



# **Texas Medical Board**

## **ANNUAL REPORT OF NONFINANCIAL DATA**

*For the Year Ended August 31, 2019*

**STEPHEN “BRINT” CARLTON, J.D.  
EXECUTIVE DIRECTOR**



## Texas Medical Board

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January 2, 2020

The Honorable Greg Abbott  
John Keel, CPA, State Auditor  
Legislative Budget Board

To Whom It May Concern:

We are pleased to submit the Texas Medical Board's *Annual Report of Nonfinancial Data* for the year ended August 31, 2019, in accordance with the Texas Government Code Annotated §2101.0115 and in accordance with the instructions for completing the *Annual Report for Nonfinancial Data*.

The accompanying report has not been audited and is independent of the agency's Annual Financial Report.

Should you have any questions, please contact Cori Briscoe, Chief Financial Officer, at 512-305-7052.

Sincerely,  
A handwritten signature in blue ink that reads "Stephen Brint Carton".

STEPHEN BRINT CARTON, J.D.  
Executive Director

## TABLE OF CONTENTS

### **I. SCHEDULES**

Appropriation Item Transfer	4
HUB State Agency Progress Report	5
Indirect Cost	6
Schedule of Space Occupied	7

### **II. ADDENDUMS**

A. Report of Investigations Pending Over One Year	9
1. Table 1: Complaints in Investigations	12
2. Table 2: Cases in Litigation	17
B. Report of Investigations Pending Over Six Months Without Informal Hearing	22
1. Table 1: De-indentified Pending Investigations	24
C. Complaints Received and Complaint Disposition By Type	30

**APPROPRIATION ITEM TRANSFERS\***

For the Fiscal Year Ended August 31, 2019

**ITEM OF APPROPRIATION**

			<u>Transfers-In</u>	<u>Transfers-Out</u>	<u>Net Transfers</u>
<b>A. Goal: LICENSURE</b>					
Strategies:					
A.1.1.	13005	Licensing	\$ -	\$ -	\$ -
A.1.2.	13010	Texas Online	-	-	-
Total, Goal A: Licensure			<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
<b>B. Goal: ENFORCEMENT</b>					
Strategies:					
B.1.1	13002	Enforcement	\$ -	\$ -	\$ -
B.2.1	13003	Public Education	-	-	-
B.2.2.	22008	Physician Health Program	-	-	-
Total, Goal B: Enforcement			<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
<b>C. Goal: INDIRECT ADMINISTRATION</b>					
Strategies:					
C.1.1	13800	Indirect Administration-Licensing	\$ -	\$ -	\$ -
C.1.2.	13801	Indirect Administration-Enforcement	-	-	-
Total, Goal C: Indirect Administration			<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
NET APPROPRIATION ITEM TRANSFERS			<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>

\* This schedule does not include Benefit Replacement Pay transfers or Rider Reduction transfers.

Unaudited  
**STATE AGENCY PROGRESS REPORT**  
 (Source: Texas Government Code, Title 10, Subtitle D, Section 2161.124)

Agency Name: TEXAS MEDICAL BOARD Agency #: 503 Report for Fiscal: 18 THRU 20

HUB Report Procurement Categories	Fiscal 2018		Fiscal 2019		Fiscal 2020
	Agency-Specific HUB Goal*	% of Dollars Spent w/HUBs**	Agency-Specific HUB Goal*	% of Dollars Spent w/HUBs**	Agency-Specific HUB Goal*
Heavy construction other than building contracts	0.00%	0.00%	0.00%	0.00%	0.00%
Building construction, including general contractors and operative builders contracts	0.00%	0.00%	0.00%	0.00%	0.00%
Special trade construction contracts	0.00%	0.00%	32.90%	0.00%	0.00%
Professional services contracts	23.70%	100.00%	23.70%	0.00%	23.70%
Other services contracts	26.00%	12.59%	26.00%	6.05%	26.00%
Commodities contracts	21.10%	92.57%	21.10%	56.86%	21.10%

\*For each of the procurement categories listed, enter your Agency-Specific HUB Goals.

\*\*For each of the procurement categories listed, enter the percentage of dollars the agency spent with HUBs as reflected in the Annual HUB Reports.

Prepared By:



Printed Name:

Keith LaSalle, Purchaser

Phone Number:

512-305-7063

Approved by:



Printed Name:

Cori Briscoe, CFO

Phone Number:

512-305-7052

## INDIRECT COST SCHEDULE

For the Fiscal Year Ended August 31, 2019

### A. Payroll-related Costs

*(reconciles to Exhibit II, Annual Financial Report)*

FICA Employer Matching Contribution	\$ 542,157.86
Group Health Insurance	918,642.51
Retirement	673,550.90
Unemployment	19,565.82
Other Employment Expense-surcharge	22,645.89
Payroll Health Insurance Contribution	76,302.66
Additional Payroll Retirement Contribution	39,847.22

<b>Total Payroll Related Costs</b>	<b>\$ 2,292,712.86</b>
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Workers' Compensation (SORM)	\$ 11,146.44
Benefit Replacement Pay (BRP)	5,168.09

<b>Total Workers' Compensation and BRP</b>	<b>\$ 16,314.53</b>
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### B. Indirect Costs

*(not reported on operating statements)*

Texas Facilities Commission	\$ -
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<b>Total Indirect Costs</b> <i>(not reported on operating statements)</i>	<b>\$ -</b>
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### C. Indirect Costs - Statewide Full Cost Allocation Plan

Building Depreciation	\$ -
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Comptroller of Public Accounts:

Administration	-
Fiscal and ITD	-
Purchasing and Support (TPASS)	-
Procurement Card Rebate	-

Department of Public Safety

Capitol Security	-
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Texas Facilities Commission:

Planning and Asset Management	-
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Governor's Office of Budget and Planning

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<b>Total Indirect Costs - Statewide Full Cost Allocation Plan</b>	<b>\$ -</b>
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<b>TOTAL INDIRECT COSTS less SWCAP Costs</b>	<b>\$ 2,309,027.39</b>
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**SCHEDULE OF SPACE OCCUPIED**

For the Fiscal Year Ended August 31, 2019

<b>Location</b>	<b>Address</b>	<b>Usable Square Feet</b>
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**State-Owned Building:**

Austin	Willam P. Hobby Building Tower III 333 Guadalupe Street Austin, TX 78701	27,953
Austin	William P. Hobby Building Tower II, Suite 520 333 Guadalupe Street Austin, TX 78701	1,173

# **Addendums**



**ADDENDUM A**  
**ANNUAL REPORT OF NON-FINANCIAL DATA DECEMBER 2019**

**Texas Medical Board (TMB)**  
**Report of Investigations Pending Over One-Year**  
**For the Fiscal Year Ended 8/31/19**

Under the requirements of SB 104 (78R), TMB is required to submit an annual report of “information regarding any investigations that remain pending after one year, including the reasons the investigations remain pending.” (VTCA, OCCUPATIONS CODE, §153.056).

In preparing this data, TMB has defined “pending investigations” as all investigations that were opened on or before August 31, 2018 that did not have a final disposition (either dismissed or a final Board Order) by August 31, 2019.

**TOTAL PENDING INVESTIGATIONS**

As of filed date August 31, 2019, there were 342 investigations in the agency that had been open for at least one year.

**OPEN INVESTIGATIONS IN INVESTIGATION DEPARTMENT**

Of the 342 investigations over one-year old, 144 were still pending in the Investigations Department.

- **Fifty-three** investigations involved criminal charges or charges by another state board or agency and are on hold pending the outcome of a trial or court proceeding.
- **Thirty four** were dismissed by the Board after September 1, 2019.
- **Eighteen** were referred to the Litigation Department after September 1, 2019.
- **Thirteen** investigations involved pending investigation with another regulatory agency and is on hold pending outcome.
- **Nine** investigations have difficulty locating an expert panelist to review case.
- **Nine** are scheduled to be heard by the Board in February 2020.
- **Four** are scheduled to be heard by the Board in March 2020.
- **Four** remains open pending necessary records or additional evidence.

**OPEN INVESTIGATIONS IN LITIGATION DEPARTMENT**

23 of the remaining 198 investigations transferred to the Litigation Department were merged into 9 cases. The mergers were done to maximize the efficient use of agency time and resources and present the strongest legal case. The merger of the investigations resulted in a total of 184 cases. (Table 2 lists the mergers of the investigations into cases).

**OPEN CASES IN LITIGATION DEPARTMENT**

- Of the 184 total cases, **ninty-one** were closed by Board action after September 1, 2019, either via a Board Order, Remedial Plan or dismissal. **One** case received a signed Agreed Order that is scheduled to be presented to the Board in January 2020. **Seven** cases are being recommended for dismissal and are scheduled to be presented to the Board in February 2020. **Five** cases received a signed Agreed Order that is scheduled to be presented to the Board in February 2020. **One** case received a signed Agreed

Order that is scheduled to be presented to the Board in March 2020. **One** case is being recommended for dismissal and is scheduled to be presented to the Board in March 2020.

- There are **forty-six** cases pending action at SOAH (includes either awaiting the hearing date or awaiting the issuance of the Proposal for Decision by the Administrative Law Judge.)
- There are **four** cases, the licensee has been temporarily suspended.
- There are 28 cases still in the agency hearings Informal Settlement Conference (ISC) process:
  - For **twenty** of these cases, the agency is either still negotiating with the physician to obtain an Agreed Order or is preparing the formal complaint for filing at SOAH.
  - For **eight** of these cases an ISC hearing date has been set or the ISC is pending.

*The two attached data tables provide:*

*Table 1: De-identified listing of Pending Investigations in the Investigations Department.*

*Table 2: De-identified listing of cases in the Litigation Department that are over one year old. This includes cases which were reported as pending in previous reports and were still pending as of 8/31/19.*

## **Table 1**

Filed Date	Log #	Status
6/23/2014	14-4884	Investigation involved criminal charges and is on hold pending outcome of trial
4/5/2016	16-3854	Investigation involved criminal charges and is on hold pending outcome of trial
5/19/2016	16-4912	Investigation involved pending investigation with another regulatory agency and is on hold pending outcome
5/19/2016	16-4913	Investigation involved pending investigation with another regulatory agency and is on hold pending outcome
7/5/2016	16-5884	Dismissed by Board after 9/01/19
7/27/2016	16-6453	Investigation involved criminal charges and is on hold pending outcome of trial
8/2/2016	16-6483	Investigation involved criminal charges and is on hold pending outcome of trial
11/15/2016	17-1163	Investigation involved criminal charges and is on hold pending outcome of trial
11/22/2016	17-1177	Investigation involved pending investigation with another regulatory agency and is on hold pending outcome
11/29/2016	17-1235	Scheduled to be heard by Board in February 2020
1/19/2017	17-2935	Investigation involved criminal charges and is on hold pending outcome of trial
2/9/2017	17-2885	Referred to Litigation Department after 9/01/19
3/7/2017	17-4044	Investigation involved criminal charges and is on hold pending outcome of trial
3/7/2017	17-4045	Referred to Litigation Department after 9/01/19
3/10/2017	17-4048	Investigation involved criminal charges and is on hold pending outcome of trial
3/10/2017	17-3528	Investigation involved criminal charges and is on hold pending outcome of trial
3/31/2017	17-4046	Dismissed by Board after 9/01/19
4/24/2017	17-4648	Dismissed by Board after 9/01/19
4/28/2017	17-4727	Investigation involved criminal charges and is on hold pending outcome of trial
5/2/2017	17-4386	Dismissed by Board after 9/01/19
5/9/2017	17-4974	Dismissed by Board after 9/01/19
5/17/2017	17-5135	Investigation involved criminal charges and is on hold pending outcome of trial
5/22/2017	17-5237	Dismissed by Board after 9/01/19
6/12/2017	17-5809	Investigation involved pending investigation with another regulatory agency and is on hold pending outcome
6/21/2017	17-6058	Investigation involved criminal charges and is on hold pending outcome of trial
7/25/2017	17-5769	Dismissed by Board after 9/01/19
7/25/2017	17-5770	Dismissed by Board after 9/01/19
8/1/2017	17-5959	Dismissed by Board after 9/01/19
8/1/2017	17-5988	Scheduled to be heard by Board in February 2020
8/1/2017	17-5990	Dismissed by Board after 9/01/19
8/2/2017	17-5736	Scheduled to be heard by Board in February 2020
8/2/2017	17-5849	Dismissed by Board after 9/01/19
8/2/2017	17-6016	Dismissed by Board after 9/01/19
8/21/2017	17-7471	Investigation involved criminal charges and is on hold pending outcome of trial
10/17/2017	18-0312	Scheduled to be heard by Board in March 2020
10/23/2017	18-0359	Dismissed by Board after 9/01/19
10/26/2017	18-0361	Investigation involved criminal charges and is on hold pending outcome of trial
10/27/2017	18-0521	Investigation involved criminal charges and is on hold pending outcome of trial
11/7/2017	18-0732	Referred to Litigation Department after 9/01/19

11/27/2017	18-2018	Investigation involved criminal charges and is on hold pending outcome of trial
11/28/2017	18-1104	Investigation involved criminal charges and is on hold pending outcome of trial
11/29/2017	18-1293	Scheduled to be heard by Board in February 2020
12/7/2017	18-1500	Investigation involved criminal charges and is on hold pending outcome of trial
12/07/2017	18-1501	Dismissed by Board after 9/01/19
12/14/2017	18-1804	Referred to Litigation Department after 9/01/19
12/19/2017	18-1812	Investigation involved criminal charges and is on hold pending outcome of trial
1/16/2018	18-2467	Investigation involved pending investigation with another regulatory agency and is on hold pending outcome
1/16/2018	18-2468	Investigation involved criminal charges and is on hold pending outcome of trial
1/18/2018	18-2466	Investigation involved pending investigation with another regulatory agency and is on hold pending outcome
1/31/2018	18-3586	Referred to Litigation Department after 9/01/19
2/6/2018	18-3012	Investigation involved criminal charges and is on hold pending outcome of trial
2/8/2018	18-2950	Investigation involved criminal charges and is on hold pending outcome of trial
2/21/2018	18-3477	Scheduled to be heard by Board in February 2020
2/27/2018	18-4337	Investigation involved criminal charges and is on hold pending outcome of trial
2/28/2018	18-3595	Dismissed by Board after 9/01/19
3/12/2018	18-3828	Dismissed by Board after 9/01/19
3/22/2018	18-4160	Referred to Litigation Department after 9/01/19
3/27/2018	18-5049	Referred to Litigation Department after 9/01/19
4/2/2018	18-5211	Investigation involved criminal charges and is on hold pending outcome of trial
4/2/2018	18-4335	Investigation involved pending investigation with another regulatory agency and is on hold pending outcome
4/10/2018	18-4610	Referred to Litigation Department after 9/01/19
4/12/2018	18-4765	Investigation involved criminal charges and is on hold pending outcome of trial
4/13/2018	18-4764	Investigation involved criminal charges and is on hold pending outcome of trial
4/20/2018	18-4959	Investigation involved criminal charges and is on hold pending outcome of trial
4/23/2018	18-4971	Difficulty locating an expert panelist to review case
4/24/2018	18-5210	Scheduled to be heard by Board in February 2020
5/1/2018	18-5180	Dismissed by Board after 9/01/19
5/15/2018	18-5528	Investigation involved criminal charges and is on hold pending outcome of trial
5/21/2018	18-5607	Dismissed by Board after 9/01/19
5/23/2018	18-6089	Investigation pending necessary records or additional evidence
5/29/2018	18-6683	Investigation involved pending investigation with another regulatory agency and is on hold pending outcome
5/31/2018	18-6029	Scheduled to be heard by Board in March 2020
5/31/2018	18-5864	Investigation involved criminal charges and is on hold pending outcome of trial
6/1/2018	18-5941	Investigation involved criminal charges and is on hold pending outcome of trial
6/4/2018	18-6831	Investigation involved pending investigation with another regulatory agency and is on hold pending outcome
6/5/2018	18-6077	Investigation involved criminal charges and is on hold pending outcome of trial
6/11/2018	18-6981	Investigation involved pending investigation with another regulatory agency and is on hold pending outcome
6/14/2018	18-6324	Investigation involved criminal charges and is on hold pending outcome of trial
6/20/2018	18-6326	Scheduled to be heard by Board in February 2020
6/20/2018	18-6331	Investigation involved criminal charges and is on hold pending outcome of trial

6/20/2018	18-6360	Referred to Litigation Department after 9/01/19
6/20/2018	18-6383	Referred to Litigation Department after 9/01/19
6/25/2018	18-7430	Investigation involved criminal charges and is on hold pending outcome of trial
6/26/2018	18-7036	Dismissed by Board after 9/01/19
6/27/2018	18-6503	Dismissed by Board after 9/01/19
7/5/2018	18-7666	Difficulty locating an expert panelist to review case
7/6/2018	18-6741	Dismissed by Board after 9/01/19
7/6/2018	18-6742	Investigation involved criminal charges and is on hold pending outcome of trial
7/6/2018	18-6785	Investigation involved criminal charges and is on hold pending outcome of trial
7/6/2018	18-6849	Dismissed by Board after 9/01/19
7/6/2018	18-7736	Investigation involved criminal charges and is on hold pending outcome of trial
7/9/2018	18-6984	Dismissed by Board after 9/01/19
7/10/2018	18-7026	Referred to Litigation Department after 9/01/19
7/17/2018	18-7104	Investigation involved criminal charges and is on hold pending outcome of trial
7/17/2018	18-7106	Investigation involved criminal charges and is on hold pending outcome of trial
7/17/2018	18-8014	Investigation involved criminal charges and is on hold pending outcome of trial
7/18/2018	18-7239	Difficulty locating an expert panelist to review case
7/19/2018	18-7183	Dismissed by Board after 9/01/19
7/23/2018	18-7592	Referred to Litigation Department after 9/01/19
7/25/2018	18-7643	Dismissed by Board after 9/01/19
7/25/2018	18-7524	Referred to Litigation Department after 9/01/19
7/25/2018	18-8351	Investigation pending necessary records or additional evidence
7/25/2018	18-7500	Referred to Litigation Department after 9/01/19
7/31/2018	18-7680	Investigation involved criminal charges and is on hold pending outcome of trial
7/31/2018	18-7681	Investigation involved criminal charges and is on hold pending outcome of trial
8/1/2018	18-7725	Dismissed by Board after 9/01/19
8/3/2018	18-8516	Referred to Litigation Department after 9/01/19
8/3/2018	18-8589	Dismissed by Board after 9/01/19
8/3/2018	18-8596	Investigation involved criminal charges and is on hold pending outcome of trial
8/6/2018	18-7733	Investigation involved criminal charges and is on hold pending outcome of trial
8/6/2018	18-7741	Investigation pending necessary records or additional evidence
8/6/2018	18-7746	Difficulty locating an expert panelist to review case
8/7/2019	18-8669	Investigation involved pending investigation with another regulatory agency and is on hold pending outcome
8/7/2018	18-8670	Investigation involved pending investigation with another regulatory agency and is on hold pending outcome
8/7/2018	18-8671	Investigation involved pending investigation with another regulatory agency and is on hold pending outcome
8/9/2018	18-7840	Dismissed by Board after 9/01/19
8/9/2018	18-7851	Difficulty locating an expert panelist to review case
8/9/2018	18-7771	Dismissed by Board after 9/01/19
8/14/2018	18-7846	Referred to Litigation Department after 9/01/19
8/15/2018	18-7836	Difficulty locating an expert panelist to review case
8/15/2018	18-7942	Referred to Litigation Department after 9/01/19
8/15/2018	18-8860	Investigation involved criminal charges and is on hold pending outcome of trial
8/15/2018	18-8861	Investigation involved criminal charges and is on hold pending outcome of trial

8/15/2018	18-8862	Investigation involved criminal charges and is on hold pending outcome of trial
8/17/2018	18-8053	Investigation involved criminal charges and is on hold pending outcome of trial
8/20/2018	18-7887	Investigation involved criminal charges and is on hold pending outcome of trial
8/21/2018	18-9032	Investigation involved criminal charges and is on hold pending outcome of trial
8/21/2018	18-8013	Dismissed by Board after 9/01/19
8/21/2018	18-8016	Investigation involved criminal charges and is on hold pending outcome of trial
8/21/2018	18-8071	Difficulty locating an expert panelist to review case
8/22/2018	18-8099	Scheduled to be heard by Board in March 2020
8/23/2018	18-8238	Investigation involved criminal charges and is on hold pending outcome of trial
8/26/2018	18-8277	Dismissed by Board after 9/01/19
8/26/2018	18-8311	Dismissed by Board after 9/01/19
8/27/2018	18-8408	Referred to Litigation Department after 9/01/19
8/27/2018	18-8746	Dismissed by Board after 9/01/19
8/28/2018	18-8511	Investigation pending necessary records or additional evidence
8/28/2018	18-8424	Difficulty locating an expert panelist to review case
8/28/2018	18-8360	Investigation involved criminal charges and is on hold pending outcome of trial
8/28/2018	18-8358	Dismissed by Board after 9/01/19
8/28/2018	18-8361	Scheduled to be heard by Board in February 2020
8/29/2018	18-8470	Scheduled to be heard by Board in February 2020
8/29/2018	18-8440	Difficulty locating an expert panelist to review case
8/29/2018	18-8697	Scheduled to be heard by Board in March 2020

## **Table 2**



<b>Filed Date</b>	<b>Log #</b>	<b>Case #</b>	<b>Status</b>
12/2/2013	141178	150221	SOAH
4/16/2015	153940	180488	SOAH
4/29/2015	154950	160268	SOAH
8/10/2015	156285	160444	SOAH
12/30/2015	161829	160748	SOAH
1/20/2016	162946	160458	SOAH
5/11/2016	164851	170178	SOAH
7/12/2016	166029	170702	SOAH
8/2/2016	166481	190126	SOAH
8/17/2016	166905	180246	Dismissed by Board after 9/01/19
9/1/2016	167935	170796	SOAH
9/20/2016	167587	170589	Dismissed by Board after 9/01/19
10/18/2016	170307	170766	Closed by Board action after 9/01/19
11/8/2016	171538	170221	SOAH
12/8/2016	171592	190605	Agreed Order under negotiation with Respondent and/or Respondent's Counsel
12/20/2016	171958	180327	SOAH
1/2/2017	172038	171099	Closed by Board action after 9/01/19
1/4/2017	171985	170830	Closed by Board action after 9/01/19
2/22/2017	173161	180142	Closed by Board action after 9/01/19
3/3/2017	173371	180314	Closed by Board action after 9/01/19
3/9/2017	174250	180281	SOAH
3/14/2017	173742	170716	SOAH
3/14/2017	173509	170803	Dismissed by Board after 9/01/19
3/29/2017	173940	180111	Dismissed by Board after 9/01/19
4/24/2017	174616	190657	Closed by Board action after 9/01/19
4/27/2017	174668	190681	ISC Pending
5/2/2017	174793	190857	Scheduled to be heard by Board in February 2020
5/19/2017	175563	171072	SOAH
5/22/2017	175234	190489	Scheduled to be heard by Board in January 2020
6/6/2017	175729	180272	SOAH
6/13/2017	175931	180225	Scheduled to be heard by Board in March 2020
6/16/2017	175918	180542	SOAH
6/23/2017	176373	180350	Closed by Board action after 9/01/19
6/26/2017	176190	180319	Closed by Board action after 9/01/19
7/17/2017	176605	190784	Dismissed by Board after 9/01/19
8/1/2017	175984	191049	ISC Held after 9/01/19
8/2/2017	176896	180290	Closed by Board action after 9/01/19
8/2/2017	175763	191093	Agreed Order under negotiation with Respondent and/or Respondent's Counsel

8/3/2017	177796	190235	Dismissed by Board after 9/01/19
8/8/2017	177150	190328	Scheduled to be heard by Board in February 2020
8/21/2017	177267	180406	SOAH
9/6/2017	177776	180489	Closed by Board action after 9/01/19
10/5/2017	180775	180265	Dismissed by Board after 9/01/19
10/10/2017	180343	180829	Dismissed by Board after 9/01/19
10/16/2017	180276	180828	SOAH
10/19/2017	181134	180444	Closed by Board action after 9/01/19
10/20/2017	181146	190387	SOAH
10/25/2017	180488	180544	Dismissed by Board after 9/01/19
11/7/2017	181592	190755	Scheduled to be heard by Board in February 2020
11/14/2017	181674	180739	Closed by Board action after 9/01/19
11/15/2017	180870	191017	Agreed Order under negotiation with Respondent and/or Respondent's Counsel
11/16/2017	180951	190982	Closed by Board action after 9/01/19
11/20/2017	181905	180832	SOAH
12/6/2017	181537	190620	Closed by Board action after 9/01/19
12/7/2017	181499	190397	Scheduled to be heard by Board in February 2020
12/18/2017	181793	190578	License Temporarily Suspended until the Board takes further action
12/28/2017	181997	180378	License Temporarily Suspended until the Board takes further action
1/2/2018	182115	180980	SOAH
1/8/2018	182929	180317	ISC Date Set
1/11/2018	182285	180671	SOAH
1/16/2018	182463	190532	Agreed Order under negotiation with Respondent and/or Respondent's Counsel
1/16/2018	182465	190932	Dismissed by Board after 9/01/19
1/30/2018	183532	180737	License Temporarily Suspended until the Board takes further action
2/9/2018	183864	190533	SOAH
2/16/2018	184081	180446	Agreed Order under negotiation with Respondent and/or Respondent's Counsel
2/20/2018	183031	190076	Closed by Board action after 9/01/19
2/20/2018	176525	190239	Closed by Board action after 9/01/19
2/20/2018	181826	190289	Closed by Board action after 9/01/19
2/21/2018	183289	181001	SOAH
2/27/2018	182065	180621	SOAH
3/5/2018	183412	191083	Closed by Board action after 9/01/19
3/6/2018	184525	190682	Scheduled to be heard by Board in February 2020
3/9/2018	183523	180720	Closed by Board action after 9/01/19
3/9/2018	184643	180839	Closed by Board action after 9/01/19
3/12/2018	183827	190515	License Temporarily Suspended until the Board takes further action
3/12/2018	184157	180987	Closed by Board action after 9/01/19
3/14/2018	184725	190085	Dismissed by Board after 9/01/19

3/15/2018	183929	190466	Dismissed by Board after 9/01/19
3/19/2018	183924	180697	SOAH
3/20/2018	183840	190858	Dismissed by Board after 9/01/19
3/20/2018	184798	180573	Closed by Board action after 9/01/19
3/21/2018	184052	190756	Scheduled to be heard by Board in February 2020
3/21/2018	184053	190940	Dismissed by Board after 9/01/19
3/23/2018	182009	180833	Closed by Board action after 9/01/19
3/26/2018	184191	190859	Scheduled to be heard by Board in February 2020
3/26/2018	185032	190273	ISC Date Set
3/26/2018	184248	190832	Dismissed by Board after 9/01/19
3/27/2018	185054	191070	Dismissed by Board after 9/01/19
3/27/2018	185055	190884	Dismissed by Board after 9/01/19
3/27/2018	185046	190446	SOAH
3/29/2018	185196	190049	SOAH
3/29/2018	185200	190389	SOAH
3/29/2018	185201	190108	Agreed Order under negotiation with Respondent and/or Respondent's Counsel
4/2/2018	184332	190607	Closed by Board action after 9/01/19
4/2/2018	184299	190910	Dismissed by Board after 9/01/19
4/4/2018	184420	190493	SOAH
4/4/2018	184492	190305	Closed by Board action after 9/01/19
4/5/2018	184521	190786	Closed by Board action after 9/01/19
4/5/2018	184500	190290	Dismissed by Board after 9/01/19
4/6/2018	184551	190787	Closed by Board action after 9/01/19
4/10/2018	184760	190757	Closed by Board action after 9/01/19
4/12/2018	184801	190320	Closed by Board action after 9/01/19
4/13/2018	184763	190860	SOAH
4/17/2018	184800	190319	Closed by Board action after 9/01/19
4/18/2018	184876	180867	SOAH
4/20/2018	184960	190494	SOAH
4/20/2018	184961	190683	Closed by Board action after 9/01/19
4/23/2018	185384	190469	Dismissed by Board after 9/01/19
4/24/2018	184993	190701	SOAH
4/25/2018	185183	190961	ISC Pending
4/25/2018	185465	190659	Dismissed by Board after 9/01/19
4/30/2018	185606	190885	Dismissed by Board after 9/01/19
5/1/2018	185991	180841	Closed by Board action after 9/01/19
5/1/2018	185315	190979	ISC Pending
5/2/2018	185258	190983	Closed by Board action after 9/01/19
5/3/2018	185306	190861	Closed by Board action after 9/01/19
5/7/2018	185429	190941	Agreed Order under negotiation with Respondent and/or Respondent's Counsel
5/7/2018	185386	190244	SOAH
5/8/2018	185056	190608	ISC Date Set
5/8/2018	186150	191089	Agreed Order under negotiation with Respondent and/or

			Respondent's Counsel
5/8/2018	185408	190144	SOAH
5/10/2018	185394	190109	SOAH
5/10/2018	185427	190110	Scheduled to be heard by Board in March 2020
5/11/2018	185472	190201	SOAH
5/11/2018	185600	190962	Dismissed by Board after 9/01/19
5/14/2018	181509	180979	SOAH
5/15/2018	185918	191071	Agreed Order under negotiation with Respondent and/or Respondent's Counsel
5/15/2018	185463	190625	Closed by Board action after 9/01/19
5/17/2018	185605	190833	Scheduled to be heard by Board in February 2020
5/24/2018	185723	190834	ISC Pending
5/31/2018	186720	190418	SOAH
5/31/2018	185997	180824	Agreed Order under negotiation with Respondent and/or Respondent's Counsel
5/31/2018	185863	190089	Closed by Board action after 9/01/19
6/1/2018	185942	190401	Closed by Board action after 9/01/19
6/1/2018	185940	190470	SOAH
6/4/2018	185976	190609	Closed by Board action after 9/01/19
6/5/2018	185920	190813	Dismissed by Board after 9/01/19
6/6/2018	186200	190128	SOAH
6/6/2018	186959	191068	Agreed Order under negotiation with Respondent and/or Respondent's Counsel
6/14/2018	185603	190365	Closed by Board action after 9/01/19
6/18/2018	184768	190331	SOAH Complaint being drafted
6/18/2018	184983	190377	Dismissed by Board after 9/01/19
6/20/2018	186327	190560	Scheduled to be heard by Board in February 2020
6/25/2018	187423	190368	Closed by Board action after 9/01/19
6/26/2018	186373	190202	SOAH
6/27/2018	186467	191094	Agreed Order under negotiation with Respondent and/or Respondent's Counsel
6/27/2018	186468	190684	Scheduled to be heard by Board in February 2020
6/28/2018	187555	190005	Agreed Order under negotiation with Respondent and/or Respondent's Counsel
7/2/2018	186691	191025	ISC Pending
7/5/2018	186738	190897	Dismissed by Board after 9/01/19
7/5/2018	186721	190308	Closed by Board action after 9/01/19
7/10/2018	187045	190963	Closed by Board action after 9/01/19
7/10/2018	186916	190278	Closed by Board action after 9/01/19
7/10/2018	186938	180995	Dismissed by Board after 9/01/19
7/10/2018	186979	191109	Agreed Order under negotiation with Respondent and/or Respondent's Counsel
7/13/2018	187046	190886	Closed by Board action after 9/01/19
7/16/2018	187170	191095	Closed by Board action after 9/01/19
7/16/2018	187219	190788	Dismissed by Board after 9/01/19
7/19/2018	187193	190247	Agreed Order under negotiation with Respondent and/or

			Respondent's Counsel
7/19/2018	187200	190091	Dismissed by Board after 9/01/19
7/23/2018	187276	190472	SOAH
7/24/2018	187279	190984	Closed by Board action after 9/01/19
7/25/2018	187560	190324	Dismissed by Board after 9/01/19
7/27/2018	187302	190621	Closed by Board action after 9/01/19
7/27/2018	187350	190942	Closed by Board action after 9/01/19
7/30/2018	187577	190369	SOAH
7/31/2018	187496	190661	Closed by Board action after 9/01/19
8/3/2018	187650	190687	Closed by Board action after 9/01/19
8/6/2018	187747	190281	Scheduled to be heard by Board in February 2020
8/7/2018	187943	190985	Dismissed by Board after 9/01/19
8/8/2018	187769	190752	Dismissed by Board after 9/01/19
8/15/2018	188870	190093	Dismissed by Board after 9/01/19
8/20/2018	188027	190898	Dismissed by Board after 9/01/19
8/20/2018	187951	190943	Dismissed by Board after 9/01/19
8/20/2018	188112	190719	Agreed Order under negotiation with Respondent and/or Respondent's Counsel
8/20/2018	188113	190720	Agreed Order under negotiation with Respondent and/or Respondent's Counsel
8/21/2018	188015	190626	Agreed Order under negotiation with Respondent and/or Respondent's Counsel
8/21/2018	188052	190758	Scheduled to be heard by Board in February 2020
8/21/2018	189061	190581	Closed by Board action after 9/01/19
8/22/2018	188284	190404	Closed by Board action after 9/01/19
8/23/2018	188186	190536	Dismissed by Board after 9/01/19
8/28/2018	188691	190816	Closed by Board action after 9/01/19
8/28/2018	188401	190688	Dismissed by Board after 9/01/19
8/29/2018	188463	190964	Dismissed by Board after 9/01/19

**ADDENDUM B**  
**ANNUAL REPORT OF NON-FINANCIAL DATA DECEMBER 2019**

**Texas Medical Board (TMB)**  
**Report of Investigations Pending Over Six Months Without Informal Hearing**  
**For the Fiscal Year Ended 8/31/19**

Under the requirements of SB 419 (79R), TMB is required to submit an annual report of “information about any complaint for which notice is required under Subsection (a), including the reason for failing to schedule the informal meeting before the 180-day deadline.” (VTCA, OCCUPATIONS CODE, §164.0036).

In preparing this data, TMB has defined “before the 180-day deadline” as all investigations that were opened on or before March 3, 2019 that did not have an informal meeting (either scheduled or held) by August 31, 2019. This addendum excludes investigations opened prior to September 1, 2018.

**TOTAL PENDING INVESTIGATIONS**

As of August 31, 2019 there were 253 investigations in the agency that had been open for at least six months without an informal meeting.

- **Seventy-seven** investigations were dismissed by the Board after August 31, 2019.
- **Sixty-two** were referred to the Litigation Department or scheduled for an informal hearing after August 31, 2019.
- **Forty-five** involved arrest/criminal charges or charges by another state board or agency and are on hold pending the outcome of a trial or court proceeding.
- **Seventeen** remain open as pertinent documents have been unavailable.
- **Seventeen** remains open due to unavoidable delays in obtaining an expert panel.
- **Fifteen** were delayed due to an administrative oversight.
- **Nine** are scheduled to be heard by the Board in March 2020.
- **Six** are scheduled to be heard by the Board in February 2020.
- **Four** were closed by Board action after August 31, 2019.
- **One** are scheduled to be heard by the Board in January 2020.

*The attached data table provides:*

*Table 1: De-identified listing of Pending Investigations in the Investigations Department that are over six months old.*

## **Table 1**

Filed Date	Log #	Status
9/4/2018	188589	Dismissed by Board after 8/31/19
9/4/2018	188469	ISC scheduled after 8/31/19
9/5/2018	188698	Dismissed by Board after 8/31/19
9/6/2018	188730	Investigation involved arrest/criminal charges and is on hold pending court
9/7/2018	188704	Dismissed by Board after 8/31/19
9/4/2018	188589	Dismissed by Board after 8/31/19
9/4/2018	188469	ISC scheduled after 8/31/19
9/5/2018	188698	Dismissed by Board after 8/31/19
9/6/2018	188730	Investigation involved arrest/criminal charges and is on hold pending court
9/7/2018	188704	Dismissed by Board after 8/31/19
9/10/2018	188733	Scheduled to be heard by Board in March 2020
9/10/2018	188845	Unavoidable delays in obtaining an expert review
9/11/2018	188726	Investigation involved arrest/criminal charges and is on hold pending court
9/11/2018	188727	Investigation involved arrest/criminal charges and is on hold pending court
9/12/2018	188824	Dismissed by Board after 8/31/19
9/17/2018	188617	ISC scheduled after 8/31/19
9/17/2018	188960	Scheduled to be heard by Board in February 2020
9/17/2018	188980	Investigation involved arrest/criminal charges and is on hold pending court
9/17/2018	188994	Closed by Board action after 8/31/19
9/18/2018	188945	Investigation involved arrest/criminal charges and is on hold pending court
9/18/2018	188959	Investigation involved arrest/criminal charges and is on hold pending court
9/18/2018	189009	Unavoidable delays in obtaining an expert review
9/18/2018	189159	Unavoidable delays in obtaining an expert review
9/18/2018	188963	ISC scheduled after 8/31/19
9/18/2018	189318	Unavoidable delays in obtaining an expert review
9/19/2018	189056	Investigation involved arrest/criminal charges and is on hold pending court
9/20/2018	188823	Dismissed by Board after 8/31/19
9/20/2018	189104	Dismissed by Board after 8/31/19
9/24/2018	189153	Dismissed by Board after 8/31/19
9/25/2018	189171	Unavoidable delays in obtaining an expert review
9/25/2018	189202	Dismissed by Board after 8/31/19
9/26/2018	189130	Investigation involved pending Investigation with another regulatory agency and is on hold pending outcome
10/1/2018	189144	Unavoidable delays in obtaining an expert review
10/2/2018	190540	Unavoidable delays in obtaining an expert review
10/2/2018	190778	ISC scheduled after 8/31/19
10/4/2018	190141	Dismissed by Board after 8/31/19
10/5/2018	190519	ISC scheduled after 8/31/19
10/8/2018	190523	Pertinent documents unavailable
10/9/2018	190022	ISC scheduled after 8/31/19
10/10/2018	190176	Unavoidable delays in obtaining an expert review
10/12/2018	190135	Scheduled to be heard by Board in February 2020



10/15/2018	190251	Unavoidable delays in obtaining an expert review
10/8/2018	190523	Pertinent documents unavailable
10/9/2018	190022	ISC scheduled after 8/31/19
10/10/2018	190176	Unavoidable delays in obtaining an expert review
10/12/2018	190135	Scheduled to be heard by Board in February 2020
10/15/2018	190251	Unavoidable delays in obtaining an expert review
10/17/2018	190931	Pertinent documents unavailable
10/19/2018	190472	Dismissed by Board after 8/31/19
10/22/2018	190370	ISC scheduled after 8/31/19
10/22/2018	190596	Administrative oversight
10/22/2018	190544	Pertinent documents unavailable
10/23/2018	190531	Dismissed by Board after 8/31/19
10/23/2018	190742	Administrative oversight
10/24/2018	191025	Pertinent documents unavailable
10/24/2018	191082	Referred to Litigation Department after 8/31/19
10/24/2018	190642	ISC scheduled after 8/31/19
10/25/2018	191270	Unavoidable delays in obtaining an expert review
10/25/2018	191272	Dismissed by Board after 8/31/19
10/25/2018	191273	ISC scheduled after 8/31/19
10/25/2018	190627	Administrative oversight
10/26/2018	191319	Investigation involved arrest/criminal charges and is on hold pending court
10/29/2018	191085	Dismissed by Board after 8/31/19
11/2/2018	190942	Unavoidable delays in obtaining an expert review
11/5/2018	191214	Scheduled to be heard by Board in February 2020
11/5/2018	190764	Investigation involved arrest/criminal charges and is on hold pending court
11/5/2018	190768	Investigation involved arrest/criminal charges and is on hold pending court
11/5/2018	190798	Investigation involved arrest/criminal charges and is on hold pending court
11/6/2018	190910	Scheduled to be heard by Board in March 2020
11/7/2018	191239	Closed by Board action after 8/31/19
11/7/2018	191368	Dismissed by Board after 8/31/19
11/8/2018	190847	ISC scheduled after 8/31/19
11/9/2018	190711	ISC scheduled after 8/31/19
11/13/2018	190983	Scheduled to be heard by Board in March 2020
11/13/2018	190949	Scheduled to be heard by Board in March 2020
11/13/2018	191083	Investigation involved arrest/criminal charges and is on hold pending court
11/13/2018	191341	Dismissed by Board after 8/31/19
11/13/2018	191023	ISC scheduled after 8/31/19
11/13/2018	191042	Dismissed by Board after 8/31/19
11/15/2018	191172	ISC scheduled after 8/31/19
11/19/2018	190933	Dismissed by Board after 8/31/19
11/20/2018	191773	Referred to Litigation Department after 8/31/19
11/20/2018	191174	Dismissed by Board after 8/31/19
11/26/2018	191090	Dismissed by Board after 8/31/19
11/26/2018	191013	Dismissed by Board after 8/31/19
11/27/2018	191300	Dismissed by Board after 8/31/19

11/27/2018	191309	Scheduled to be heard by Board in March 2020
11/28/2018	191176	ISC scheduled after 8/31/19
11/28/2018	191196	Investigation involved arrest/criminal charges and is on hold pending court
11/28/2018	191237	Investigation involved arrest/criminal charges and is on hold pending court
11/28/2018	191280	Investigation involved arrest/criminal charges and is on hold pending court
11/28/2018	191281	Dismissed by Board after 8/31/19
11/28/2018	191358	Dismissed by Board after 8/31/19
11/29/2018	191394	Referred to Litigation Department after 8/31/19
11/29/2018	191389	Dismissed by Board after 8/31/19
11/29/2018	191675	Unavoidable delays in obtaining an expert review
11/30/2018	191340	Dismissed by Board after 8/31/19
12/3/2018	191628	Dismissed by Board after 8/31/19
12/4/2018	191925	Dismissed by Board after 8/31/19
12/4/2018	191504	Administrative oversight
12/5/2018	191224	Dismissed by Board after 8/31/19
12/5/2018	191243	Administrative oversight
12/7/2018	191525	Investigation involved arrest/criminal charges and is on hold pending court
12/7/2018	191527	Investigation involved arrest/criminal charges and is on hold pending court
12/7/2018	191588	Referred to Litigation Department after 8/31/19
12/10/2018	191537	ISC scheduled after 8/31/19
12/10/2018	191529	Investigation involved arrest/criminal charges and is on hold pending court
12/10/2018	191571	Referred to Litigation Department after 8/31/19
12/11/2018	191346	Dismissed by Board after 8/31/19
12/11/2018	191595	Referred to Litigation Department after 8/31/19
12/11/2018	191974	Referred to Litigation Department after 8/31/19
12/11/2018	191634	Investigation involved arrest/criminal charges and is on hold pending court
12/11/2018	192161	Administrative oversight
12/11/2018	191719	Referred to Litigation Department after 8/31/19
12/12/2018	191626	Scheduled to be heard by Board in March 2020
12/12/2018	191772	Referred to Litigation Department after 8/31/19
12/12/2018	191958	Unavoidable delays in obtaining an expert review
12/13/2018	191708	Dismissed by Board after 8/31/19
12/13/2018	191729	ISC scheduled after 8/31/19
12/13/2018	191715	Dismissed by Board after 8/31/19
12/13/2018	191717	Investigation involved arrest/criminal charges and is on hold pending court
12/13/2018	191718	Investigation involved arrest/criminal charges and is on hold pending court
12/13/2018	192361	Administrative oversight
12/14/2018	191739	Unavoidable delays in obtaining an expert review
12/14/2018	191877	Dismissed by Board after 8/31/19
12/14/2018	191761	Investigation involved arrest/criminal charges and is on hold pending court
12/17/2018	191770	Dismissed by Board after 8/31/19
12/17/2018	192430	ISC scheduled after 8/31/19
12/18/2018	191780	Investigation involved arrest/criminal charges and is on hold pending court
12/18/2018	191784	Dismissed by Board after 8/31/19
12/18/2018	191785	Dismissed by Board after 8/31/19

12/18/2018	191786	Dismissed by Board after 8/31/19
12/18/2018	191787	Dismissed by Board after 8/31/19
12/18/2018	191788	Dismissed by Board after 8/31/19
12/19/2018	191652	Dismissed by Board after 8/31/19
12/19/2018	192045	Pertinent documents unavailable
12/21/2018	191910	Investigation involved arrest/criminal charges and is on hold pending court
12/27/2018	191706	Dismissed by Board after 8/31/19
12/27/2018	191996	Pertinent documents unavailable
12/28/2018	191831	Scheduled to be heard by Board in March 2020
12/28/2018	191873	Dismissed by Board after 8/31/19
12/28/2018	191907	Dismissed by Board after 8/31/19
12/28/2018	191894	Referred to Litigation Department after 8/31/19
1/2/2019	192135	Dismissed by Board after 8/31/19
1/2/2019	192065	Dismissed by Board after 8/31/19
1/2/2019	192663	Dismissed by Board after 8/31/19
1/2/2019	191927	Dismissed by Board after 8/31/19
1/2/2019	191972	Referred to Litigation Department after 8/31/19
1/2/2019	192181	Administrative oversight
1/3/2019	192180	Dismissed by Board after 8/31/19
1/3/2019	191993	Pertinent documents unavailable
1/3/2019	192011	Investigation involved arrest/criminal charges and is on hold pending court
1/3/2019	192054	Unavoidable delays in obtaining an expert review
1/3/2019	192125	Investigation involved arrest/criminal charges and is on hold pending court
1/3/2019	192131	Referred to Litigation Department after 8/31/19
1/4/2019	192153	Investigation involved arrest/criminal charges and is on hold pending court
1/4/2019	192277	Scheduled to be heard by Board in February 2020
1/4/2019	192755	Investigation involved arrest/criminal charges and is on hold pending court
1/7/2019	192207	Referred to Litigation Department after 8/31/19
1/7/2019	192215	Referred to Litigation Department after 8/31/19
1/8/2019	192185	Unavoidable delays in obtaining an expert review
1/8/2019	192186	Unavoidable delays in obtaining an expert review
1/8/2019	192187	Administrative oversight
1/8/2019	192313	Dismissed by Board after 8/31/19
1/8/2019	192274	Investigation involved arrest/criminal charges and is on hold pending court
1/8/2019	192275	Investigation involved arrest/criminal charges and is on hold pending court
1/9/2019	192383	Investigation involved arrest/criminal charges and is on hold pending court
1/9/2019	192292	Dismissed by Board after 8/31/19
1/10/2019	192320	Dismissed by Board after 8/31/19
1/11/2019	192903	Investigation involved arrest/criminal charges and is on hold pending court
1/11/2019	192265	Dismissed by Board after 8/31/19
1/11/2019	192913	Dismissed by Board after 8/31/19
1/11/2019	192242	Dismissed by Board after 8/31/19
1/14/2019	192329	Investigation involved arrest/criminal charges and is on hold pending court
1/15/2019	192603	Dismissed by Board after 8/31/19
1/16/2019	192396	Referred to Litigation Department after 8/31/19

1/16/2019	192446	Referred to Litigation Department after 8/31/19
1/17/2019	192493	Pertinent documents unavailable
1/18/2019	192404	Pertinent documents unavailable
1/22/2019	192533	Dismissed by Board after 8/31/19
1/22/2019	192534	Pertinent documents unavailable
1/22/2019	192852	Referred to Litigation Department after 8/31/19
1/22/2019	192527	Pertinent documents unavailable
1/22/2019	192558	Referred to Litigation Department after 8/31/19
1/22/2019	192573	Investigation involved arrest/criminal charges and is on hold pending court
1/22/2019	192690	Dismissed by Board after 8/31/19
1/23/2019	192507	Pertinent documents unavailable
1/23/2019	192531	Referred to Litigation Department after 8/31/19
1/24/2019	193205	Administrative oversight
1/24/2019	193206	Referred to Litigation Department after 8/31/19
1/24/2019	193207	Referred to Litigation Department after 8/31/19
1/24/2019	193208	Dismissed by Board after 8/31/19
1/24/2019	193209	Referred to Litigation Department after 8/31/19
1/24/2019	193213	Pertinent documents unavailable
1/25/2019	193293	Referred to Litigation Department after 8/31/19
1/29/2019	192582	Referred to Litigation Department after 8/31/19
1/29/2019	192601	Referred to Litigation Department after 8/31/19
1/31/2019	192611	Pertinent documents unavailable
1/31/2019	192567	ISC scheduled after 8/31/19
1/31/2019	192672	Dismissed by Board after 8/31/19
1/31/2019	193406	Pertinent documents unavailable
2/4/2019	193172	Referred to Litigation Department after 8/31/19
2/5/2019	192705	Administrative oversight
2/5/2019	193321	Referred to Litigation Department after 8/31/19
2/5/2019	192756	Referred to Litigation Department after 8/31/19
2/5/2019	192781	Investigation involved arrest/criminal charges and is on hold pending court
2/5/2019	192782	Administrative oversight
2/5/2019	192742	Dismissed by Board after 8/31/19
2/5/2019	192785	Closed by Board action after 8/31/19
2/5/2019	192793	Dismissed by Board after 8/31/19
2/5/2019	192819	Referred to Litigation Department after 8/31/19
2/5/2019	192800	Pertinent documents unavailable
2/5/2019	193227	Referred to Litigation Department after 8/31/19
2/5/2019	193084	Pertinent documents unavailable
2/6/2019	192905	Dismissed by Board after 8/31/19
2/6/2019	192906	Dismissed by Board after 8/31/19
2/6/2019	192998	Referred to Litigation Department after 8/31/19
2/6/2019	192909	Referred to Litigation Department after 8/31/19
2/6/2019	193229	Dismissed by Board after 8/31/19
2/6/2019	192797	Dismissed by Board after 8/31/19
2/7/2019	192829	Administrative oversight

2/8/2019	192612	Dismissed by Board after 8/31/19
2/11/2019	192901	Dismissed by Board after 8/31/19
2/12/2019	192959	Dismissed by Board after 8/31/19
2/12/2019	192877	Investigation involved arrest/criminal charges and is on hold pending court
2/12/2019	193016	Referred to Litigation Department after 8/31/19
2/13/2019	192879	Referred to Litigation Department after 8/31/19
2/13/2019	192949	Dismissed by Board after 8/31/19
2/13/2019	192715	Dismissed by Board after 8/31/19
2/13/2019	192965	Investigation involved arrest/criminal charges and is on hold pending court
2/14/2019	192833	Referred to Litigation Department after 8/31/19
2/14/2019	193000	Dismissed by Board after 8/31/19
2/14/2019	193186	Referred to Litigation Department after 8/31/19
2/15/2019	193798	Investigation involved arrest/criminal charges and is on hold pending court
2/15/2019	193135	Dismissed by Board after 8/31/19
2/19/2019	193001	Investigation involved arrest/criminal charges and is on hold pending court
2/19/2019	193002	Investigation involved arrest/criminal charges and is on hold pending court
2/19/2019	193005	Scheduled to be heard by Board in February 2020
2/19/2019	193098	Referred to Litigation Department after 8/31/19
2/19/2019	193638	Referred to Litigation Department after 8/31/19
2/20/2019	193118	Investigation involved arrest/criminal charges and is on hold pending court
2/20/2019	193119	Referred to Litigation Department after 8/31/19
2/20/2019	192927	Referred to Litigation Department after 8/31/19
2/21/2019	193127	Scheduled to be heard by Board in February 2020
2/21/2019	193034	Dismissed by Board after 8/31/19
2/21/2019	193342	Scheduled to be heard by Board in January 2020
2/22/2019	193150	Administrative oversight
2/22/2019	193988	Dismissed by Board after 8/31/19
2/25/2019	193267	Referred to Litigation Department after 8/31/19
2/25/2019	193336	Referred to Litigation Department after 8/31/19
2/26/2019	193328	Dismissed by Board after 8/31/19
2/27/2019	193178	Investigation involved arrest/criminal charges and is on hold pending court
2/27/2019	193278	Scheduled to be heard by Board in March 2020
2/27/2019	193364	Administrative oversight
2/27/2019	193371	Dismissed by Board after 8/31/19
2/27/2019	193540	Closed by Board action after 8/31/19
2/28/2019	193830	Referred to Litigation Department after 8/31/19
2/28/2019	193399	Dismissed by Board after 8/31/19
2/28/2019	193287	Dismissed by Board after 8/31/19
2/28/2019	193303	Investigation involved arrest/criminal charges and is on hold pending court
3/1/2019	193694	Scheduled to be heard by Board in March 2020
3/1/2019	193398	Referred to Litigation Department after 8/31/19
3/1/2019	193400	Investigation involved arrest/criminal charges and is on hold pending court

## **ADDENDUM C**

### **Annual Report of Non-Financial Data DECEMBER 2019**

#### **Texas Medical Board (TMB) Complaints Received and Complaint Disposition By Type Fiscal Year '19**

Under the requirements of SB 104 (78R), TMB is required to submit a report each fiscal year that “provides aggregate information about all complaints received by the board categorized by type of complaint, including administrative, quality of care, medical error, substance abuse, other criminal behavior, and the disposition of those complaints by category.” (VTCA, OCCUPATIONS CODE §154.002). This report includes all complaints that were conducted under the provisions of SB 104 for licensed physicians and have been resolved from September 1, 2018 through August 31, 2019.

In preparing this report, the Board identified eight categories of complaints (including the five listed above) and their final dispositions. Within each of the eight complaint categories is a list of the associated violations (as provided by the Medical Practice Act) that fall within that category. This report includes only the primary allegation for each complaint at the time of the board action concerning the complaint, and does not include secondary allegations of violations that may be associated with a complaint. For dismissed cases, this is determined by the primary allegation at the time the investigation was filed. For cases with action, this is determined by the primary violation identified as the reason for the action.

#### **Complaint Categories with Associated Violations of the Medical Practice Act**

<b>1. Administrative</b>	<b>2. Violation of Law/Criminal Behavior</b>
Failure to release medical records	Unlicensed practice of medicine
Failure to report liability claims to the board	Operating an unlicensed pharmacy
Commits a rule violation-general	Conviction of felony or misdemeanor of moral turpitude
Fails to change address with the board	Performing a criminal abortion
CME	Violation of state or federal law connected
Failure to keep drug records	with physician's practice
	Failure to sign a death certificate
<b>3. Medical Error-</b>	<b>4. Mental/Physical Impairment-</b>
Medical Errors	Illness
	Mental Impairment
	Physical Impairment
	Adjudged to be of unsound mind
<b>5. Quality of Care</b>	<b>6. Disciplinary action by peers, another state, or military</b>
Fails to keep proper medical records	Peer Review
Violates Rule 170-pain management rule	Discipline by another state
Improper Delegation	Discipline by the military
Failure to supervise delegates	
Delegation to an unqualified person	
Practice inconsistent w/public health & welfare	
Recurring health care liability claims	
Prescribing to a habitual user	
Non-therapeutic prescribing or treatment	
Prescribing in a manner inconsistent with	

public health and welfare	
<b>7. Substance Abuse</b>	<b>8. Unprofessional Conduct-</b>
Substance Abuse, incl. drunkenness and drug abuse	False, misleading or deceptive advertisement
	Failure to provide explanation of fees
	Solicitation of patients
	False or fraudulent billing
	Breach of confidentiality
	Failure to report a physician who poses a threat to the public
	Failure to comply with a board subpoena
	Fraud on application, taking a licensure exam, etc.
	Impersonating a physician or physician allowing impersonation
	Employing a person whose medical license is cancelled, suspended or revoked
	Associating in medical practice with a person whose medical license is cancelled, suspended or revoked OR who is unlicensed
	Aiding or abetting in the unlicensed practice of medicine
	Performs an abortion on a minor without parental consent
	Abusive Behavior
	Violation of a Board order
	Failure to communicate with a patient
	Non-sexual boundary violation
	Sexual boundary violation
	Writing false or fictitious prescriptions
	Drumming patients
	Failure to pay student loans

The following table shows the total number of complaints resolved in each category and the type of disposition for each complaint: resolved with disciplinary action against physician (license revocation/surrender, license suspension, license restriction, reprimand or administrative penalty); resolved with a cease and desist order; resolved with physician entering into a remedial plan; resolved with a referral to PHP; or dismissed. A grand total of 1,773 complaints that were opened under SB104 requirements were resolved in FY '19.

#### **Disposition of Complaints by Category**

<b>1. Administrative</b>	<b>2. Violation of Law/Criminal Behavior</b>
Disciplinary Actions:	Disciplinary Actions:
Restriction/Terms and Cond. 16	Revocation/Voluntary Surrender 9
	Suspension 0
	Restriction/Terms and Cond. 20
	Reprimand 1
Remedial Plans: 28	Remedial Plans: 20

<b>Total Actions:</b>	<b>44</b>	<b>Total Actions:</b>	<b>50</b>
Total Dismissed:	27	Total Dismissed:	141
<b>Total Complaints Resolved:</b>	<b>71</b>	<b>Total Complaints Resolved:</b>	<b>196</b>
<b>3. Medical Error</b>		<b>4. Mental/Physical Impairment</b>	
Disciplinary Actions:		Disciplinary Actions:	
Restriction/Terms and Cond.	3	Revocation/Voluntary Surrender	1
		Suspension	1
		Restriction/Terms and Cond.	3
Remedial Plans:	2	Referral to PHP	1
<b>Total Actions:</b>	<b>5</b>	<b>Total Actions:</b>	<b>5</b>
Total Dismissed:	65	Total Dismissed:	27
<b>Total Complaints Resolved:</b>	<b>70</b>	<b>Total Complaints Resolved:</b>	<b>33</b>
<b>5. Quality of Care</b>		<b>6. Disciplinary action by peers, another state, or military</b>	
Disciplinary Actions:		Disciplinary Actions:	
Revocation/Voluntary Surrender	9	Revocation/Voluntary Surrender	2
Suspension	6	Restriction/Terms and Cond.	12
Restriction/Terms and Cond.	76	Reprimand	7
Reprimand	19	Administrative Penalty	0
Remedial Plans:	56	Remedial Plans:	8
<b>Total Actions:</b>	<b>166</b>	<b>Total Actions:</b>	<b>29</b>
Total Dismissed:	683	Total Dismissed:	65
<b>Total Complaints Resolved:</b>	<b>849</b>	<b>Total Complaints Resolved:</b>	<b>94</b>
<b>7. Substance Abuse</b>		<b>8. Unprofessional Conduct</b>	
Disciplinary Actions:		Disciplinary Actions:	
Revocation/Voluntary Surrender	2	Revocation/Voluntary Surrender	14
Suspension	4	Suspension	12
Restriction/Terms and Cond.	10	Restriction/Terms and Cond.	24
Reprimand	3	Reprimand	17
Referral to PHP	6	Remedial Plans:	16
<b>Total Actions:</b>	<b>25</b>	<b>Total Actions:</b>	<b>83</b>
Total Dismissed:	19	Total Dismissed:	333
<b>Total Complaints Resolved:</b>	<b>44</b>	<b>Total Complaints Resolved:</b>	<b>416</b>