

Medical Board Bulletin Spring 2004

- [Medical Board Bulletin Spring 04](#)

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Governor Appoints New Board Members

Governor Rick Perry has appointed six new board members to six-year terms. They include Christine L. Canterbury, M.D., of Corpus Christi; Melinda S. Fredricks, of Conroe; Amanullah Khan, M.D., of Dallas; Keith E. Miller, M.D., of Center; Annette P. Ragette, of Austin; and Timothy J. Turner, of Bellaire.

Dr. Canterbury is an obstetrician/gynecologist at the Corpus Christi Women's Clinic. She has a B.A. in human biology from Stanford University and she received her medical degree from the University of Texas Southwestern Medical Center in 1993. She did her OB/GYN residency at Emory University School of Medicine in Atlanta. She is a Fellow of the American College of Obstetrics and Gynecology and a member of the American Medical Association, the Texas Medical Association and the Nueces County Medical Society. Dr. Canterbury is originally from Rockport.

Ms. Fredricks, a public member, is a partner in a public relations consulting firm. She is a former math teacher at Lake Dallas Middle School, a former director of Ashbury Relief Ministries and a Webelos leader for the Boy Scouts of America. She received her bachelor's and master's degrees from the University of North Texas in Denton.

Dr. Khan is the president of the Cancer Center Associates of Dallas and McKinney. He is a member of the American Medical Association, Texas Medical Association and the Dallas County Medical Society. Dr. Khan formerly served on the board of the Texas Department of Health. He is also a member of the St. Vincent Medical Foundation, the Kindness Foundation and the President's Advisory Board for Asian Americans and Pacific Islanders. He received his medical degree from King Edward Medical College in Pakistan and the Graduate Research Center at Baylor University.

Dr. Miller is a family physician in private practice. He is president of the Shelby-Sabine County Medical Society, a member of the Texas Medical Association and a fellow of the American Academy of Family Physicians. Dr. Miller serves on the Dallas-Fort Worth Regional Medical Advisory

Committee for Blue Cross Blue Shield of Texas and on the Development Council of Baylor University. Dr. Miller earned his bachelor's degree from Baylor University and his medical degree from the University of Arkansas College of Medicine.

Ms. Raggette, a Chicago native, began her career in the public/non-profit sector working in such positions as Director of Community Development, Social Research Supervisor, Neighborhood Revitalization Program Manager and Legislative Aid to Congressman Benjamin Gilman. After receiving her Master in Public Policy degree from the John F. Kennedy School of Government at Harvard University, Ms. Raggette entered the management consulting world, where she assisted clients in developing and protecting their human capital. She entered the private sector in 2001 as a vice president of human resources and is currently the organizational assessment director for E-Team Communications. Ms. Raggette served in the U.S. Peace Corps in Jamaica and Costa Rica and has served on a number of boards, including the Workforce Investment Board, Regional Board of Directors (St. Louis); Easter Seals Regional Board of Directors (St. Louis); Iberia Habitat for Humanity Board of Directors (New Iberia, LA); and the Iberia Parish Regional Planning Commission. Ms. Raggette is the associate managing editor of the *Harvard Journal of African American Public Policy*.

Mr. Turner is vice president of business development at Global PTM, an information technology consulting firm. He is a member of the Alternative Dispute Resolution Section of the State Bar of Texas, and has been active on numerous national, state and local boards and committees since 1979. He has taught courses in public speaking and negotiations for industry professionals and is a qualified mediator specializing in real estate, information technology and EEOC claims. Mr. Turner is a member of the Greater Southwest Houston Chamber of Commerce, and has served two terms as the President of the Leadership 20/20 Alumni Association and served on the chamber's board of directors. He received his undergraduate degree in petroleum land management from the University of Texas at Austin in 1980 and is an active member and lector at St. Vincent de Paul Catholic Church in Houston.

From the Executive Director

As the 2003 legislative session approached, the Texas State Board of Medical Examiners found itself in the center of the storm of competing interests surrounding medical malpractice and tort reform.

At the same time, a major daily newspaper ran a series of stories depicting the harsh truth that bad doctors were not being adequately

disciplined by the board, which was chronically short of resources. Even worse, all state agencies had been warned to expect major budget cuts.

At such a critical time, when the very future and survival of TMB were at stake, the board members and agency staff rallied with renewed energy, initiative and commitment. Even before the additional resources that were later provided by the legislature, the agency's performance was already on the road to improvement, as demonstrated by the following:

- Reduced the average length of investigations from 180 days in FY 01 to 144 days in FY 03;
- Increased the number of Informal Settlement Conferences from 187 in FY 01 to 477 in FY 03;
- Increased the amount of administrative penalties from \$175,880 to \$393,500 in the same period;
- Increased overall disciplinary actions from 154 to 334.

TMB emerged from the challenges of previous years with new regulatory strength, thanks to conscientious legislators who recognized the agency's plight and worked closely with the board and agency staff to address the problems and develop solutions.

Although several initiatives were considered that could have negatively impacted the agency's regulatory potency, none passed. The major accomplishment of the session was unanimous passage of Senate Bill 104 which

- Strengthens the agency's statutes with
- expanded provisions for temporary suspension;
- new powers for temporary restriction.
- Provides new resources through an \$80 license surcharge providing
- a 60% increase in funding in spite of statewide budget cuts;
- funding for expert physician consultants
- funding for more competitive salaries to retain staff;
- 20 additional full-time employee positions.

With the passage of SB 104, the Legislature provided TMB with authority and resources to strengthen and accelerate the disciplinary process for physicians who fail to meet the required standards of professional competency and behavior. TMB has been on the fast track to implement the legislative mandates and to employ new statutory tools to enhance public safety.

- We made first use of the new *ex parte* suspension statute only weeks after the June 11 effective date of SB 104.

- Rule changes to implement SB 104 were presented to the board in August. Fourteen chapters of the board's 36 chapters of rules were affected by SB 104, totaling 177 pages of rules.
- We have developed new organizational structures, processes, and procedures including:

Complaints And Investigations

- Created Central Nurse Investigator positions, requiring both legal and nursing expertise to review complaints and assure quality of investigations.
- Developed the required expert physician panel composed of 400 well-qualified physicians in 75 medical specialties and subspecialties to assist with complaints and investigations related to medical competency.
- Increased the number of field investigators to 25.
- Integrated complaints processing and investigations under a single manager/attorney.

Legal

- Enacted promised attorney pay increases to maintain an experienced, effective legal team.
- Created specialized litigation teams for Informal Settlement Conferences and hearings at the State Office of Administrative Hearings.
- Integrated all legal services under a single manager.

Compliance

- Centralized drug testing oversight to assure greater consistency.
- Contracted for new and expanded drug testing of probationers.
- Doubled compliance staff to manage increased numbers of licensees under disciplinary orders.
- Created attorney/manager position to improve interpretation and enforcement of disciplinary orders.

All of this has been achieved through the dedication and will of the board members, teamed with a hard-working and innovative staff. I am proud to be associated with them.

TMB appreciates the confidence of the legislature, governor and lieutenant governor and the investment they have made in the agency. TMB is committed to be both firm and fair in exercising regulatory authority on behalf of public safety. Malpractice legal actions cannot remove bad doctors. Only regulatory authority can protect the public.

Medical Preferred Drug List and Prior Authorization Program

In February, the Texas Health and Human Services Commission implemented a Preferred Drug List for the Medicaid program. Under the Preferred Drug List, all drugs currently available to Medicaid recipients will continue to be available. Preferred drugs will be available without prior authorization, while non-preferred drugs will require prior authorization. Prior authorization will not be required for drugs and drug classes that have not been reviewed by the Texas Pharmaceutical and Therapeutics Committee.

Prior authorization for the 14 drug classes on the initial PDL was implemented February 23. HHSC is expanding the list to include additional drug classes on a monthly basis initially, and at least quarterly thereafter. Prior authorization for the second phase of the PDL will be implemented March 29.

If a patient is taking a non-preferred drug, the physician or other prescriber may either switch the patient to a preferred drug or request prior authorization. All prior authorization requests must be called in to the Texas Prior Authorization Call Center Hotline Monday-Friday, 7:30 a.m.-6:30 p.m. (CST) at (877) PA-TEXAS. Approved requests for prior authorization will be good for one year.

The Preferred Drug List, along with policies and procedures for requesting prior authorizations, are posted on the HHSC Vendor Drug Program web site: <http://www.hhsc.state.tx.us/HCF/vdp/PT/PT.html>

Rule Changes

The Board adopted the following rule changes that were published in the *Texas Register* :

[Chapter 162](#), Supervision of Medical School Students: Rule review, repeal of §§162.1-162.3, and new §162.1 regarding the requirements for Texas physicians who supervise medical school students in Texas.

[Chapter 163](#), Licensure: Amendments to §§163.1, 163.5, 163.6, 163.10, 163.13 regarding general cleanup of the sections; and changes relating to relicensure and the expedited licensure process consistent with the mandates of Senate Bill 104 and Senate Bill 558 of the 78th Legislature.

[Chapter 165](#), Medical Records: Amendments to §§165.1, 165.3, and 165.4 regarding definitions and general cleanup and amendments to §§165.1 and 165.2 and new §165.5 concerning medical records. The

amendments clarify the definitions for medical records and maintenance of records and add requirements of the Health Insurance Portability and Accountability Act (HIPAA) as appropriate. The new provisions of §165.5 outline the requirements concerning transfer or disposal of medical records.

[Chapter 166](#), Physician Registration: Amendments to §§166.1-166.6 regarding biennial registration as mandated by Senate Bill 104.

[Chapter 168](#), Persons with Criminal Backgrounds: Rule review and repeal of §168.1. The text of the repeal will be incorporated into the new Chapter 190.

[Chapter 171](#), Postgraduate Training Permits: Amendments to §171.2 regarding eligibility for postgraduate training permits and to §171.6 regarding faculty temporary permits that would allow active military physicians, holding part-time appointments at Texas medical schools, to be eligible for faculty temporary permits.

[Chapter 173](#), Physician Profiles: Rule review and amendments to §§173.1, 173.3, and 173.4 that will make the sections consistent with the requirements of Senate Bill 104 by removing the 10-year reporting limitation in §173.1(b)(18)-(21) adding paragraph (25) regarding malpractice information, and outlining the timeline for updating the profile following the filing of formal complaints.

[Chapter 175](#), Fees, Penalties, and Applications: Amendments to §§175.1, 175.2, and 175.4 regarding biennial registration fees for physicians; increased penalty fees for late physician registration; surcharges for physician assistant, acupuncture, and acudetox renewal; registration and penalty fees for surgical assistants; and fees for approval of continuing acupuncture education providers.

[Chapter 176](#), Health Care Liability Lawsuits and Settlements: New chapter consistent with Senate Bill 104 regarding reporting responsibilities for licensees against whom a health care liability complaint has been filed and a settlement has been made.

[Chapter 178](#), Complaints: New §§178.1-178.8 concerning procedures for initiation, filing, and appeals of complaints. In addition, Chapter 188 of this title (relating to Complaint Procedure Notification) was repealed and the text regarding the process for complaint procedure notification was incorporated into this new chapter.

[Chapter 179](#), Investigations: Repeal of §§179.1-179.5 and new §§179.1-179.7 regarding a system of procedures for the investigation of jurisdictional complaints.

[Chapter 182](#), Use of Experts: New §§182.1-182.6 regarding the use of experts consistent with the requirements of Senate Bill 104. The new sections will establish procedures, qualifications and duties of these professionals serving as expert panel members, consultants and expert witnesses to the board.

[Chapter 183](#), Acupuncture: Amendments to §§183.10 and 183.20 and new §183.22 concerning written instructions in medical records and continuing acupuncture education.

[Chapter 184](#), Surgical Assistants: Amendments to §184.4 regarding examination requirements for licensure. Amendments to §§184.8 and 184.25 regarding biennial registration and annual continuing education requirements, and repeal of §§184.10 and 184.11 regarding fees related to the renewal of expired licenses and schedule of fees. The repealed sections were added to Chapter 175 relating to Fees, Penalties, and Applications as part of the adopted changes to Chapter 175.

[Chapter 185](#), Physician Assistants: Amendments to §§185.7 and 187.15 permitting the Physician Assistant Board's designee to issue temporary licenses and concerning a physician's eligibility to supervise a physician assistant.

[Chapter 187](#), Procedural Rules: Amendments to §§187.2, 187.9, 187.13, 187.16, 187.18, 187.24, 187.44, 187.56, 187.57, 187.60, and the repeal of §§187.5 and 187.40 concerning the timeline for scheduling informal settlement conferences; temporary suspension or restriction of licenses; required suspension or revocation of licenses for certain offenses; and ineligibility determinations for licensure applicants.

[Chapter 190](#), Disciplinary Guidelines: Repeal of §190.1; and new Subchapter A, §§190.1-190.2; new Subchapter B, §190.8; and new Subchapter C, §§190.14-190.15 regarding disciplinary guidelines in licensure and disciplinary matters.

[Chapter 192](#), Office-Based Anesthesia: Rule review and amendments to §§192.2-192.4 and 192.6 regarding general cleanup of the sections and the establishment of a process for biennial registration consistent with Senate Bill 104.

[Chapter 193](#), Standing Delegation Orders: Amendments to §§193.2 and 193.6 regarding the delegation of prescriptive authority as mandated by

House Bill 1095 of the 78th Legislature and applications for waiver and meetings of the Prescriptive Delegation Waiver Advisory Committee. §193.11 was added regarding delegation and supervision of the use of lasers.

[Chapter 194](#), Non-Certified Radiologic Technicians: Rule review of Chapter 194; amendments to §§194.1-194.4 and 194.6; repeal of §§194.7-194.10 and new 194.7-194.11 regarding general cleanup and reorganization of the chapter.

[Chapter 196](#), Voluntary Surrender of a Medical License: Amendments to §§196.1-196.3 for general cleanup of the chapter.

Acupuncture Board Member Dies

Condolences to the family, friends and associates of Marshall Voris, Ph.D., a member of the Texas State Board of Acupuncture Examiners, who died August 4 at the age of 48.

Dr. Voris was a psychotherapist, neuroscientist, theologian and a licensed acupuncturist. He founded the Delos Mind-Body Institute in Corpus Christi.

Dr. Voris was a dedicated and active member of the Acupuncture Board and his presence will be missed.

Disciplinary Actions

The board has taken the following disciplinary actions since publication of the June-July Medical Board Bulletin against 195 physicians, two physician assistants and two acupuncturists.

Ahmad, Sohail S., M.D., Rancho Mirage, CA, Lic. #L1509

On 8-15-03, the Board and Dr. Ahmad entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Ahmad failed to report on his annual registration form to the Board that he had been assessed an administrative penalty by the Virginia Board of Medicine for failure to properly inform them of his change of address.

Allen, David Daniel, M.D., Allen, TX, Lic. #H6007

On 2-6-04, the Board and Dr. Allen entered into an Agreed Order assessing an administrative penalty of \$10,000. The action was based on allegations that Dr. Allen submitted two falsified CME documents to a hospital.

Anderson, Ronald R., D.O., Dallas, TX, Lic. #D4462

On 12-12-03, the Board and Dr. Anderson entered into an Agreed Order which placed Dr. Anderson on probation for three years and assessed an administrative penalty in the amount of \$1,000. The action was based on allegations that Dr. Anderson failed to provide required documentation of CME hours for the time period of 9-1-01 to 8-31-02.

Aragon, Gilbert Christopher Jr., D.O., Irving, TX, Lic. #J8886

On 12-12-03, the Board revoked the physician's license. The action was based on conviction of a felony charge of unlawfully obtaining a controlled substance by the use of a false/forged prescription. No motion for rehearing was filed, so the order was effective 12-12-03.

Arrambide, George, M.D., Bulverde, TX, Lic. #D5668

On 8-15-03, the Board and Dr. Arrambide entered into an Agreed Order restricting Dr. Arrambide's license for three years and assessing an administrative penalty of \$10,000. The action was based on allegations that, with regard to three patients, Dr. Arrambide failed to perform procedures properly, timely address medical complications, and properly follow up with patients who had post-procedure complications.

Ash, Steven Patterson, M.D., Grapevine, TX, Lic. #H2219

On 12-12-03, the Board and Dr. Ash entered into an Agreed Order assessing an administrative penalty in the amount of \$2,500. The action was based on Dr. Ash's failure to provide the Board with information in a timely fashion.

Baca, Jose Jesus II, M.D., El Paso, TX, Lic. #H9187

On 12-12-03, the Board and Dr. Baca entered into an Agreed Order suspending the physician's license until such time as the physician appears before the Board to provide evidence and information that he is competent to safely practice medicine. The action was based on the physician's self-reporting his chemical abuse and relapse.

Bahrassa, Feraydoon S., M.D., Coppell, TX, Lic. #H3645

On 12-12-03, the Board and Dr. Bahrassa entered into an Agreed Order whereby the Board accepted Dr. Bahrassa's voluntary surrender of his license. The action was based on the physician's failure to document completion of required CME. The physician had ceased the active practice of medicine prior to the initiation of the investigation in this matter.

Balette, Jules, M.D., Houston, TX, Lic. #D6571

On 12-12-03, the Board and Dr. Balette entered into an Agreed Order in which Dr. Balette voluntarily surrendered his license. The basis of the action was due to illness that rendered Dr. Balette unable to continue the practice of medicine.

Baluch, Abdul R., M.D., Austin, TX, Lic. #F7693

On 8-15-03, the Board and Dr. Baluch entered into an Agreed Order revoking Dr. Baluch's medical license. The action was based on allegations that Dr. Baluch was found guilty of two felonies that included aiding and abetting healthcare fraud and money laundering, resulting in his incarceration in a federal prison for five years.

Bartlett, Richard Paul, M.D., Odessa, TX, Lic. #J1865

On 12-12-03, the Board and Dr. Bartlett entered into a Mediated Agreed Order for one year requiring Dr. Bartlett to provide selected patient records to be reviewed by a Board-approved monitor. The monitor shall provide a report that documents any perceived deficiencies and recommendations to improve Dr. Bartlett's practice of medicine. Dr. Bartlett is required to take and pass the Special Purpose Examination for general medical knowledge within one year. The allegations were based upon Dr. Bartlett's inappropriate treatment of patients with intravenous antibiotics and other medications.

Basco, Michael A., M.D., Colleyville, TX, Lic. #H5151

On 8-15-03, the Board and Dr. Basco entered into an Agreed Order publicly reprimanding Dr. Basco. The action was based on allegations that Dr. Basco was subject to peer review action for failure to completely disclose information to a hospital where he had applied for hospital privileges.

Bates, James Douglas, M.D., Dallas, TX, Lic. #H0164

On 12-12-03, the Board and Dr. Bates entered into an Agreed Order publicly reprimanding the physician, requiring the physician to maintain an Office of the Inspector General Compliance Plan for a period of three years, and assessing an administrative penalty of \$5,000. The action was based on allegations that Dr. Bates required advance payment from patients for services not covered by their health insurance plans but failed to file claims or did not timely file claims for reimbursement so as to refund patients any amounts due.

Baxt, Brian, M.D., Torrington, CT, Lic. #L0022

On 8-15-03, the Board and Dr. Baxt entered into an Agreed Order suspending Dr. Baxt's license for five years; however, the suspension was stayed and the physician was placed on probation under certain terms and conditions, including having a chaperone present during all examinations and completing a course in patient boundaries. The action was based on allegations that Dr. Baxt had engaged in verbally offensive or rude behavior with regard to three patients.

Beck, Terry L., M.D., Midland, TX, Lic. #H9786

On 8-15-03, the Board and Dr. Beck entered into an Agreed Order restricting Dr. Beck's license under certain terms and conditions for seven years, including abstaining from drugs or alcohol, submitting to random drug screens, and attending AA or NA. The action was based on allegations that Dr. Beck diverted medication prescribed to his patients for his own personal use.

Bedros, Medhat G., M.D., Baytown, TX, Lic. #H9788

On 12-12-03, the Board and Dr. Bedros entered into an Agreed Order requiring Dr. Bedros to complete certain identified CME and assessing an administrative penalty in the amount of \$10,000. The action was based on allegations that Dr. Bedros had communication with a patient that crossed proper boundaries and that Dr. Bedros made an inappropriate threat of violence.

Bennett, John Scott, D.O., Luling, TX, Lic. #G4820

On 9-17-03, a panel of the Board temporarily suspended the physician's license without notice. The action was based on allegations that Dr. Bennett, with an expired DPS registration, had improperly and nontherapeutically prescribed controlled substances and dangerous drugs to patients.

Bilsing, William Albert, M.D., Normangee, TX, Lic. #C2986

On 2-6-04, the Board and Dr. Bilsing entered into an Agreed Order assessing an administrative penalty in the amount of \$500. The action was due to Dr. Bilsing's failure to keep adequate medical records.

Blick, Mark B., M.D., Houston, TX, Lic. #G3933

On 8-15-03, the Board and Dr. Blick entered into an Agreed Order restricting Dr. Blick's license for three years under certain terms and

conditions, including prescribing drugs only for documented reasons, signing pain management contracts, and maintaining a drug log book. The action was based upon allegations that Dr. Blick over-prescribed narcotic medications to a patient and failed to adequately document the patient's treatment plan.

Blinkov, Andrew, M.D., Austin, TX, Lic. #K1368

On 12-12-03, the Board and Dr. Blinkov entered into an Agreed Order suspending Dr. Blinkov's license until such time as he provides sufficient evidence and information indicating that he is physically, mentally, and otherwise competent to safely practice medicine. The action was based on the temporary suspension of Dr. Blinkov's license on July 16, 2002. The temporary suspension was based on allegations that Dr. Blinkov had violated his existing Agreed Board Order of 4-5-02 restricting his license for drug and alcohol abuse.

Bosley, Charles M., M.D., Los Angeles, CA, Lic. #D2989

On 12-12-03, the Board and Dr. Bosley entered into an Agreed Order assessing an administrative penalty in the amount of \$1,000. This action was based on allegations that Dr. Bosley failed to maintain adequate medical records.

Bovelle, Renee Claudia, M.D., Washington, DC, Lic. #L1275

On 2-6-04, the Board and Dr. Bovelle entered into an Agreed Order publicly reprimanding Dr. Bovelle. The action was based on allegations that Dr. Bovelle was disciplined by the Nevada State Board of Medical Examiners for practicing medicine while her registration was inactive.

Brink, Ronald H., M.D., Montgomery, TX, Lic. #G2332

On 8-15-03, the Board and Dr. Brink entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Brink overcharged a patient for copies of the patient's medical records.

Brown, Carol Ann, M.D., Kailua-Kona, HI, Lic. #D9372

On 10-10-03, the Board and Dr. Brown entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Brown failed to provide documentation that she completed one hour of medical ethics during the period 9-1-01 to 8-31-02.

Brown, John D., M.D., Houston, TX, Institutional Permit #40159

On 8-15-03, the Board and Dr. Brown entered into an Agreed Order suspending Dr. Brown's Institutional Permit. The action was based upon allegations that Dr. Brown violated his prior board order by ingesting prohibited drugs.

Bui, Thieu, M.D., Austin, TX, Lic. #G1620

On 10-10-03, the Board and Dr. Bui entered into an Agreed Order restricting the physician's license for three years and assessing an administrative fine of \$5,000. The action was based on allegations that Dr. Bui failed to maintain adequate medical records and did not properly refer a patient to another physician for appropriate psychiatric care.

Bui, Tony T., M.D., Dallas, TX, Lic. #K2314

On 8-15-03, the Board and Dr. Bui entered into an Agreed Order restricting Dr. Bui's license for five years under certain terms and conditions, including abstaining from drugs or alcohol, submitting to random drug screens, and attending AA or NA, and assessing an administrative penalty of \$5,000. The action was based on allegations that Dr. Bui was arrested for driving with a suspended license and possession of cocaine.

Butler, Thomas C., M.D., Lubbock, TX, Lic. #H5108

On 2-6-04, the Board and Dr. Butler entered into an Agreed Order accepting Dr. Butler's voluntary surrender of his license. The action was based on Dr. Butler's conviction of several felonies relating to his plague research at Texas Tech Health Sciences Center in Lubbock.

Butts, Jeffrey L., D.O., Austin, TX, Lic. #H7939

On 12-12-03, the Board and Dr. Butts entered into a modification of his Agreed Order of 5-19-00. This Agreed Order converted his previous Confidential Non-Public Rehabilitation Order into a public order with the term extended from seven to 10 years. The action was based on Dr. Butts violating his original order by failing to call the drug testing program at least seven times.

Butz, Mark Allan, M.D., Abilene, TX, Lic. #J3061

On 12-12-03, the Board and Dr. Butz entered into an Agreed Order restricting the physician's scope of practice to non-patient care. The action was based on the allegation that Dr. Butz failed to meet the standard of care in his performance as an emergency room physician. Specifically, Dr. Butz failed to appropriately diagnose two patients' medical conditions.

Cahill, Allen Joseph, M.D., Arlington, TX, Lic. #D2757

On 12-12-03, the Board and Dr. Cahill entered into an Agreed Order requiring the physician to take and pass the Medical Jurisprudence Examination and assessing an administrative penalty in the amount of \$1,000. The action resulted from Dr. Cahill's failure to report to authorities a possible sexual abuse of a minor that was reported to him as required by Tex. Fam. Code Section 261.101(b).

Cammack, James Thomas, M.D., Kerrville, TX, Lic. #H5696

On 10-10-03, the Board and Dr. Cammack entered into an Agreed Order whereby the Board accepted Dr. Cammack's voluntary surrender of his license in lieu of a hearing. The action was based on allegations that Dr. Cammack violated his September 2002 order that prohibited Dr. Cammack from self-prescribing controlled substances with addictive potential.

Cantu, Ernesto Alfonso, M.D., San Antonio, TX, Lic. #F7416

On 10-10-03, the Board and Dr. Cantu entered into an Agreed Order revoking the physician's license. Action based on allegations of indecency with a child, obtaining prescriptions by fraud, and Dr. Cantu's plea agreement with the U.S. Attorney's office whereby Dr. Cantu agreed to permanently surrender his medical license.

Cantu, Rudolf, D.O., Kingwood, TX, Lic. #H7709

On 8-15-03, the Board and Dr. Cantu entered into an Agreed Order accepting Dr. Cantu's voluntary surrender of his license. The action was based on allegations that Dr. Cantu engaged in unprofessional conduct while rendering care to three female patients by inappropriately touching their breasts during an exam, touching his daughter's breasts in an inappropriate manner when she was a minor, and falsifying his licensure application by failing to report that he had been disciplined by the Air Force for conduct unbecoming an officer in relation to his conduct with his daughter.

Castilleja, Jerry, M.D., Seguin, TX, Lic. #H9456

On 8-15-03, the Board and Dr. Castilleja entered into an Agreed Order assessing an administrative penalty of \$7,500. The action was based on allegations that Dr. Castilleja failed to release medical records upon request to a patient's authorized representative and failed to respond to a board subpoena for the release of medical records.

Chandler, Matthew Taft, M.D., Richardson, TX, Lic. #J6372

On 2-6-04, the Board and Dr. Chandler entered into an Agreed Order accepting Dr. Chandler's voluntary and permanent surrender of his license. The action was based on allegations that Dr. Chandler engaged in sexual relationships with four of his patients.

Chapa, Daunne Pratka, M.D., Wichita Falls, TX, Lic. #K7260

On 12-12-03, the Board and Dr. Chapa entered into an Agreed Order assessing an administrative penalty in the amount of \$2,000. This action was based on allegations that Dr. Chapa's office represented that Dr. Chapa was board certified in pediatrics, when in fact Dr. Chapa was not.

Chase, Earl Robert, D.O., Perryton, TX, Lic. #L0076

On 12-12-03, the Board and Dr. Chase entered into an Agreed Order assessing an administrative penalty in the amount of \$10,000. The action was based on unprofessional or dishonorable conduct and violation of a Board rule.

Cheng, Cheng-Shung, M.D., Staten Island, NY, Lic. #F8051

On 10-10-03, the Board and Dr. Cheng entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Cheng failed to provide documentation that he completed one hour of medical ethics during the period 9-1-01 to 8-31-02.

Childress, Jack Richard, M.D., Belton, TX, Lic. #H5535

On 10-10-03, the Board and Dr. Childress entered into an Agreed Order publicly reprimanding Dr. Childress, assessing an administrative penalty of \$1,000, and requiring CME in medical record-keeping. The action was based on allegations that Dr. Childress failed to timely release copies of medical records to his patients and failed to inform the Board of his change of practice address.

Clark, William Dallas, M.D., Houston, TX, Lic. #E4818

On 12-12-03, the Board and Dr. Clark entered into an Agreed Order assessing an administrative penalty in the amount of \$500. The action was due to allegations that the physician failed to adequately supervise his employees.

Cline, Mark A., M.D., Nacogdoches, TX, Lic. #J8492

On 8-15-03, the Board and Dr. Cline entered into an Agreed Order publicly reprimanding Dr. Cline and requiring him to appear before the Board if he should ever wish to return to the practice of obstetrics. The action was based on allegations that Dr. Cline failed to meet the standard of care during the labor and delivery of a baby by failing to properly assess the fetus' well-being during labor.

Conanan, Margarita L., M.D., Richardson, TX, Lic. #D7790

On 8-15-03, the Board and Dr. Conanan entered into an Agreed Order accepting Dr. Conanan's voluntary surrender of her license. The action was based on allegations that Dr. Conanan violated the corporate practice of medicine doctrine by entering into a business relationship with a non-physician to operate a clinic in a manner that aided and abetted the unlicensed practice of medicine.

Conner, Margaret E., M.D., Alpine, TX, Lic. #H6126

On 8-15-03, the Board and Dr. Conner entered into an Agreed Order assessing an administrative penalty of \$5,000. The action was based on allegations that Dr. Conner failed to provide the Board with information in a timely fashion.

Cunado, Carlos Domingo, M.D., Beaumont, TX, Lic. #K6556

On 10-10-03, the Board and Dr. Cunado entered into a three-year Agreed Order that included monitoring of practice, CME in record-keeping, and an administrative penalty of \$5,000. The action was based on allegations that Dr. Cunado failed to properly diagnose a patient and altered medical records without properly dating and initialing the additions.

Daggubati, Subbarao, M.D., Abilene, TX, Lic. #G2678

On 10-10-03, the Board and Dr. Daggubati entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Daggubati failed to release medical records in a timely manner.

Dalkowitz, Marcus Brown, M.D., San Antonio, TX, Lic. #C3625

On 12-12-03, the Board and Dr. Dalkowitz entered into an Agreed Order restricting the physician's license to surgical assisting only. The action was based on improper prescribing of pain medications without performing an examination and failure to practice medicine in an acceptable professional manner consistent with public health and welfare.

Di Bona, Daniel J., M.D., Austin, TX, Lic. #H0294

On 8-15-03, the Board and Dr. Di Bona entered into an Agreed Order assessing an administrative penalty of \$5,000. The action was based on allegations that Dr. Di Bona failed to provide the Board with information in a timely fashion. On 12-12-03, the Board and Dr. Di Bona entered into an Agreed Order suspending the physician's license until such time as the physician appears before the Board to provide evidence he is competent to safely practice medicine. The action was based on substance abuse.

Dickinson, Robert S., M.D., Houston, TX, Lic. #E6064

On 8-15-03, the Board and Dr. Dickinson entered into an Agreed Order publicly reprimanding Dr. Dickinson and assessing an administrative penalty of \$5,000. The action was based on allegations that Dr. Dickinson prescribed controlled substances to his wife without maintaining an adequate medical record.

Eby, Charles Sidney Jr., M.D., Fort Myers, FL, Lic. #D2417

On 12-12-03, the Board and Dr. Eby entered into an Agreed Order requiring Dr. Eby to fulfill all terms of an order issued by the Florida Medical Examiners on 2-25-03, and assessing an administrative penalty in the amount of \$1,500. The action was based on an action taken by the Florida Board involving allegations of incomplete medical records and allowing an unlicensed physician to act as a consultant.

Ellis, Michael, M.D., Marshall, TX, Lic. #D1205

On 8-15-03, the Board and Dr. Ellis entered into an Agreed Order accepting Dr. Ellis' voluntary and permanent surrender of his Texas license. The action was based upon disciplinary action by another state for misdiagnosing biopsy slides.

Emerson, Timothy Joe, M.D., San Angelo, TX, Lic. #G8831

On 8-15-03, the Board suspended Dr. Emerson's license. The action was based on his incarceration in a federal penitentiary. On 2-6-04, the Board revoked Dr. Emerson's license. The action was based on his conviction of a felony offense for possession of a firearm while under a restraining order. Dr. Emerson may file a Motion for Rehearing within 20 days of the Order. If a Motion for Rehearing is filed and the Board denies the motion, the Order is final. If a Motion for Rehearing is filed and the Board grants the motion, the Order is not final and a hearing will be scheduled.

Evans, Carolyn A., M.D., Dallas, TX, Lic. #F3941

On 10-10-03, the Board and Dr. Evans entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Evans failed to adequately supervise the activities of those acting under her supervision.

Ewing, Carol Tillotson, M.D., Port Arthur, TX, Lic. #E3260

On 12-12-03, the Board and Dr. Ewing entered into an Agreed Order suspending Dr. Ewing's license for 30 days, and thereafter placing restrictions on her license and assessing an administrative penalty in the amount of \$2,000. This action was a result of Dr. Ewing's lack of appropriate control over prescribing practices in her office.

Finn, S. Sam, M.D., Dallas, TX, Lic. #H1079

On 2-6-04, the Board and Dr. Finn entered into an Agreed Order publicly reprimanding Dr. Finn. The action was based on the allegation that Dr. Finn fused a spinal column in the wrong location.

Flewellen, Eugene H. III, M.D., Dallas, TX, Lic. #D5990

On 10-10-03, the Board and Dr. Flewellen entered into an Agreed Order publicly reprimanding the physician. The action was based on allegations that Dr. Flewellen failed to prevent a patient's hypoxia during a surgical procedure.

Fortson, Wayne Everett, M.D., Kilgore, TX, Lic. #E9636

On 2-6-04, the Board and Dr. Fortson entered into an Agreed Order publicly reprimanding Dr. Fortson and assessing an administrative penalty in the amount of \$5,000. This action was based on allegations that Dr. Fortson violated Board rules by failing to provide the Board with information in a timely manner.

Fowler, Stephen R., M.D., Dallas, TX, Lic. #H9514

On 8-15-03, the Board and Dr. Fowler entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Fowler violated his prior Board Order by failing to call the Drug Testing Service on three occasions without a pre-approved waiver in violation of his 1999 Agreed Order.

Furniss, Wilburn E. II, M.D., Nacogdoches, TX, Lic. #D7575

On 8-15-03, the Board and Dr. Furniss entered into an Agreed Order suspending the physician's license for three years; however, the

suspension was stayed and Dr. Furniss' license was placed on probation under certain terms and conditions, including chart monitoring of Dr. Furniss' practice, deleting his authority to prescribe Schedule II drugs, and additional CME courses in pain management. The action was based upon allegations that Dr. Furniss failed to provide adequate medical records to support the use of certain combinations of antibiotics and pain medications in the treatment of several patients.

Gallant, Kenneth Joseph, D.O., Belton, TX, Lic. Temporary Permit #10007936

On 2-6-04, the Board revoked Dr. Gallant's license. The action was based on conduct that resulted in dismissal from his residency program. Dr. Gallant may file a Motion for Rehearing within 20 days of the Order. If a Motion for Rehearing is filed and the Board denies the motion, the Order is final. If a Motion for Rehearing is filed and the Board grants the motion, the Order is not final and a hearing will be scheduled.

Garza-Vale, Arnulfo R., M.D., San Antonio, TX, Lic. #E0929

On 12-12-03, the Board and Dr. Garza-Vale entered into an Agreed Order requiring successful passage of the Medical Jurisprudence Examination, CME in appropriate prescribing, and an administrative penalty in the amount of \$5,000. The action was based on allegations that Dr. Garza-Vale failed to adequately supervise the activities of those acting under his supervision and his failure to practice medicine in an acceptable professional manner.

Gibson, Michael Louis, M.D., Dallas, TX, Lic. #E7409

On 10-10-03, the Board and Dr. Gibson entered into an Agreed Order publicly reprimanding the physician and restricting his license for three years. The action was based on allegations that Dr. Gibson failed to prevent a patient's hypoxia during a surgical procedure and failed to fully inform the patient's family of his actions.

Gordon, William Hyatt Jr., M.D., Lubbock, TX, Lic. #D0890

On 12-12-03, the Board and Dr. Gordon entered into an Agreed Order suspending the physician's license; staying the suspension; placing the physician on probation for five years; and assessing an administrative penalty of \$50,000. The action was based on allegations that Dr. Gordon failed to practice medicine in a professional manner and directly aided the practice of medicine by a person who was not duly licensed to practice medicine.

Grotti, Lydia H., M.D., Midland, TX, Lic. #J6122

On 10-10-03, the Board revoked the physician's license, assessed an administrative penalty of \$10,000, and assessed a fee of \$7,729.80 for the recovery of costs of the administrative hearing at the State Office of Administrative Hearings. The action was based on failure to meet the standard of care by improperly pronouncing a patient dead and occluding that patient's endotracheal tube to stop respirations. A Motion for Rehearing was denied by the board and the order was in effect 12-8-03.

Guajardo, Frank, D.O., Uvalde, TX, Lic. #K4072

On 8-15-03, the Board and Dr. Guajardo entered into an Agreed Order suspending Dr. Guajardo's license. The action was based on allegations that Dr. Guajardo suffered from a mental impairment that precluded his ability to safely practice medicine.

Guerra, Antonio Fred, M.D., San Antonio, TX, Lic. #F9511

On 2-6-04, the Board and Dr. Guerra entered into an Agreed Order requiring that Dr. Guerra obtain 15 hours CME in medical record-keeping, pass the Medical Jurisprudence Exam within one year, and pay an administrative penalty in the amount of \$1,000. The action was based on violation of a Board rule concerning appropriate charges for medical records.

Halldorsson, Ari Omar, M.D., Lubbock, TX, Lic. #L2300

On 10-10-03, the Board and Dr. Halldorsson entered into a 10-year Agreed Order, suspending the physician's license for 10 years; however, the suspension was stayed and the physician was placed on probation under certain terms and conditions. The action was based on allegations of the physician's abuse of hydrocodone and his requests of residents under his supervision to write him prescriptions.

Hamilton, Jon-Paul, M.D., Houston, TX, Lic. #K0312

On 2-6-04, the Board and Dr. Hamilton entered into an Agreed Order suspending Dr. Hamilton's license; however, the suspension was stayed and Dr. Hamilton was placed on probation for seven years under terms and conditions, including abstaining from alcohol and drugs, submitting to random drug testing, and continuing with psychiatric treatment. The action was based on Dr. Hamilton's drug abuse and self-prescription of phenobarbital.

Hankins, David L, D.O., Arlington, TX, Lic. #H3391

On 10-10-03, the Board and Dr. Hankins entered into an Agreed Order publicly reprimanding the physician and requiring completion of a course on patient boundaries. The action was based on allegations that Dr. Hankins prescribed medications without properly documenting indications and justifications, and that he entered a romantic relationship with a patient without first properly terminating the physician-patient relationship.

Hardimon, Floyd O., D.O., Houston, TX, Lic. #D6447

A Temporary Suspension Order was entered on 12-5-03 temporarily suspending the physician's license without notice due to evidence that the physician's continuation in the practice of medicine would constitute a continuing threat to public welfare. It is further ordered that the temporary suspension order shall remain in effect until such time as it is superseded by a subsequent order of the Board.

Harris, Judith Lee, M.D., San Antonio, TX, Lic. #D8544

On 12-12-03, the Board and Dr. Harris entered into an Agreed Order requiring the physician's practice to be monitored, and assessing an administrative penalty in the amount of \$3,000. The action was due to allegations of improper billing practices.

Hearn, R. E., M.D., Seabrook, TX, Lic. #C3695

On 12-12-03,, the Board and Dr. Hearn entered into an Agreed Order suspending the physician's license due to probation violations. The probation violations included the failure to surrender his DEA and DPS certificates and forms, and failure to have his practice monitored.

Herman, James, M.D., Arlington, TX, Lic. #E0977

On 8-15-03, the Board and Dr. Herman entered into an Agreed Order suspending Dr. Herman's license, staying the suspension, and placing Dr. Herman on probation for three years under certain terms and conditions, including abstaining from alcohol or drugs, submitting to random drug screens, and attending Mothers Against Drunk Drivers meetings. The action was based on allegations that Dr. Herman was arrested and charged with DWI when on call in his medical practice.

Howard, Annette M., M.D., Houston, TX, Lic. #J5161

On 2-6-04, the Board and Dr. Howard entered into an Agreed Order publicly reprimanding Dr. Howard, ordering her to perform 200 hours of community service, and assessing an administrative penalty in the amount of \$5,000. The action was based on allegations that Dr. Howard treated a

patient and authorized refills of prescriptions while her medical license was suspended.

Hubner, Richard Thomas, D.O., Throckmorton, TX, Lic. #H0471

On 12-12-03, the Board and Dr. Hubner entered into an Agreed Order suspending his license until such time as Dr. Hubner provides sufficient evidence that he is competent and safe to practice medicine. The action was due to his failure to meet the treatment requirements set out in his 12-13-02 Board Order.

Huff, John D., M.D., Fairfield, IA, Lic. #D7993

On 8-15-03, the Board entered an order following a contested case hearing restricting Dr. Huff's license under certain terms and conditions, including prohibiting Dr. Huff from practicing ophthalmology or surgery in any form and assessing an administrative penalty in the amount of \$29,000. The action was based on allegations that Dr. Huff performed cataract surgery on three patients and ruptured the patients' eye capsule and failed to perform appropriate procedures to address the rupture. He also failed to properly treat a glaucoma patient. Dr. Huff exercised his option to file a Motion for Rehearing. The Motion for Rehearing was denied. Dr. Huff's Order dated 8-24-03 became final and effective on 10-9-03.

Hughes, Charles Von Oden III, M.D., Levelland, TX, Lic. #G2997

On 10-10-03, the Board and Dr. Hughes entered into a three-year Agreed Order restricting the physician's license. The action was based on allegations that Dr. Hughes failed to keep adequate medical records and engaged in nontherapeutic prescribing of medications in relation to his pain management practice.

Hughes, Donald Duane, M.D., Fort Worth, TX, Lic. #E8575

On 12-12-03, the Board and Dr. Hughes entered into an Interim Agreement to have a chaperone present when examining patients under the age of 18. Action based on allegations of inappropriate behavior with patients.

Hughes, Larry Charles, D.O., Groesbeck, TX, Lic. #J1692

On 10-10-03, the Board and Dr. Hughes entered into an Agreed Order assessing an administrative penalty of \$2,500 and requiring CME in obesity management and medical record-keeping. The action was based

on allegations that Dr. Hughes prescribed phentermine for weight loss without maintaining an adequate medical record.

Johnson, Charles Anders, M.D., Sugar Land, TX, Lic. #H3900

On 2-6-04, the Board and Dr. Johnson entered into an Agreed Order revoking Dr. Johnson's license; however, the revocation was stayed and Dr. Johnson was placed on probation for 10 years under terms and conditions including psychiatric treatment, abstaining from drugs and alcohol, and submitting to random drug testing. The action was based on Dr. Johnson's intemperate use of drugs.

Jones, Lillian Martin, M.D., San Antonio, TX, Lic. #F3226

On 10-10-03, the Board and Dr. Jones entered into an Agreed Order restricting the physician's license to only gynecological medicine. The action was based on allegations that Dr. Jones failed to meet the standard of care when delivering an infant through trial labor when there was evidence that the infant was in distress.

Kauffman, Robert P., M.D., Amarillo, TX, Lic. #F4147

On 10-10-03, the Board and Dr. Kauffman entered into an Agreed Order assessing an administrative penalty of \$3,500. The action was based on allegations that Dr. Kauffman violated his 1997 Agreed Order by failing to call Drug Testing Services as required as part of his compliance with the order.

Kelley, Jared Lee, M.D., Irving, TX, Lic. #F1701

On 2-6-04, the Board and Dr. Kelley entered into an Agreed Order suspending Dr. Kelley's license; however, the suspension was stayed, and Dr. Kelley was placed on probation for 10 years under terms and conditions, including abstaining from alcohol or drugs, and submitting to random drug testing. The action was based on Dr. Kelley's self-prescribing of drugs.

Kesler, Keith E., D.O., Austin, TX, Lic. #G9758

On 12-12-03, the Board and Dr. Kesler entered into an Agreed Order revoking the physician's license; however, the revocation was stayed and the physician was placed on probation for 10 years under terms and conditions, including the restriction of his practice to a group or institutional approved setting, and limits on any prescribing activities. The action was based on allegations that Dr. Kesler had improperly prescribed controlled substances and dangerous drugs to a patient.

Ketterer, Cynthia L., M.D., Spring, TX, Lic. #K3771

On 8-15-03, the Board and Dr. Ketterer entered into an Agreed Order suspending Dr. Ketterer's license. The action was based upon allegations that Dr. Ketterer violated her prior board order by the intemperate use of alcohol.

Khan, Rubab F., M.D., Lawrenceville, GA, Lic. #G1060

On 12-12-03, the Board and Dr. Khan entered into an Agreed Order suspending her license. This action was due to Dr. Khan being disciplined by another state due to her impairment.

Kilian, Robert J., M.D., Lake Jackson, TX, Lic. #D9333

On 8-15-03, the Board and Dr. Kilian entered into an Agreed Order restricting Dr. Kilian's license for three years under terms and conditions, including chart monitoring of Dr. Kilian's practice and obtaining additional CME in pain management. The action was based upon allegations that Dr. Kilian failed to keep adequate medical records for treatment of intractable pain; and prescribed or administered a drug or treatment without an adequate medical basis for such prescription or treatment.

King, Dennis M., M.D., Killeen, TX Lic. #D7122

On 8-15-03, the Board entered an order following a contested case hearing revoking Dr. King's license. The action was based upon allegations that Dr. King violated a previous board order by using alcohol or drugs in an intemperate manner that could endanger a patient's life. Dr. King exercised his option to file a Motion for Rehearing. The Motion for Rehearing was denied. Dr. King's order dated 8-15-03 became final and effective on 10-9-03.

Lambert, Robert Martin, M.D., Canyon Lake, TX, Lic. #H1506

On 12-12-03, the Board and Dr. Lambert entered into an Agreed Order restricting the physician's license for three years, including participation in the chart monitoring program and limitations on his prescribing authority. The action was based on nontherapeutic prescribing practices, failure to perform proper examinations, and failure to maintain complete medical records.

Landefeld, Ronald A., M.D., Marion, OH, Lic. #E3988

On 8-15-03, an order was entered suspending the physician's license. Action was required because of physician's incarceration in federal prison.

A second order was entered in which the Board voted to enter a default judgment against the physician for failure to respond to Board staff's filing of a complaint with the State Office of Administrative Hearings. The default judgment resulted in the revocation of the physician's license. Revocation was required because of Dr. Landefeld's final felony conviction under the Drug Abuse Prevention and Control Act of 1970 (21 U.S. Code Section 801 et seq). No Motion for Rehearing was filed, so the Order was final effective 8-15-03.

Levison, Lionel, M.D., Odessa, TX, Lic. #F7512

On 10-10-03, the Board and Dr. Levison entered into an Agreed Order publicly reprimanding the physician, assessing an administrative penalty of \$5,000, and requiring completion of a CME course on patient boundaries. The action was based on allegations that Dr. Levison made sexually inappropriate remarks and acted inappropriately toward female coworkers and had his staff privileges terminated as a result.

Levy, David Julien, D.O., Alvord, TX, Lic. #D1455

On 2-6-04, the Board and Dr. Levy entered into an Agreed Order in which Dr. Levy voluntarily and permanently surrendered his license. The action was due to illness that rendered Dr. Levy unable to practice medicine.

Light, Kevin D., D.O., Weatherford, TX, Lic. #J9162

On 10-10-03, the Board and Dr. Light entered into a seven-year Agreed Order suspending the physician's license; however, the suspension was stayed and the physician was placed on probation under certain terms and conditions. The action was based on allegations that Dr. Light violated his December 2002 Agreed Order that was entered into based on allegations of intemperate use of alcohol and/or controlled substances.

Lim, Jaime Chung, M.D., Wichita Falls, TX, Lic. #G9147

On 10-10-03, the Board and Dr. Lim entered into a three-year Agreed Order restricting the physician's license. The action was based on allegations that Dr. Lim ordered medications and treatments without documented medical indications.

Loya, Juan Francisco, M.D., El Paso, TX, Lic. #J4309

On 2-6-04, the Board and Dr. Loya entered into an Agreed Order suspending Dr. Loya's license. The suspension was based on allegations that Dr. Loya violated a prior Board Order by consuming prohibited drugs.

Madiedo, Eduardo, Jr, M.D., San Antonio, TX, Lic. #D5091

On 10-10-03, the Board and Dr. Madiedo entered into an Agreed Order suspending the physician's license. The action was based on allegations that Dr. Madiedo violated his December 2000 Agreed Order by violating his probation with the Bexar County Probation Department and by failing to call Drug Testing Services as required as part of his compliance with the 2000 order.

Malave, Ernesto, M.D., Lampasas, TX, Lic. #J7063

On 2-6-04, the Board and Dr. Malave entered into an Agreed Order suspending Dr. Malave's license; however, the suspension was stayed, and Dr. Malave was placed on probation for seven years under terms and conditions, including restricting Dr. Malave's ability to prescribe controlled substances, attending Board-approved CME, and paying a \$5,000 administrative penalty. The action was based on Dr. Malave receiving deferred adjudication for delivery of a controlled substance.

Maldonado, Cesar E., M.D., El Paso, TX, Lic. #K4494

On 10-10-03, the Board and Dr. Maldonado entered into an Agreed Order suspending the physician's license for at least nine months, after which time the physician may petition the Board for reinstatement of his license. The action was based on allegations that Dr. Maldonado violated his September 2001 order by failing to abstain from the consumption of alcohol as required under the order.

Maly, Ronald F., M.D., Grand Prairie, TX, Lic. #D5298

On 8-15-03, the Board and Dr. Maly entered into an Agreed Order assessing an administrative penalty of \$500. The action was based upon allegations that Dr. Maly failed to comply with annual CME requirements.

Martin, Corwin Dean, M.D., Scottsdale, AZ, Lic. #L0398

On 12-12-03, the Board and Dr. Martin entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on disciplinary action taken by another state regarding Dr. Martin's failure to perform a complete patient history and physical, and failure to maintain adequate medical records.

Martin, Pamela M., M.D., Tempe, AZ, Lic. #H8232

On 8-15-03, the Board and Dr. Martin entered into an Agreed Order publicly reprimanding Dr. Martin, assessing an administrative penalty of

\$5,000, and requiring her to take and pass the Medical Jurisprudence exam. The action was based upon allegations that Dr. Martin practiced medicine while her license was delinquent and failed to timely release medical records upon request.

Martin, Raymond Andrew, M.D., Lubbock, TX, Lic. #F4946

On 2-6-04, the Board revoked Dr. Martin's license effective 3-20-04. The action was based on unprofessional conduct with a patient. Specifically, Dr. Martin had a sexual relationship with his patient. Dr. Martin may file a Motion for Rehearing within 20 days of the Order. If a Motion for Rehearing is filed and the Board denies the motion, the Order is final. If a Motion for Rehearing is filed and the Board grants the motion, the Order is not final and a hearing will be scheduled.

Maynard, Daniel A., D.O., Dallas, TX, Lic. #E1669

On 6-20-03, the Board entered an order temporarily suspending Dr. Maynard's license without notice due to evidence that he was a continuing threat to public welfare. The action was based upon allegations that Dr. Maynard was improperly prescribing narcotics, controlled substances and other dangerous drugs to patients without medical records supporting such prescriptions. Dr. Maynard's conduct allegedly resulted in patient harm and was determined to be related to their deaths from drug overdoses. The temporary suspension order shall remain in effect until such time as it is superseded by a subsequent order of the Board.

McCorkle, Brandt Halbert, D.O., El Paso, TX, Lic. #F4260

On 12-12-03, the Board and Dr. McCorkle entered into an Agreed Order. Dr. McCorkle voluntarily and permanently surrendered his Texas medical license. The action was based on separate allegations that Dr. McCorkle violated his March 1995 Agreed Order by failing to accurately report his consumption of a controlled substance and in an unrelated incident, failing to meet the standard of care in his performance as a physician. Specifically, Dr. McCorkle failed to appropriately diagnose a patient's medical condition in the Dallas County jail with the patient ultimately dying.

McDonough, Frederick, D.O., Bonham, TX, Lic. #H2586

On 8-15-03, the Board and Dr. McDonough entered into an Agreed Order assessing an administrative penalty of \$500. The action was based upon allegations that Dr. McDonough failed to release medical records in a timely manner.

McGanity, Peter L.J., M.D., San Antonio, TX, Lic. #E4515

On 8-15-03, the Board and Dr. McGanity entered into an Agreed Order restricting Dr. McGanity's license for five years under terms and conditions, including prohibiting him from training any residents, additional CME, and an administrative penalty in the amount of \$5,000. The action was based upon disciplinary action by peers for kicking a male resident and making inappropriate remarks to a female resident.

McNeill, Scott Shaw, M.D., San Antonio, TX, Lic. #K7058

On 10-10-03, the Board and Dr. McNeill entered into an Agreed Order suspending the physician's license. The action was based on allegations that Dr. McNeill was arrested three times for alcohol-related offenses and that Dr. McNeill violated his 1998 Agreed Order by failing to abstain from the consumption of alcohol.

Mitchell, Roderick Lee, M.D., Daingerfield, TX, Lic. #F9834

On 2-6-04, the Board and Dr. Mitchell entered into an Agreed Order requiring Dr. Mitchell to enroll in and successfully complete a remedial education course of at least two days duration in appropriate prescribing of controlled substances. The action was based on deficiencies in medical record documentation, specifically failing to fully inform patients of risks of long-term pain medication treatment.

Molina, Hector Oscar, M.D., Colleyville, TX, Lic. #K2755

On 2-6-04, the Board and Dr. Molina entered into an Agreed Order restricting Dr. Molina's license for three years and assessing a \$25,000 administrative penalty. The action was based on violations of Board Rule 174 regarding telemedicine, and failing to establish the proper doctor/patient relationship before prescribing controlled substances.

Montano-Martinez, Pedro S., M.D., McAllen, TX, Lic. #F7849

On 10-10-03, the Board and Dr. Montano-Martinez entered into an Agreed Order restricting the physician's license for four years. The action was based on allegations that Dr. Montano-Martinez failed to maintain adequate medical records and failed to meet the standard of care when performing a breast augmentation, brachioplasty, and thigh lift at one sitting on a single patient.

Montoya-Zermeno, M. Carmen, M.D., Wharton, TX, Lic. #G6057

On 1-29-04 the Board and Dr. Montoya-Zermeno entered into an Agreed Order restricting Dr. Montoya-Zermeno's license for eight years under terms and conditions, including monitoring of her medical practice,

abstaining from consumption of alcohol or drugs, and submitting to random drug testing. The action was based on violation of a prior board order.

Morris, Dareld Ray, D.O., Amarillo, TX, Lic. #C8589

On 10-10-03, the Board and Dr. Morris entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Morris failed to retain medical records a minimum of seven years from the date of last treatment of an adult patient.

Moss, Jennifer M., M.D., Georgetown, TX, Lic. #K7835

On 10-10-03, the Board and Dr. Moss entered into an Agreed Order suspending the physician's license. The action was based on allegations that Dr. Moss has intemperately used alcohol in a manner that could endanger a patient's life.

Murray, James L. III, M.D., Bellaire, TX, Lic. #G4358

On 8-15-03, the Board and Dr. Murray entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based upon allegations that Dr. Murray failed to comply with annual CME requirements.

Myers, Frances Alethea, M.D., McAllen, TX, Lic. #H3497

On 2-6-04, the Board and Dr. Myers entered into an Agreed Order assessing an administrative penalty in the amount of \$500. The action was based on the allegation that Dr. Myers failed to timely produce medical records upon request of the patient.

Nair, Baskaran C. K., M.D., Houston, TX, Lic. #F6440

On 10-10-03, the Board and Dr. Nair entered into an Agreed Order assessing an administrative penalty of \$3,000. The action was based on allegations that Dr. Nair violated Board rule 190.1(c)(2)(G) (now identified as Rule 190.8(2)(G)), by becoming financially involved with a patient in an inappropriate manner.

Neece, Stephen R., M.D., Wichita Falls, TX, Lic. #E1910

On 8-15-03, the Board and Dr. Neece entered into an Agreed Order suspending Dr. Neece's license. The action was based upon allegations that Dr. Neece intemperately used alcohol or drugs; prescribed or

administered a drug or treatment without an adequate medical basis for such prescription or treatment; and wrote false or fictitious prescriptions.

Neely, Byron Davis, M.D., Austin, TX, Lic. #D9588

On 12-12-03, the Board and Dr. Neely entered into an Agreed Order suspending the physician's license, staying the suspension, and placing the physician on probation for three years. This action was based on allegations that Dr. Neely had self-prescribed medications with the potential to interfere with his ability to perform surgery. The terms of the order forbid Dr. Neely from self-prescribing medications, and require continuing physical and psychiatric evaluations to verify his fitness to perform surgery.

Nguyen, Hung Ba, M.D., Wailuku, Mani, HI, Lic. #H6468

On 8-15-03, the Board and Dr. Nguyen entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based upon allegations Dr. Nguyen failed to properly read a spinal MRI that revealed a deformity suggestive of among other conditions an abdominal aortic aneurysm.

Novak, Yvonne Biedermann, M.D., San Angelo, TX, Lic. #H4580

On 10-10-03, the Board and Dr. Novak entered into a three-year Agreed Order restricting the physician's license. The action was based on allegations that Dr. Novak failed to adequately monitor a patient's labor and perform a timely cesarean section.

Ogle, Robert Curtis, D.O., Rockwall, TX, Lic. #G0500

On 12-12-03, the Board and Dr. Ogle entered into an Agreed Order revoking Dr. Ogle's license. The action was based on Dr. Ogle's prescribing medication over the Internet to patients he never examined.

Ohlen, Alfred Carl Jr., M.D., West Columbia, TX, Lic. #E3391

On 12-12-03, the Board and Dr. Ohlen entered into an Agreed Order assessing an administrative penalty in the amount of \$500. The action was based on allegations that Dr. Ohlen failed to respond to the Board's request for clarification concerning information he reported on his 2002 Physician Annual Registration.

Okoro, Chijioke V., M.D., Houston, TX, Lic. #H5598

On 8-15-03, the Board entered an order revoking Dr. Okoro's license. The action was based on conviction of a felony. Motion for rehearing was denied and the order dated 8-15-03 became final on 9-26-03.

Olivares, Olga M., M.D., San Antonio, TX, Basic Permit #10000972

On 10-10-03, an Agreed Order was entered into assessing an administrative penalty of \$500. The action was based on allegations that Dr. Olivares had inappropriately accessed the medical records of a person who was not her patient and that she had subsequently been suspended by her residency program for 28 days.

Olivieri, Julio C., M.D., Dallas, TX, Lic. #K2549

On 8-15-03, the Board and Dr. Olivieri entered into an Agreed Order assessing an administrative penalty of \$5,000. The action was based upon allegations of disciplinary action by peers suspending Dr. Olivieri's hospital privileges for failing to timely complete medical records.

Paskow, James Andrew, M.D., The Woodlands, TX, Lic. #H8790

On 12-12-03, the Board and Dr. Paskow entered into an Agreed Order suspending Dr. Paskow's license, staying the suspension, and placing Dr. Paskow on probation for five years. The action was based on inappropriate comments of a sexual nature directed to the daughter of a patient in the emergency room.

Patel, Nandlal Mangaldas, M.D., Big Spring, TX, Lic. #J0892

On 12-12-03, the Board and Dr. Patel entered into a Mediated Agreed Order suspending the physician's license; however, the suspension was stayed and Dr. Patel was placed on probation for five years with the requirement of participation in the chart monitoring program and continuing medical education in board-designated subjects. The action was based on allegations of substandard care.

Paulk, Mary, M.D., Dallas, TX, Lic. #K3626

On 8-15-03, the Board and Dr. Paulk entered into an Agreed Order publicly reprimanding Dr. Paulk. The action was based upon allegations that Dr. Paulk failed to calculate the proper dosage of morphine causing a fatal morphine overdose in the patient.

Pendleton, Michael Jerome, M.D., Corpus Christi, TX, Lic. #L4091

On 2-6-04, the Board and Dr. Pendleton entered into an Agreed Order publicly reprimanding Dr. Pendleton. The action was based on allegations that as an Emergency Room physician, Dr. Pendleton failed to obtain expert consultative assistance on a patient with infectious endocarditis.

Perry, Robert R., M.D., Plano, TX, Lic. #J8712

On 8-15-03, the Board and Dr. Perry entered into an Agreed Order revoking Dr. Perry's license; however, the revocation was stayed and Dr. Perry was placed on probation for 10 years under certain terms and conditions, including abstaining from alcohol or drugs, submitting to random drug screens, and attending AA and NA. The action was based on allegations that Dr. Perry violated his prior board order by testing positive for amphetamines during a random drug screen and submitting false statements to the board regarding his relapse.

Peters, Alonzo III, M.D., Houston, TX, Lic. #F5696

On 10-10-03, the Board and Dr. Peters entered into a 10-year Agreed Order revoking the physician's license; however, the revocation was stayed and the physician was placed on probation under certain terms and conditions. The action was based on allegations that Dr. Peters engaged in nontherapeutic prescribing, failed to keep adequate medical records, and failed to document proper examinations prior to providing pain medication.

Pettit, James C., D.O., Waco, TX, Lic. #F9947

On 12-12-03, the Board and Dr. Pettit entered into an Agreed Order requiring completion of the Medical Jurisprudence Examination and an administrative penalty of \$500. The action was based on allegations that Dr. Pettit failed to adequately document treatment provided to an emergency room patient.

Pharo, Arlette Naylor, D.O., Houston, TX, Lic. #H6509

On 12-12-03,, the Board and Dr. Pharo entered into an Agreed Order assessing an administrative penalty in the amount of \$500. The action was based on allegations that Dr. Pharo failed to release medical records in a timely manner.

Phillips, Michael Stephen, M.D., Cuero, TX, Lic. #E4598

On 10-10-03, the Board and Dr. Phillips entered into a 10-year Agreed Order revoking the physician's license; however, the revocation was stayed and the physician was placed on probation under certain terms and

conditions that include refraining from the practice of obstetrical medicine, receiving remedial education, and having his practice monitored. The action was based on allegations that Dr. Phillips failed to meet the standard of care in his performance of obstetrical medicine. Specifically, Dr. Phillips failed to timely perform cesarean sections in three deliveries that resulted in severe birth injuries and subsequent infant deaths.

Phillips, Randall Reed, D.O., Fort Worth, TX, Lic. #H6916

On 12-12-03, the Board and Dr. Phillips entered into an Agreed Order issuing a public reprimand. The action was due to an arrest for driving while intoxicated.

Potterf, Raymond Dewayne, M.D., San Antonio, TX, Lic. #E8824

On 12-12-03, the Board and Dr. Potterf entered into an Agreed Order restricting the physician's license for a period of five years, including the requirement of a chaperone to be present with all minor patients. This action was due to a boundary violation with a patient.

Powell, Dan Clayton, M.D., Pampa, TX, Lic. #J3370

On 12-12-03, the Board and Dr. Powell entered into an Agreed Order issuing a public reprimand and requiring Dr. Powell to fulfill requirements of a monitoring contract between Dr. Powell and the Pampa Regional Medical Center. The action was based on allegations of substandard care delivered to two infants.

Priestley, John Farish, D.O., Richardson, TX, Lic. #H4627

On 9-9-03, the Board suspended Dr. Priestley's license. The action was based on allegations that Dr. Priestley violated his August 2002 Agreed Order by self-prescribing controlled substances and failing to call Drug Testing Services as required as part of his compliance with the order. On 12-12-03, the Board and Dr. Priestley entered into an Agreed Order suspending his license until such time as Dr. Priestley provides sufficient evidence and information indicating that he is physically, mentally, and otherwise competent to safely practice medicine. This action was due to Dr. Priestley's relapse and violation of his Agreed Board Order of 8-16-02.

Quenneville, Kenneth Bruce, M.D., Eagle Lake, TX, Lic. #H1404

On 10-10-03, the Board and Dr. Quenneville entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Quenneville violated his April 1998 order by failing to

call Drug Testing Services as required as part of his compliance with the order.

Quiroz, Carlos Arturo, D.O., San Antonio, TX, Lic. #K3632

On 12-12-03, the Board and Dr. Quiroz entered into an Agreed Order assessing an administrative penalty in the amount of \$1,000. The action was based on the physician's failure to properly release medical records.

Randall, Gary Milton, D.O., Lufkin, TX, Lic. #F7577

On 10-10-03, the Board and Dr. Randall entered into an Agreed Order whereby the physician was publicly reprimanded, assessed an administrative penalty of \$4,000, and agreed to other terms and conditions. The action was based on allegations that Dr. Randall aided and abetted the unlicensed practice of medicine by having staff perform nerve conduction studies and sending the data to an out-of-state neurologist not licensed in Texas for consultation and interpretation purposes.

Ranelle, John Barry, D.O., Harlingen, TX, Lic. #E9349

On 12-12-03, the Board and Dr. Ranelle entered into an Agreed Order restricting the physician's license by requiring drug screening and assessing an administrative penalty in the amount of \$2,500. This action was based on allegations that Dr. Ranelle had violated his 12-11-99 Agreed Order by failing to promptly pay the cost and charges associated with his drug and alcohol screening.

Raphael, Peter, M.D., Plano, TX, Lic. #G8361

On 12-12-03, the Board and Dr. Raphael entered into an Agreed Order that included a 45-day suspension, public reprimand, and probation for 10 years. The action was based on a determination of substandard care that resulted in the death of a patient receiving multiple plastic surgery procedures. The findings of substandard care included issues with anesthesiology, inadequate staffing, length of surgery and the high volume of liposuction performed in an unaccredited outpatient surgical center.

Redding, Todd S., M.D., Bartlesville, OK, Lic. #J2271

On 2-6-04, the Board and Dr. Redding entered into an Agreed Order suspending Dr. Redding's license until such time as he personally appears before the Board and provides evidence and information which in the discretion of the Board indicates that he is physically, mentally and otherwise competent to safely practice medicine. Such evidence and

information shall include the physician's successful completion of the probation period imposed upon his Oklahoma license by the Oklahoma Board.

Rehman, Faiz Ur, M.D., Midland, TX, Lic. #K9642

On 12-12-03, the Board and Dr. Rehman entered into an Agreed Order suspending Dr. Rehman's medical license. The action was based on an allegation that Dr. Rehman performed an angioplasty in which he dissected the coronary artery and failed to have a surgical team available.

Rios, Ruben, M.D., San Antonio, TX, Lic. #H4649

On 12-12-03, the Board and Dr. Rios entered into an Agreed Order publicly reprimanding the physician and assessing an administrative penalty of \$2,000. The action was based on allegations that Dr. Rios failed to meet the standard of care by failing to protect a patient's airway during induction of general anesthesia.

Rodarte-Rojas, Sergio Manuel, M.D., El Paso, TX, Lic. #J8358

On 12-12-03, the Board and Dr. Rodarte-Rojas entered into an Agreed Order publicly reprimanding the physician, assessing an administrative penalty of \$2,500, and requiring the physician to take and pass the Medical Jurisprudence Examination. The action was based on allegations that Dr. Rodarte-Rojas entered into an improper business arrangement that allowed an unlicensed individual to perform and evaluate certain diagnostic tests on patients without the physician personally examining the patient.

Rodriguez, Victor M., M.D., Sugar Land, TX, Lic. #K1030

On 12-12-03, the Board and Dr. Rodriguez entered into an Agreed Order assessing an administrative penalty in the amount of \$1,000. The action was based on failure to timely release medical records.

Rosales, Anna Marie, M.D., San Antonio, TX, Lic. #H7346

On 10-10-03, the Board and Dr. Rosales entered into an Agreed Order whereby the physician was publicly reprimanded, assessed an administrative penalty of \$1,000, and required to take and pass the Texas Medical Jurisprudence Examination. The action was based on allegations that Dr. Rosales defaulted on a student loan and practiced with an expired license for six months.

Routhouska, Glenn A., D.O., Fairfield, TX, Lic. #J1031

On 8-15-03, the Board and Dr. Routhouska entered into an Agreed Order publicly reprimanding Dr. Routhouska. The action was based on allegations that Dr. Routhouska acquired controlled substances by fraud, failed to keep biennial inventory of his narcotics as reported by DPS to DEA, was required to surrender his DEA and DPS controlled registrations in February 2002, and received deferred adjudication that included placement on probation for two years, a \$4,000 fine, and community service.

Rowley, Patricia Ann, M.D., Las Cruces, NM, Lic. #J5001

On 8-15-03, the Board and Dr. Rowley entered into an Agreed Order restricting Dr. Rowley's license for five years under certain terms and conditions, including abstaining from alcohol or drugs, submitting to random drug screens, and attending AA or NA. The action was based on allegations of professional misconduct related to Dr. Rowley's substance abuse that resulted in the New York medical board taking action against Dr. Rowley's New York medical license.

Rutledge, Brian, M.D., Fort Worth, TX, Lic. #F1958

On 8-15-03, the Board and Dr. Rutledge entered into an Agreed Order suspending Dr. Rutledge's license. The action was based on allegations of his inability to practice medicine with reasonable skill and safety to patients because of his clinical depression.

Sanchez, Guillermo G., M.D., Austin, TX, Basic Permit #20004655

On 8-15-03, the Board revoked Dr. Sanchez's Institutional Permit. The action was based on allegations of intemperate use of alcohol or drugs and inability to practice medicine with reasonable skill and safety to patients because of excessive use of drugs, narcotics, chemicals, or another substance. No motion for rehearing was filed so the order is final.

Sanchez G, Armando, M.D., Houston, TX, Lic. #H3164

On 2-6-04, the Board revoked Dr. Sanchez G's license. The action was based upon the fact that Dr. Sanchez G solicited the murder for hire of a patient. Dr. Sanchez G may file a Motion for Rehearing within 20 days of the Order. If a Motion for Rehearing is filed and the Board denies the motion, the Order is final. If a Motion for Rehearing is filed and the Board grants the motion, the Order is not final and a hearing will be scheduled.

Sanjar, Mansour R., M.D., Baytown, TX, Lic. #G3069

On 12-12-03, the Board and Dr. Sanjar entered into an Agreed Order for three years that requires selected medical and billing records to be monitored, and continuing medical education in Board-designated specialty areas. The action was due to inadequate medical record-keeping and failure to properly manage amounts of controlled substances prescribed to a patient.

Scheffey, Eric Heston, M.D., Houston, TX, Lic. #E6607

On 8-29-03, a panel of the Board temporarily suspended Dr. Scheffey's license due to the Board's finding that his continued practice constituted a real danger to the health of his patients. The action was based on allegations that Dr. Scheffey repeatedly failed to meet the standard of care in his performance of orthopedic surgery, failed to maintain adequate medical records, prescribed medications and treatments in a nontherapeutic manner, and has been subject to 18 meritorious medical malpractice claims in which payments were made.

Schultz, Richard B., M.D., Georgetown, TX, Lic. #J2314

On 10-10-03, the Board and Dr. Schultz entered into an Agreed Order assessing an administrative penalty of \$500. The action was based on allegations that Dr. Schultz violated Board rule 164.4, an unintentional omission in an advertisement.

Seitzinger, Michael R., M.D., Green Lake, WI, Lic. #F5039

On 8-15-03, the Board and Dr. Seitzinger entered into an Agreed Order accepting Dr. Seitzinger's permanent surrender of his license. The action was based on allegations that Dr. Seitzinger had been disciplined by the Wisconsin medical board, suffered from alcohol abuse, and had been convicted twice for driving while intoxicated.

Shaffer, Howard, M.D., Fort Worth, TX, Lic. #E1127

On 8-15-03, the Board and Dr. Shaffer entered into an Agreed Order assessing an administrative penalty of \$5,000. The action was based on allegations that Dr. Shaffer failed to meet the standard of care during sinus surgery when he perforated a patient's skull base as evidenced by subsequent CT scans of a cerebral spinal fluid leak.

Sharman, Ralph S., M.D., Houston, TX, Lic. #D7300

On 8-15-03, the Board and Dr. Sharman entered into an Agreed Order suspending Dr. Sharman's license. The action was based on allegations

that Dr. Sharman violated his May 2003 Order by self-administering Vicodin and ingesting cocaine.

Siddiqi, Adila, D.O., Arlington, TX, Lic. #K7396

On 8-15-03, the Board and Dr. Siddiqi entered into an Agreed Order assessing an administrative penalty of \$500. The action was based on allegations that, upon request from a patient's attorney, Dr. Siddiqi's staff did not timely provide the requested medical records.

Silberg, Louise B., D.O., El Paso, TX, Lic. #J9348

On 8-15-03, the Board and Dr. Silberg entered into an Agreed Order assessing an administrative penalty of \$5,000, requiring the completion of 10 hours of CME in ethics, and prohibiting the physician from self-prescribing or prescribing to family. The action was based on allegations that Dr. Silberg had her privileges suspended by a hospital and that she had self-prescribed drugs.

Silverthorn, Andrew C., M.D., Austin, TX, Lic. #F3339

On 10-10-03, the Board and Dr. Silverthorn entered into a 10-year Agreed Order suspending the physician's license; however the suspension was stayed and the physician was placed on probation under certain terms and conditions. The action was based on allegations that Dr. Silverthorn exceeded physician/patient boundaries.

Slater, David Alan, M.D., Dallas, TX, Lic. #L1202

On 10-10-03, the Board and Dr. Slater entered into an Agreed Order restricting the physician's license. The action was based on allegations that Dr. Slater was arrested twice for driving under the influence of benzodiazepines and opioids that he has been determined to suffer dependency upon.

Smith, James A., D.O., Huntsville, TX, Lic. #G3078

On 8-15-03, the Board and Dr. Smith entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Smith failed to complete the required Category 1 CME during the period 12-1-01 to 11-30-02.

Sneed, David Lee, D.O., Austin, TX, Lic. #F4549

On 10-10-03, the Board and Dr. Sneed entered into an Agreed Order assessing an administrative penalty of \$2,000. The action was based on allegations that Dr. Sneed failed to maintain adequate medical records.

Spaw, Jeff, M.D., College Station, TX, Lic. #J6735

On 10-10-03, the Board and Dr. Spaw entered into a three-year Agreed Order publicly reprimanding him and restricting Dr. Spaw's license. The action was based on allegations that Dr. Spaw pled guilty to the felony offense of committing injury to a child by striking or pulling the hair of a boy and was sentenced by a court of law to 10 years of community supervision.

Speak, Kenneth Edwin, D.O., Kerens, TX, Lic. #C4555

On 10-10-03, the Board and Dr. Speak entered into an Agreed Order whereby the physician elected to voluntarily and permanently surrender his Texas medical license. The action was based on Dr. Speak's prescribing dangerous drugs and controlled substances via the Internet to patients that he had not seen or examined

Srungaram, Ramesh K., M.D., Houston, TX, Lic. #H1845

On 12-12-03, the Board and Dr. Srungaram entered into a seven-and-half-year Agreed Order that included suspension for six weeks, proctoring and monitoring of bariatric surgeries, CME in risk management, ethics, and record-keeping, and an assessment of an administrative penalty of \$25,000. The action was based on allegations that Dr. Srungaram practiced medicine in an unprofessional manner and on his failure to have in place adequate pre- and post-operative protocols. Such failures resulted in serious patient harm. In addition Dr. Srungaram was subject to disciplinary action taken by a licensed hospital.

Steele, Darryl Newell, M.D., Euless, TX, Lic. #F2945

On 12-12-03, the Board and Dr. Steele entered into an Agreed Order extending the physician's five-year probation to a seven-year probationary term. This action was based on Dr. Steele's failure to have his practice monitored by another physician as required in his 8-26-00 Agreed Order.

Stewart, Kerby James, M.D., Austin, TX, Lic. #J3623

On 12-12-03, the Board and Dr. Stewart entered into an Agreed Order of suspension for seven years; however, the suspension was stayed and Dr. Stewart was placed on probation for seven years under certain terms and conditions, including abstaining from alcohol and drugs, and participation

in the drug testing program. The action was based on Dr. Stewart's intemperate use of alcohol.

Stokoe, Christopher T., M.D., Plano, TX, Lic. #K2805

On 2-6-04, the Board and Dr. Stokoe entered into an Agreed Order assessing an administrative penalty in the amount of \$500. The action was based on allegations that Baylor/Richardson Hospital terminated Dr. Stokoe's privileges for failing to respond to requests to complete delinquent medical records in a timely manner.

Su, Charles Yieng-Chu, M.D., Southlake, TX, Lic. #J3383

On 2-6-04, the Board and Dr. Su entered into an Agreed Order publicly reprimanding Dr. Su. The action was based on the allegation that Dr. Su failed to diagnose a ruptured popliteal artery.

Sundaresan, Sanjoy, M.D., Wichita Falls, TX, Lic. #K1083

On 12-12-03, the Board and Dr. Sundaresan entered into an Agreed Order for one year. Selected medical records will be monitored and the physician will pay an administrative penalty of \$5,000. The action was due to inadequate documentation in operative reports.

Tan, Ping Ngi, M.D., Hamilton, TX, Lic. #F2476

On 2-6-04, the Board and Dr. Tan entered into an Agreed Order restricting Dr. Tan's license for three years under certain terms and conditions, including having a chaperone present while treating female patients, and attending focused CME. The action was based on allegations that Dr. Tan failed to maintain proper boundaries with a patient.

Taylor, Barbara D., M.D., Houston, TX, Lic. #H0874

On 8-15-03, the Board and Dr. Taylor entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Taylor failed to personally examine an obstetric patient, relying instead on phone communications with the patient and nurses prior to discharge and re-admittance.

Timm, David Martindale, M.D., Amarillo, TX, Lic. #K3024

On 10-10-03, the Board and Dr. Timm entered into an Agreed Order whereby Dr. Timm agreed to not practice medicine in Texas until such time as he requests the reinstatement of his license. The action was

based on allegations that Dr. Timm exhibited poor patient selection, technical difficulties, and impaired judgment.

Torres, Richard R., M.D., Mesquite, TX, Lic. #K6943

On 10-10-03, the Board and Dr. Torres entered into an Agreed Order requiring the physician to complete 25 hours of CME in pulmonary medicine and passage of the Special Purpose Examination within three attempts in one year. The action was based on allegations that Dr. Torres failed to recognize the severity of a patient's acute respiratory failure and that he was subsequently subject to peer review action by the hospital where the procedure was performed.

Trimble, Terrill M., M.D., Wylie, TX, Lic. #C2008

On 8-15-03, the Board and Dr. Trimble entered into an Agreed Order whereby the Board accepted Dr. Trimble's permanent surrender of his license. The action was based on allegations that Dr. Trimble failed to adequately assess medical and psychiatric illnesses, failed to refer patients to consultants, prescribed controlled substances in a nontherapeutic manner to known drug abusers, and inappropriately prescribed to family members.

Triplett, Richard Daniel, M.D., Spring, TX, Lic. #J3251

On 12-12-03, the Board and Dr. Triplett entered into an Agreed Order assessing an administrative penalty in the amount of \$1,000. The action was based on Dr. Triplett's failure to provide documentation of CME for the period 9-1-01 to 8-31-02.

Tuel, David C., M.D., Waco, TX, Lic. #G8468

On 8-15-03, the Board and Dr. Tuel entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Tuel failed to provide documentation for CME courses, including ethics, taken from 9-1-01 to 8-31-02.

Veselka, James Edward, M.D., Angleton, TX, Lic. #G5732

On 10-10-03, the Board and Dr. Veselka entered into an Agreed Order requiring the physician to complete CME in chronic pain and treatment of migraine headaches. The action was based on allegations that Dr. Veselka failed to comply with the Board's rules on pain management, specifically that he failed to properly manage the amounts of Stadol prescribed to a patient.

Victores, Ruben Dario, M.D., Beaumont, TX, Lic. #H9727

On 12-12-03, the Board and Dr. Victores entered into an Agreed Order restricting Dr. Victore's license for three years under terms and conditions, including monitoring his practice. The Board also assessed a \$5,000 administrative penalty. This action was based on allegations that Dr. Victores did not call for a cesarean section upon becoming aware of a breech presentation, resulting in injury to the infant.

Villamil, Alfonso, M.D., Corpus Christi, TX, Lic. #K1120

On 2-6-04, the Board and Dr. Villamil entered into an Agreed Order assessing an administrative penalty in the amount of \$1,000. The action was based on allegations that Dr. Villamil failed to release medical records in a timely manner.

Walker, Randall Dean, M.D., Magnolia, TX, Lic. #G5744

On 12-12-03, the Board and Dr. Walker entered into an Agreed Order suspending the physician's license. The action was based on Dr. Walker's violation of his prior Agreed Order by failing to abstain from alcohol.

Ward, Robert Leo, D.O., Kerrville, TX, Lic. #H8496

On 10-10-03, the Board and Dr. Ward entered into an Agreed Order publicly reprimanding the physician. The action was based on allegations that Dr. Ward was placed on deferred adjudication by Kerr County in July 2002 for prescription fraud.

Watkins, Ulysses W. Jr., M.D., Houston, TX, Lic. #F8727

On 8-15-03, the Board and Dr. Watkins entered into an Agreed Order assessing an administrative penalty of \$500. The action was based on allegations that Dr. Watkins requested letters of protection from patients as a guarantee that the remainder of the patient's bill would be paid before any medical records could be released.

Wengroff, Sean Daryl, M.D., Galveston, TX, Lic. #L4167

On 8-15-03, the Board and Dr. Wengroff entered into an Agreed Order assessing an administrative penalty of \$3,000. The action was based on Dr. Wengroff's self-reporting that the DEA found him to be in possession of anabolic steroids in April 2002 and that he received a \$500 fine and deferred adjudication for that incident.

Williams, Robert Allen, M.D., Phoenix, AZ, Lic. #F2993

On 2-6-04, the Board and Dr. Williams entered into an Agreed Order publicly reprimanding Dr. Williams. The action was based on disciplinary action by another state.

Wilson, Mark Sean, M.D., Corpus Christi, TX, Lic. #L5615

On 2-6-04, the Board and Dr. Wilson entered into an Agreed Order publicly reprimanding Dr. Wilson and assessing an administrative penalty in the amount of \$1,000. The action was based on allegations that Dr. Wilson violated a prior Board Order by ingesting a prescription drug without notifying the Board.

Wilson, W. Brad, M.D., Nacogdoches, TX, Lic. #H3293

On 2-6-04, the Board and Dr. Wilson entered into an Agreed Order extending Dr. Wilson's current probated suspension for an additional two years and assessing an administrative penalty in the amount of \$1,000. The action was based on allegations that Dr. Wilson violated his prior board order by self-prescribing dangerous drugs.

Yandell, Roger Bryan, M.D., Corpus Christi, TX, Lic. #F7335

On 12-12-03, the Board and Dr. Yandell entered into an Agreed Order suspending the physician's license. The action was based on Dr. Yandell's intemperate use of alcohol and/or controlled substances.

Yim, Roger S., D.O., Garland, TX, Lic. #L1246

On 12-12-03 the Board and Dr. Yim entered into an Agreed Order which included a public reprimand, an administrative penalty of \$5,000, passing the Medical Jurisprudence Examination, a practice monitor, and an additional five hours of CME in the areas of ethics and pain management, including the completion of ♦Maintaining Proper Boundaries,♦ a CME course taught by Vanderbilt University. The action was due to allegations of boundary violations, improper record keeping, and prescribing for a family member.

Zingery, Lewis W., M.D., Austin, TX, Lic. #F4724

On 2-6-04, The Board and Dr. Zingery entered into an Agreed Order wherein Dr. Zingery voluntarily and permanently surrendered his medical license effective 1-15-04. The action was based on Dr. Zingery nontherapeutically prescribing pain medications to multiple patients.

Zobal, Kimberly A., M.D., Montgomery, TX, Lic. #J4636

On 10-10-03, the Board and Dr. Zobel entered into an Agreed Order publicly reprimanding the physician and restricting her license for three years. The action was based on allegations that Dr. Zobel received undocumented prescriptions for Vicoprofin.

Acupuncturists

Kang, Ji-Zhou, L.Ac., Houston, TX, Lic. #AC-00189

On 7-18-03, an Agreed Order was entered restricting the acupuncturist's license for three years under certain terms and conditions. The action was due to failure to practice acupuncture in an acceptable manner consistent with public health and welfare.

Wang, Nancy Wen Feng, L.Ac., College Station, TX, Lic. #AC-00080

On 7-18-03, an Agreed Order was entered restricting the acupuncturist's license for one year under certain terms and conditions. Action due to failure to practice acupuncture in an acceptable manner consistent with public health and welfare.

Physician Assistants

Morgan, Kevin Daniel, P.A., San Antonio, TX, Lic. #PA00930

On 11-21-03, the Board and Mr. Morgan entered into an Agreed Order suspending Mr. Morgan's physician assistant license; however, the suspension was stayed and Mr. Morgan was placed on probation for five years under certain terms and conditions. The action was based on Mr. Morgan's habitual use of drugs or intoxicating liquor.

Royster, Willie K., P.A., Rising Star, TX, Lic. #PA01361

An Agreed Order was entered on 8-1-03 restricting the physician assistant's license for five years under certain terms and conditions. The action was due to writing a false or fictitious prescription for a dangerous drug as defined by Chapter 483, Health and Safety Code, and failing to practice as a physician assistant in an acceptable manner consistent with public health and welfare.

Correction:

In the Fall 2002 issue of the *Medical Board Report*, a disciplinary summary should have read as follows:

Hildebrand, James R., M.D., North Little Rock, AR, Lic. #E9232

An Agreed Order was entered on 8-16-02 restricting the physician's license for three years under certain terms and conditions. Action due to disciplinary action taken by another state.

Formal Complaints

The following Formal Complaints have been filed with the State Office of Administrative Hearings regarding the licensees listed below. The cases are unresolved at publication.

John S. Bennett, D.O. G4820 1/28/04 Failure to provide medical records; writing controlled substances on expired DPS registration; practicing medicine with a suspended license.

Michael G. Brown, M.D. G3190 7/22/03 Failure to practice medicine consistent with public health and welfare.

Nigel Da Silva, D.O. K3146 7/9/03 Unprofessional conduct that is likely to deceive, defraud, or injure the public; failure to practice medicine consistent with public health and welfare.

Belan Joe Daneshfar, M.D. H7403 8/7/03 Unprofessional conduct that is likely to deceive, defraud, or injure the public; failure to practice medicine consistent with public health and welfare.

Harold Granek, M.D. F8495 2/24/04 Violation of a board order.

Pawan Grover, M.D. H8932 11/19/03 Violation of board rules; prescribing to a known drug user; nontherapeutic prescribing.

Geoffrey Grubb, M.D. D8245 10/22/03 Inability to practice medicine with reasonable skill and safety because of illness, drunkenness, excessive use of drugs, or because of a mental or physical condition.

Floyd O. Hardimon, D.O. D6447 2/17/04 Failure to practice medicine consistent with public health and welfare; aiding and abetting the practice of another physician while that physician was under suspension.

Jacques S. Jaikaran, M.D. F2731 12/3/03 Violation of the Act; violation of board rules; failure to practice medicine consistent with public health and welfare; unprofessional conduct; failure to comply with a board order.

Leslie D. Jennings, M.D. F9619 9/4/03 Unprofessional conduct that is likely to deceive, defraud, or injure the public; failure to practice medicine consistent with public health and welfare.

David M. McClellan, M.D. G0476 11/3/03 Inappropriate sexual contact with a patient.

Alexander Mora III, M.D. G5972 9/2/03 Unprofessional conduct that is likely to deceive, defraud, or injure the public.

Benedict O. Olusola, M.D. J7118 2/3/94 Unprofessional conduct that is likely to deceive, defraud, or injure the public; deferred adjudication.

Dipakkumar Patel, M.D. H1170 11/7/03 Conviction of a felony; violation of a previous order.

Piyush V. Patel, M.D. G2452 8/7/03 Unprofessional conduct that is likely to deceive, defraud, or injure the public; failure to practice medicine consistent with public health and welfare; conviction of a felony.

John B. Payne, D.O. H5943 12/3/03 Failure to practice medicine consistent with public health and welfare; unprofessional and dishonorable conduct; nontherapeutic prescribing; administering drugs in a manner inconsistent with public health and welfare.

Jose E. Perezcassar, M.D. H7205 8/7/03 Unprofessional conduct that is likely to deceive, defraud, or injure the public; failure to practice medicine consistent with public health and welfare; nontherapeutic prescribing.

Marcella B. Ritter, M.D. F7101 8/8/03 Unprofessional conduct that is likely to deceive, defraud, or injure the public; failure to practice medicine consistent with public health and welfare; nontherapeutic prescribing.

Fran Jean Rose, M.D. H9704 7/9/03 Unprofessional conduct that is likely to deceive, defraud, or injure the public; failure to practice medicine consistent with public health and welfare; action by peers; nontherapeutic prescribing; improper billing; failure to maintain adequate medical records.

Pradeep K. Roy, M.D. H3160 12/22/03 Failure to practice medicine consistent with public health and welfare; nontherapeutic prescribing; failure to keep adequate medical records; unprofessional or dishonorable conduct.

Michael C. Scally, M.D. G0066 7/23/03 Unprofessional conduct that is likely to deceive, defraud, or injure the public; failure to practice medicine consistent with public health and welfare; nontherapeutic prescribing.

Eric H. Scheffey, M.D. E6607 11/7/03 Failure to practice medicine consistent with public health and welfare; unprofessional or dishonorable conduct; nontherapeutic prescribing; fraudulent billing; failure to maintain

adequate medical records; repeated or recurring meritorious health care liability claims.

Charles W. Suits, D.O. G6765 1/9/04 Nontherapeutic prescribing; conviction of a felony; action in another state.

Angel G. Vera, M.D. BPI-00046969 12/19/03 Action in another state due to sexual misconduct.

Douglas W. Wheeler, M.D. F8731 10/17/03 Failure to practice medicine consistent with public health and welfare; disciplinary action by peers.

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