

Action Item Agenda Item 2a Applicant #623
Licensure Committee Proposed Public Non-Disciplinary Rehabilitation Order Upon
Applicants Submission of a Physician in Training Permit Application
April 10, 2008

Applicant #623s application was reviewed on appeal of the Executive Directors determination of ineligibility for reinstatement of the applicants Texas medical license.

Mr. Turner moved to recommend to the full Board that the applicant be determined ineligible for licensure due to the applicants failure to demonstrate that the reissuance of a Texas medical license would be in the best interest of the public; the applicants disciplinary history with the Board; and failure to demonstrate that the applicant is physically, mentally, and otherwise competent, to return to the practice of medicine. Factors contributing to this recommendation include the applicants 8-year disciplinary history with the Board related to the intemperate use of drugs that resulted in the temporary suspension of the applicants license in 2003, and the subsequent surrender of that license; as well as 1994 and 2003 placements on deferred adjudication for felony prescription fraud; and the applicants time away from the active practice of medicine.

Further, Mr. Turner recommended to the full Board that upon receipt, within one calendar year, of a request for a physician-in-training permit of no less than one year, the physician-in-training permit may be granted by the Executive Director under a public, non-disciplinary rehabilitation order that includes the following requirements:

- Abstain from alcohol and drugs, except as prescribed; comply with TMB screening program; automatic revocation of permit for positive test.
- Submit to alcohol and drug screens by any approved physician.
- Attend AA or NA meetings at least four times each week.
- Participate in medical society health and rehabilitation.
- Reports by Applicant/Respondent regarding physical or mental condition on request.
- Shall not withdraw from care, or treatment.
- Notify Compliance upon discontinuation of care/treatment.

- Respondent must give copy of Order to Program Director and request quarterly reports.
- Shall not treat self or immediate family.
- Shall not prescribe by telephone.
- Shall not prescribe any controlled substances with the exception of Suboxone.
- May not supervise PAs and APNs.
- Probation appearance at least once 1st six months and then every six months.
- Respondent must appear before the Licensure Committee before full license may be granted.
- Require reports from compliance officer monitoring deferred adjudication on felony prescription fraud (not our compliance officer; the one in whatever entity is monitoring this matter)

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