the Board and Dr. Berezoski entered into an Agreed Order terminating his October 30, 2002, suspension and placing Dr. Berezoski on probation under terms and conditions for 10 years, including the following: that he not supervise a physician assistant; his practice will

be monitored by another physician; his practice setting will be approved by the executive director and Dr. Berezoski must associate with at least one other physician; he will obtain 100 hours of continuing medical education in addition to regular CME requirements, including at least 30 hours in risk management and 20 hours in pharmacology; and he shall undergo a complete eye examination by an independent ophthalmologist. The 2002 suspension was based on allegations that Dr. Berezoski failed to meet the standard of care during an outpatient nasal surgery, after which the patient died.

BLESSING, WILLIAM SCOTT, MD., DALLAS, TX, Lic. #E0820

On April 6, 2005, the Board entered an Order temporarily suspending Dr. Blessing's license. The action was based on the following: On February 27, Dr. Blessing allegedly assaulted his wife, threatened her with a gun and told her he was going to kill her. She reported the assault to the Highland Park Department of Public Safety, and a warrant was issued for Dr. Blessing's arrest. Dr. Blessing threatened to kill a detective who contacted him and anyone who stepped on his property. The Dallas Tactical Swat Team was called and after a period of negotiation Dr. Blessing surrendered. He was arrested and charged with aggravated assault with a deadly weapon. In addition, Dr. Blessing failed to inform the Board of his manic depressive disorder and provided false information to the Board regarding his hospital privileges.

BOYLES, RICK ALLEN, MD., SEABROOK, TX, Lic. #J6345

On April 8, 2005, the Board and Dr. Boyles entered into an Agreed Order suspending Dr. Boyles' license for a minimum of 18 months from September 9, 2004, and until he demonstrates to the Board he is physically, mentally and otherwise competent to safely practice medicine, and requiring that he abstain from the consumption of drugs and alcohol and undergo drug and alcohol testing. The action was based on allegations that Dr. Boyles abused cocaine and was arrested for tampering/fabrication of evidence and that he failed to report to the Board his arrests for DWI and for evading arrest with a motor vehicle.

BRAMANTI, HENRY R., MD., AUSTIN, TX, Lic. #E3214

On April 8, 2005, the Board and Dr. Bramanti entered into an Agreed Order assessing an administrative penalty of \$500. The action was based on allegations that Dr. Bramanti failed to complete the one-hour medical ethics course required by Board rules.

BRYAN, GARY LEE, MD., PLANO, TX, Lic. #M0024

On March 31, 2005, the Board entered an Order temporarily suspending Dr. Bryan's license. The action was based on his evading arrest after being seen leaving a crack house, being found with cocaine, and failure to comply with his current board order, which includes a provision that he abstain from the consumption of alcohol and drugs.

BUIE, JOSEPH, MD., HOUSTON, TX, Lic. #K5469

On April 8, 2005, the Board and Dr. Buie entered into an Agreed Order requiring that his practice be monitored by another physician for three years; that he maintain adequate medical records; pass the Medical Jurisprudence Examination; successfully complete a two-day intensive course in the area of record-keeping; attend five hours of ethics courses or programs; and complete a course in risk management of at least 15 hours. The action was based on Dr. Buie's improper dispensing of methadone to patients at his methadone clinic without proper certification from the Texas Department of Health and for medical record-keeping that did not meet the standard of care.

CARDOSI, BETH LOUISE, D.O., MYRTLE BEACH, SC, Lic. #K2866

On April 8, 2005, the Board and Dr. Cardosi entered into an Agreed Order requiring Dr. Cardosi to comply with terms and conditions, including abiding by the terms and conditions of a five-year order she entered into with the South Carolina Board of Medical Examiners on December 2, 2003, and appearing before the Board before practicing in Texas to ensure continued compliance with the terms and conditions of the Agreed Order, which runs concurrently with the South Carolina

order. The action was based on her being placed under order by the South Carolina Board for alcohol abuse and the writing of fraudulent prescriptions for hydrocodone for her own use.

CHITALE, ANIRUDDHA ASHOK, MD., WAXAHACHIE, TX, Lic. #K5864

On February 17, 2005, the Board entered an Order temporarily suspending Dr. Chitale's license after he was arrested on February 4 by the Ennis Police Department and charged with sexual assault on a patient on whom he had performed a colonoscopy. After the alleged assault, the patient went to Ennis Police and Ennis Regional Hospital, where physical evidence was collected. DNA analysis matched known specimens of Dr. Chitale; the patient and her husband were excluded as matches.

CHU, KHOI BA, MD., FORT WORTH, TX, Lic. #K4027

On April 8, 2005, the Board and Dr. Chu entered into an Agreed Order assessing an administrative penalty of \$500. The action was based on allegations that Dr. Chu failed to provide documentation of completion of a required one-hour medical ethics course.

COLLINS, DAVID BURRELL, D.O., GRANBURY, TX, Lic. #F6538

On February 17, 2005, the Board entered an Order temporarily suspending Dr. Collins' license. The action was taken because, following an investigation of his alcohol abuse, he failed to respond to an offer of an Agreed Order to voluntarily surrender his license or to otherwise respond to Board communications.

COLLINS, RANDY EARL, D.O., GLENDALE, AZ, Lic. #E6053

On March 14, 2005, the Board and Dr. Collins entered into an Agreed Order suspending his license, staying the suspension and placing Dr. Collins on probation for five years under terms and conditions, including that Dr. Collins abide by the terms and conditions of his November 10, 2004, order of the Arizona Board of Osteopathic Examiners, not terminate drug testing with the State of Arizona and, if he wishes to practice in Texas before the expiration of the order, to personally appear before the Board and provide clear and convincing evidence that he is competent to safely practice medicine. The action was based on his being placed on probation by the Arizona Board for intemperate use of alcohol that may have impaired his ability to practice medicine.

COOKE, KATHRYN ESTRADA, MD., HOUSTON, TX, Lic. #G4931

On April 8, 2005, the Board and Dr. Cooke entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Cooke failed to complete the required amount of continuing medical education.

CRAWFORD, JOHN C., MD., LAKE CHARLES, LA, Lic. #H9056

On April 8, 2005, the Board and Dr. Crawford entered into an Agreed Order whereby Dr. Crawford voluntarily surrendered his Texas medical license. The action was based on the temporary suspension of Dr. Crawford's license by the Louisiana State Board of Medical Examiners after it determined that he may be incompetent to practice medicine because of psychiatric instability.

DALKOWITZ, MARCUS BROWN, MD., SAN ANTONIO, TX, Lic. #C3625

On April 8, 2005, the Board and Dr. Dalkowitz entered into an Agreed Order accepting Dr. Dalkowitz's voluntary surrender of his medical license. Dr. Dalkowitz is physically unable to satisfactorily continue in the practice of medicine and wished to voluntarily surrender his medical license and retire.

DAVIES, DALE CURTIS, MD., SHERMAN, TX, Lic. #K1409

On April 8, 2005, the Board and Dr. Davies entered into an Agreed Order publicly reprimanding Dr. Davies, requiring him to complete 25 hours of continuing medical education, and assessing an administrative penalty of \$3,000. The action was based on allegations Dr. Davies failed to meet

the standard of care by prescribing antidepressants to a patient without personally conducting an initial evaluation and assessment of the patient.

DAVIS, HOWELL EUGENE, D.O., ARLINGTON, TX, Lic. #H2109

On March 4, 2005, the Board entered an Order suspending Dr. Davis' license. The action was based on allegations that Dr. Davis had violated his December 12, 2003, Agreed Order by ingesting butalbital, a barbiturate.

DICKEY, WILLIAM JAMES JR., M.D., HOUSTON, TX, Lic. #D0445

On April 8, 2005, the Board and Dr. Dickey entered into an Agreed Order subjecting Dr. Dickey to terms and conditions for two years from the date of the order, including a requirement that Dr. Dickey's practice be monitored by another physician and that he surrender his DEA and DPS Controlled Substances Registration Certificates. The action was based on allegations that Dr. Dickey prescribed habit-forming medications over a long period of time to a patient displaying drug-seeking behavior without appropriate physical examinations, evaluations or workups.

DONNELL, DAVID NORMAN, M.D., DALLAS, TX, Lic. #H8006

On April 8, 2005, the Board and Dr. Donnell entered into an Agreed Order suspending Dr. Donnell's license, staying the suspension and placing him on probation for five years under terms and conditions, including that he not possess Schedule II medications at his office; that he keep a log of all prescriptions for controlled substances and dangerous drugs with addictive potential; that he complete 10 hours of continuing medical education in pain management; that his practice be monitored by another physician; and that he pay an administrative penalty of \$5,000. The action was based on allegations that Dr. Donnell failed to keep adequate drug records and failed to keep adequate receipts and distribution logs of numerous controlled substances and dangerous drugs and, in one instance, improperly ordered a controlled substance in the name of an employee instead of the name of the patient for whom the medication was intended.

EISENBERG, ANDREW COLE, M.D., MADISONVILLE, TX, Lic. #J6937

On April 8, 2005, the Board and Dr. Eisenberg entered into an Agreed Order requiring Dr. Eisenberg to obtain an additional 10 hours of continuing medical education in medical record-keeping and assessing an administrative penalty of \$2,500. The action was based on allegations that Dr. Eisenberg failed to timely comply with a Board subpoena and failed to maintain a contemporaneous medical record on one patient.

EVANGELISTA, ANTHONY WILLIAM, M.D., ARLINGTON, TX, Lic. #K0028

On April 8, 2005, the Board and Dr. Evangelista entered into an Agreed Order publicly reprimanding Dr. Evangelista and assessing an administrative penalty of \$25,000. The action was based on allegations Dr. Evangelista disseminated advertisements that violated Board rules regarding making claims and representations that are not subject to substantiation or verification.

FRAGUA, PAUL LOUIS, M.D., BROWNWOOD, TX, Lic. #D9441

On April 8, 2005, the Board and Dr. Fragua entered into an Agreed Order assessing a \$500 administrative penalty. The action was based on allegations that an advertisement placed by Dr. Fragua incorrectly implied that he was board certified.

GALINDO, CONRADO G. III, M.D., DEL RIO, TX, Lic. #F0189

On April 8, 2005, the Board and Dr. Galindo entered into an Agreed Order modifying his existing order by extending his probationary status for an additional two years. The action was based on Dr. Galindo's admission that he sipped champagne on two occasions in violation of his order and that he subsequently submitted a urine sample that tested positive for Ethylglucuronide.

GIBSON, MICHAEL LOUIS, M.D., DALLAS, TX, Lic. #E7409

On April 8, 2005, the Board and Dr. Gibson entered into a Mediated Agreed Order publicly

reprimanding Dr. Gibson and extending the period of restriction in his existing Agreed Order by two years. Additionally, the Mediated Agreed Order requires Dr. Gibson to pass the Medical Jurisprudence Exam within one year and assesses an administrative penalty of \$12,500. The action was based on allegations that Dr. Gibson failed to comply with all of the requirements of his existing order.

GILLILAND, MARK DOUGLAS, M.D., HOUSTON, TX, Lic. #G2088

On March 18, 2005, the Board entered an Order temporarily suspending Dr. Gilliland's license. The action was based on the following allegations: On May 24, 2004, Dr. Gilliland was arrested for driving while intoxicated and subsequently falsely stated to the Board in his online license renewal that he had not been arrested. On March 9, 2005, after a hit-and-run accident in which two pedestrians were seriously injured, Dr. Gilliland was followed to his residence by an off-duty police officer. He failed a field sobriety test and was arrested and charged with felony intoxicated assault and failure to stop and render aid.

GULLAPALLI, UMA RANI, M.D., VICTORIA, TX, Lic. #J1256

On April 8, 2005, the Board and Dr. Gullapalli entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Gullapalli allowed incorrect biographical information to be published on two web sites.

HANSEN, HENRY ANDREW II, M.D., LUBBOCK, TX, Lic. #E4384

On April 8, 2005, the Board and Dr. Hansen entered into an Agreed Order requiring Dr. Hansen to complete 25 hours of ethics courses or programs. The action was based on allegations that Dr. Hansen violated the confidentiality of patient records in one instance.

HARMAN, ROGER DUANE, M.D., BROWNSVILLE, TX, Lic. #F4049

On April 8, 2005, the Board and Dr. Harman entered into an Agreed Order restricting Dr. Harman's license under terms and conditions for five years, including that Dr. Harman obtain board certification in pain management; that he not treat chronic pain patients; that he have his practice monitored by another physician; that he complete 12 hours of ethics courses or programs each year for three years; and that he pay an administrative penalty of \$5,000. The action was based on allegations of nontherapeutic prescribing of large amounts of controlled substances without complete or consistent medical records.

HATCH, MARK EDWARD, M.D., ARLINGTON, TX, Lic. #G8863

On April 8, 2005, the Board and Dr. Hatch entered into an Agreed Order suspending Dr. Hatch's license for a minimum of six months from the date of his signing the order and until such time as he provides clear and convincing evidence to the Board adequately indicating he is competent to safely practice medicine, and further requiring Dr. Hatch to abstain from the consumption of alcohol and drugs and to undergo alcohol and drug screening and a psychiatric evaluation. The action was based on Dr. Hatch's admitted abuse of hydrocodone and Xanax and admitted ordering of large quantities of these drugs under false pretenses for his own use.

HENDERSON, HAROLD CLAY, M.D., DALLAS, TX, Lic. #G3937

On April 8, 2005, the Board and Dr. Henderson entered into an Agreed Order requiring him to obtain 20 hours of continuing medical education approved for Category I credits by the American Medical Association and/or the American Osteopathic Association in thyroid disease issues (10 hours) and risk management (10 hours). The action was based on allegations that Dr. Henderson failed to meet the standard of care by not adequately following up on a patient who was prescribed thyroid medication.

HENDERSON, ROBERT BENSON, M.D., SOUTHLAKE, TX, Lic. #J6482

On April 8, 2005, the Board and Dr. Henderson entered into an Agreed Order publicly reprimanding Dr. Henderson, requiring him to complete a course or courses in the treatment of

malignant head and neck tumors of at least 25 hours and assessing an administrative penalty of \$3,000. The action was based on allegations Dr. Henderson violated the standard of care for removal of a benign pleomorphic adenoma of the parotid gland because an adequate margin of normal tissue was not removed in conjunction with the tumor to lessen the risk of recurrence. It did recur, requiring more extensive surgery.

HORTON, STEPHEN HOWARD, M.D., SOUTHLAKE, TX, Lic. #L1345

On April 8, 2005, the Board and Dr. Horton entered into an Agreed Order suspending Dr. Horton's license for 90 days, then staying the suspension and placing Dr. Horton on probation under terms and conditions, including requiring Dr. Horton to enter an inpatient drug treatment facility; undergo psychiatric treatment; abstain from the consumption of alcohol and drugs; submit to screening for alcohol and drugs; and participate in the activities of his county medical society and Alcoholics Anonymous. The action was based on Dr. Horton's intemperate use of alcohol, including an arrest for operating a motor vehicle in a public place while intoxicated and causing serious bodily injury to another.

HOWARD, ANNETTE M., M.D., HOUSTON, TX, Lic. #J5161

On March 9, 2005, the Board entered an Order temporarily suspending Dr. Howard's license. The action was based on Dr. Howard's failure to comply with the requirements of a previous order and her failure to cooperate with Board staff and with staff's attempts to help her comply with the order.

HUGHES, KEITH PATRICK, M.D., LINCOLN, NE, Lic. #K3246

On April 8, 2005, the Board and Dr. Hughes entered into an Agreed Order requiring Dr. Hughes to comply with all the terms and conditions of an order of the State of Nebraska Department of Health and Human Services Regulation and Licensure Division. Dr. Hughes' Nebraska order was based on allegations of dependence on or an active addiction to controlled substances.

JAFRI, ADNAN ZIA, M.D., BEAUMONT, TX, Lic. #K8229

On April 8, 2005, the Board and Dr. Jafri entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Jafri failed to sign a death certificate on a timely basis.

JIA, ZAISHUI, M.D., HOUSTON, TX, Lic. #K3765

On April 8, 2005, the Board and Dr. Jia entered into an Agreed Order assessing a \$500 administrative penalty. The action was based on allegations that Dr. Jia overcharged for medical records.

JOHNSON-CALDWELL, JENNIFER LAVETTE, M.D., HOUSTON, TX, Lic. #K5571

On April 8, 2005, the Board and Dr. Johnson-Caldwell entered into an Agreed Order assessing a \$500 penalty. The action was based on the failure of Dr. Johnson-Caldwell to show completion of required continuing medical education.

KHATAMI, MANOCHEHR, M.D., DALLAS, TX, Lic. #F8781

On April 8, 2005, the Board and Dr. Khatami entered into an Agreed Order requiring Dr. Khatami to obtain an additional 10 hours of continuing medical education in the law concerning release of medical records and assessing an administrative penalty of \$1,000. The action was based on allegations Dr. Khatami failed to timely comply with a request to provide medical records.

KING, CLARENCE GORDON JR., M.D., SAN ANTONIO, TX, Lic. #E1883

On April 8, 2005, the Board and Dr. King entered into an Agreed Order assessing an administrative penalty of \$3,000. The action was based on allegations that Dr. King failed to cause his physician to notify the Board, as required by an existing board order, that he had prescribed a controlled substance for Dr. King.

KING, MICHAEL WILLIAM, MD., PORT ARTHUR, TX, Lic. #F1709

On April 8, 2005, the Board and Dr. King entered into an Agreed Order suspending Dr. King's license, staying the suspension and placing him on probation for four years under terms and conditions, including that he undergo a complete examination by a physician; that he undergo an assessment by the Institute for Physician Evaluation in Dallas and complete any education recommended by IPE; that he complete a course in pain management of at least eight hours and appear before the Board at least once every six months. The action was based on allegations of nontherapeutic prescribing of controlled substances and failure to practice medicine in an acceptable professional manner consistent with public health and welfare.

KLEIMAN, DAVID A., MD., ARLINGTON, TX, Lic. #F4167

On April 8, 2005, the Board and Dr. Kleiman entered into an Agreed Order publicly reprimanding Dr. Kleiman and assessing an administrative penalty of \$25,000. The action was based on allegations Dr. Kleiman disseminated advertisements that violated Board rules regarding making claims and representations that are not subject to substantiation or verification.

LEA-STOKES, MICHELE JOANNE, MD., MOUNT GRETNA, PA, Lic. #G6672

On April 8, 2005, the Board and Dr. Lea-Stokes entered into a Mediated Agreed Order requiring that her medical records be monitored for one year; that she maintain adequate medical records; that she complete an additional 30 hours of continuing medical education within three years in the areas of risk management or medical records documentation, treating bipolar disorder and in treating patients with a history of substance abuse; and assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Lea-Stokes failed to meet the standard of care in treating one patient and that her medical records documentation was inadequate to support the treatment rationale for that patient.

LeBLANC, MARY MARTHA, MD., MCALLEN, TX, Lic. #H4481

On March 4, 2005, the Board and Dr. LeBlanc entered into an Agreed Order publicly reprimanding Dr. LeBlanc, suspending her license, staying the suspension and placing her on probation for five years under terms and conditions, including that Dr. LeBlanc adequately supervise the activities of all her employees; that she pass the Medical Jurisprudence Examination within three attempts; and that she complete a 10-hour course or courses in record-keeping and risk management. The order also assessed an administrative penalty of \$5,000. The action was based on allegations that Dr. LeBlanc allowed a member of her staff to engage in the unauthorized practice of medicine, specifically, that she allowed her husband, who had a Ph.D. in hypnotherapy, to call himself "Doctor" and to perform a breast and pelvic exam on a female patient.

LEHANE, DANIEL EDWARD, MD., HOUSTON, TX, Lic. #E1650

On April 8, 2005, the Board and Dr. Lehane entered into an Agreed Order assessing a \$500 penalty. The action was based on allegations that Dr. Lehane failed to provide medical records on a timely basis.

LIGHT, KEVIN D, D.O., WEATHERFORD, TX, Lic. #J9162

On March 4, 2005, the Board entered an Order suspending Dr. Light's license. The action was based on allegations that Dr. Light violated his December 13, 2002, order by ingesting alcohol.

LITTLE, HUGH ROBINSON, MD., HOUSTON, TX, Lic. #L8112

On April 8, 2005, the Board and Dr. Little entered into an Agreed Order whereby Dr. Little surrendered his license to practice medicine in Texas. The action was based on Dr. Little's being relieved of clinical duties as an emergency department resident at the University of Texas Health Science Center at Houston based on allegations of academic and behavioral issues.

LONGMIRE, WARREN T. JR., MD., HITCHCOCK, TX, Lic. #D0950

On April 8, 2005, the Board and Dr. Longmire entered into an Agreed Order requiring Dr.

Longmire to complete at least an additional 25 hours of continuing medical education in the areas of medical record-keeping, preventative medicine and care and treatment of difficult patients. The action was based on allegations that Dr. Longmire failed to meet the standard of care in regards to colon cancer screening and prostate cancer screening.

MAYS, JEFFRY PATRICK, M.D., BRADY, TX, Lic. #J7815

On April 8, 2005, the Board and Dr. Mays entered into an Agreed Order requiring Dr. Mays to complete, within 12 months, courses in gynecological diseases and record-keeping, each to be at least 10 hours and in addition to any other required continuing medical education, and assessing an administrative penalty of \$3,000. The action was based on allegations that Dr. Mays failed to meet the standard of care in treating an elderly female patient hospitalized with a two-year history of vaginal discharge and bleeding for which the patient had refused to seek medical attention and, separately, that he failed to timely complete a death certificate.

McCRAE, WILLIAM H, M.D., DALLAS, TX, Lic. #F0576

On April 8, 2005, the Board and Dr. McCrae entered into an Agreed Order requiring Dr. McCrae to maintain a logbook of prescriptions written for dangerous drugs with addictive potential or potential for abuse and assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. McCrae failed to manage a patient's medications in an acceptable professional manner consistent with public health and welfare.

McGRIFF, LLOYD, M.D., DALLAS, TX, Lic. #J5403

On April 8, 2005, the Board and Dr. McGriff entered into an Agreed Order whereby Dr. Griff voluntarily and permanently surrendered his Texas medical license. The action was based on Dr. McGriff's plea of guilty to Medicare fraud and his desire not to practice medicine in Texas.

McNUTT, STEVEN SCOTT, M.D., POTTSBORO, TX, Lic. #L0413

On April 8, 2005, the Board and Dr. McNutt entered into an Agreed Order requiring Dr. McNutt to complete an additional 56 hours of continuing medical education in ethics, risk management and record-keeping; to pass the Medical Jurisprudence Examination with a score of 75 within one year; and assessing an administrative penalty of \$4,000. The action was based on allegations Dr. McNutt prescribed medications, which were necessary and proper, to three members of his office staff and to his wife, but without creating or maintaining a medical record for those persons.

McWILLIAMS, ROBERT BARTON, M.D., HOUSTON, TX, Lic. #H5002

On April 8, 2005, the Board and Dr. McWilliams entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. McWilliams failed to timely comply with requirements for continuing medical education.

MEKHAIL, MOUNIR MAHER, M.D., TYLER, TX, Lic. #H2154

On April 8, 2005, the Board and Dr. Mekhail entered into an Agreed Order publicly reprimanding Dr. Mekhail and requiring that he not perform any surgical procedures in-office or in any non-accredited hospital or non-accredited ambulatory surgery center using narcotic or sedating drugs; allowing him to perform liposuction procedures only in an accredited ambulatory surgical center or accredited hospital; and assessing an administrative penalty of \$2,500. The action was based on allegations that Dr. Mekhail did not meet the standard of care in that he failed, on several occasions, to obtain pre-operative laboratory work before performing tumescent liposuction procedures and, in one case, failing to monitor a patient's hemoglobin or hematocrit during multiple tumescent liposuction procedures.

MILLS, BILLY GERALD, D.O., MESQUITE, TX, Lic. #D0716

On April 8, 2005, the Board and Dr. Mills entered into an Agreed Order whereby Dr. Mills voluntarily and permanently surrendered his Texas medical license, requiring him to retire from

practice on April 7, 2005. The action was based on allegations that Dr. Mills failed to meet the standard of care in his treatment of two patients.

MONTOYA-ZERMENO, M. CARMEN, MD., SAN ANTONIO, TX, Lic. #G6057

On April 8, 2005, the Board and Dr. Montoya-Zermeno entered into an Agreed Order suspending Dr. Montoya-Zermeno's license until such time as she satisfies the Board she is physically, mentally and otherwise competent to practice medicine. The action was based on allegations that Dr. Montoya-Zermeno ingested hydrocodone and hydromorphone in violation of a prior agreed order of the Board.

MOREE, LAMAR HOUSTON JR., MD., ALBANY, GA, Lic. #F3249

On April 8, 2005, the Board and Dr. Moree entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Moree, who practices in Georgia, was disciplined by the Georgia Composite Board of Medical Examiners for delegating to a physician assistant who had failed to timely renew his license.

MURPHY, JAMES MARK, MD., TEXARKANA, TX, Lic. #G6219

On March 24, 2005, the Board suspended Dr. Murphy's license until such time as he provides sufficient evidence to the Board that he is no longer incarcerated or serving a prison term and is competent to practice medicine safely. The action was based on the fact that Dr. Murphy is currently incarcerated in federal prison in Texarkana.

NANDETY, RAO K., MD., KATY, TX, Lic. #F2819

On April 8, 2005, the Board and Dr. Nandety entered into an Agreed Order assessing an administrative penalty of \$500. The action was based on allegations that Dr. Nandety failed to timely complete all required continuing medical education.

NATALINO, MICHAEL R., MD., SAN ANTONIO, TX, Lic. #F2821

On April 8, 2005, the Board and Dr. Natalino entered into an Agreed Order suspending Dr. Natalino's license, staying the suspension and placing him on probation for three years under terms and conditions, including requirements that Dr. Natalino's practice be monitored by another physician and that he obtain an additional 20 hours of continuing medical education in documentation. Dr. Natalino was also assessed a penalty of \$5,000. The action was based on allegations that Dr. Natalino did not meet the standard of care in examining, diagnosing and treating a patient with pulmonary disease.

PETERS, ALONZO III, MD., HOUSTON, TX, Lic. #F5696

On April 8, 2005, the Board and Dr. Peters entered into an Agreed Order revoking Dr. Peters' medical license. The action was based on allegations that Dr. Peters violated his existing agreed order by prescribing hydrocodone and promethazine with multiple refills to patients on a routine basis and by continuing to treat chronic pain patients in violation of his order.

PORRAS, ENRIQUE, MD., EL PASO, TX, Lic. #J8346

On April 8, 2005, the Board and Dr. Porras entered into an Agreed Order requiring Dr. Porras to complete a course in risk management and assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Porras did not adequately communicate with a patient's family regarding her care and status.

SACHDEV, ATUL KUMAR, MD., HOUSTON, TX, Lic. #K1294

On April 8, 2005, the Board and Dr. Sachdev entered into an Agreed Order suspending Dr. Sachdev's license, staying the suspension and placing him on probation for two years; requiring him to complete a 10-hour course in record-keeping and a 10-hour course in infectious diseases, both courses to be approved by the executive director in advance; requiring his practice to be monitored by another physician and assessing an administrative penalty of \$5,000. The action was

based on allegations that Dr. Sachdev failed to elicit an adequate history and physical for a patient and that his medical records were incomplete.

SAUCEDA, FRANCISCO BASIL, M.D., SAN ANTONIO, TX, Lic. #H8375

On February 17, 2005, the Board entered an Order temporarily suspending Dr. Saucedá's license. The action was based on Dr. Saucedá's arrest for possession of cocaine and the subsequent discovery of prescription drugs and syringes in his vehicle. The action was also based on findings by the Board that Dr. Saucedá is a known drug abuser who had been under two previous Board orders for substance abuse.

SCALLY, MICHAEL CHARLES, M.D., HOUSTON, TX, Lic. #G0066

On April 8, 2005, the Board and Dr. Scally entered into an Agreed Order publicly reprimanding Dr. Scally. The action was based on allegations that Dr. Scally offered monetary incentives to patients to recruit other patients for his practice. Dr. Scally's license was revoked in a separate matter on February 4, 2005, but the Board retained jurisdiction to resolve these allegations.

SHAW, JAMES MILLARD, M.D., LAKEWAY, TX, Lic. #E1128

On April 8, 2005, the Board and Dr. Shaw entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Shaw failed to timely complete all required continuing medical education.

SILVA, SERGIO, M.D., AUSTIN, TX, Lic. #J8773

On April 8, 2005, the Board and Dr. Silva entered into an Agreed Order assessing an administrative penalty of \$5,000. The action was based on allegations that Dr. Silva did not respond to a subpoena from the Board for medical records or to follow-up communication from Board staff.

SMITH, JAMES KIRBY JR., M.D., PORT LAVACA, TX, Lic. #D6178

On April 8, 2005, the Board and Dr. Smith entered into an Agreed Order requiring that Dr. Smith complete five hours of courses in records management and that his practice be monitored by another physician for a period that allows for four consecutive quarterly reports. The action was based on allegations that Dr. Smith failed to inquire about allergies to medication prior to having his staff give an injection to which the patient was allergic.

STEWART, KERBY JAMES, M.D., AUSTIN, TX, Lic. #J3623

On March 14, 2005, the Board entered an Order suspending Dr. Stewart's license. The action was based on allegations that Dr. Stewart violated his December 12, 2003, agreed order by drinking alcohol.

TAYLOR, JILL ANN, D.O., KINGWOOD, TX, Lic. #K2296

On March 23, 2005, the Board and Dr. Taylor entered into an Agreed Order requiring Dr. Taylor to ensure that all advertisements for her practice conform to all provisions of Board rules regulating physician advertising and assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Taylor's advertising regarding board certification was false, deceptive and misleading.

TOVAR, WINFRED SCILLA, M.D., DALLAS, TX, Lic. #BP20015405

On April 8, 2005, the Board and Dr. Tovar entered into an Agreed Order requiring Dr. Tovar to undergo psychiatric evaluation and any treatment recommended as a result of the evaluation and to participate in the activities of Sexaholics Anonymous. The action was the result of Dr. Tovar's arrest and deferred adjudication for public lewdness.

UGARTE, JOSE M., M.D., KINGSVILLE, TX, Lic. #E3134

On April 8, 2005, the Board and Dr. Ugarte entered into an Agreed Order assessing an

administrative penalty of \$500. The action was based on allegations that Dr. Ugarte failed to provide requested medical records on a timely basis.

VAZQUEZ-IBARRA, JESUS R., MD., EL PASO, TX, Lic. #E4106

On April 8, 2005, the Board and Dr. Vazquez-Ibarra entered into an Agreed Order restricting his license for 10 years under terms and conditions, including that he is prohibited from practicing interventional cardiology or performing invasive procedures to diagnose and/or treat heart disease; that he must limit his practice to clinical cardiology; and that he must obtain continuing medical education in medical record documentation and in caring for difficult patients. The action was based on allegations that Dr. Vazquez-Ibarra did not meet the standard of care in treating five patients, failed to maintain adequate medical records and had his practice privileges restricted by the Del Sol Medical Center.

WILLIAMS, MICHAEL LEE, MD., PALESTINE, TX, Lic. #H5995

On April 8, 2005, the Board and Dr. Williams entered into an Agreed Order requiring Dr. Williams to obtain 10 hours of continuing medical education in medical record-keeping; obtain a letter from the Palestine Regional Medical Center confirming that he has completed the medical records of his patients admitted to the Center; and assessing a \$1,000 administrative penalty. The action was based on allegations that Dr. Williams failed to timely complete medical records of patients admitted to Palestine Regional Medical Center and that his privileges were temporarily suspended by the Center for such failure to timely complete records.

WILLIAMSON, MARK ALAN, MD., FRIENDSWOOD, TX, Lic. #H4855

On April 8, 2005, the Board and Dr. Williamson entered into an Agreed Order suspending Dr. Williamson's license for 90 days beginning July 1, 2005, staying the suspension after 90 days and placing him on probation under terms and conditions for 10 years from the date of the order. The terms and conditions include a five-day inpatient assessment, a limitation of his practice to an academic setting, abstinence from the consumption of drugs and alcohol, participation in Alcoholics Anonymous, and continued psychiatric care. The action was based on allegations of a long history of alcohol and drug abuse by Dr. Williamson.

XENAKIS, STEPHEN N., MD., ARLINGTON, VA, Lic. #G2061

On April 8, 2005, the Board and Dr. Xenakis entered into an Agreed Order assessing a \$1,000 administrative penalty. The action was based on allegations that Dr. Xenakis failed to provide proof that he completed 12 hours of continuing medical education, including one hour in ethics.

ZIMMER, GERALD HARWICK III, MD., ATHENS, TX, Lic. #J8853

On April 8, 2005, the Board and Dr. Zimmer entered into an Agreed Order publicly reprimanding Dr. Zimmer and assessing an administrative penalty of \$1,000. The action was based on allegations Dr. Zimmer refused to provide a patient's medical records unless additional payment was made for medical services provided.

Physician Assistant

HOUSEMAN, THAD WILLIAM, WHITNEY, TX, Lic. #PA01862

On March 22, 2005, the Board of Physician Assistant Examiners and Mr. Houseman entered into an Agreed Order subjecting him to terms and conditions for five years, including a forensic psychiatric evaluation and treatment as recommended; abstinence from the consumption of alcohol and drugs; drug and alcohol testing; limitations on treating family members; and a requirement to practice only while under the direct supervision of an on-site physician. The action was based on allegations of prior drug abuse, writing prescriptions in his name for controlled substances to be taken by his wife, and violation of a prior agreed order.

-

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., and mandated by Senate Bill 104 of the 78th Legislature, is strengthening and accelerating the disciplinary process for licensees who fail to meet the required standards of professional proficiency and behavior.

Media contact Public Information Officer Jill Wiggins at
jill.wiggins@tmb.state.tx.us or (512) 305-7018

Non-media contact: (512) 305-7030 or (800) 248-4062

Open records requests for orders may be made to

or write to:

Texas State Board of Medical Examiners
MC 251
P.O. Box 2018
Austin, TX 78768-2018

To receive press releases by e-mail: jill.wiggins@tmb.state.tx.us