



Texas Medical Board

ANNUAL REPORT OF NONFINANCIAL DATA

For the Year Ended August 31, 2020

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



Texas Medical Board

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December 31, 2020

The Honorable Greg Abbott, Governor
Lisa Collier, First Assistant State Auditor, State Auditor's Office
John McGeady, Assistant Director, Legislative Budget Board

Dear Gov. Abbott, Ms. Collier, and Mr. McGeady:

We are pleased to submit the Texas Medical Board *Annual Report of Nonfinancial Data* for the year ending on August 31, 2020, in compliance with the Texas Government Code Ann. § 2101.0115 and in accordance with the instructions for completing the Annual Report of Nonfinancial Data.

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

If 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

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ATTACHMENT B

**Unaudited
Texas Medical Board(503)**

APPROPRIATION ITEM TRANSFERS*

For the Fiscal Year Ended August 31, 2020

ITEM OF APPROPRIATION

	Transfers-In	Transfers-Out	Net Transfers
A. Goal: (List Goal Name Here)			
Strategies:			
A.1.1. 13005 Licensing	\$ -	\$ -	\$ -
Total, Goal A: (List Goal Name Here)	\$ -	\$ -	\$ -
B. Goal: (List Goal Name Here)			
Strategies:			
B.1.1 13002 Enforcement	\$ -	\$ -	\$ -
B.2.1 13003 Public Education	-	-	-
B.2.2 22008 Physician Health Program	-	-	-
Total, Goal B: (List Goal Name Here)	\$ -	\$ -	\$ -
C. Goal: (List Goal Name Here)			
Strategies:			
C.1.1 13800 Indirect Administration-Licensing	\$ -	\$ -	\$ -
C.2.1 13801 Indirect Administration-Enforcement	-	-	-
Total, Goal C: (List Goal Name Here)	\$ -	\$ -	\$ -
NET APPROPRIATION ITEM TRANSFERS	\$ -	\$ -	\$ -

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

Agency Name: TEXAS MEDICAL BOARD

Agency #: 503

Report for Fiscal: 19 THRU 21

HUB Report Procurement Categories	Fiscal 2019		Fiscal 2020		Fiscal 2021
	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%	0.00%	23.70%	100.00%	23.70%
Other services contracts	26.00%	6.05%	26.00%	10.33%	26.00%
Commodities contracts	21.10%	56.86%	21.10%	74.12%	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: 

Approved by: 

Printed Name: Keith LaSalle, Purchaser

Printed Name: Cori Briscoe, CFO

Phone Number: 512-305-7063

Phone Number: 512-305-7052

(Rev. 12/11)

ATTACHMENT D

Unaudited
Texas State Medical Board (503)

INDIRECT COST SCHEDULE

For the Fiscal Year Ended August 31, 2020

A. Payroll-related Costs

(must reconcile to Exhibit II, Annual Financial Report)

FICA Employer Matching Contribution	\$	587,316
Group Health Insurance		986,501
Retirement		732,103
Unemployment		1,366
FICA Employee Share Paid by State		28,886

Total Payroll-related Costs		\$ 2,336,172
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Workers' Compensation		15,375
Benefit Replacement Pay (BRP)		5,134

Total Workers' Compensation and BRP		\$ 20,509
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B. Indirect Costs

(not reported on operating statements)

Bond Debt Service Payments		
TBPC	\$	-
TPFA		-
Other (if applicable)		-

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

Comptroller	\$	-
TBPC		-
Attorney General		-
Etc.		-

Total Indirect Costs - Statewide Full Cost Allocation Plan		\$ -
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TOTAL INDIRECT COSTS		\$ 2,356,681
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ATTACHMENT F

Unaudited
Texas State Medical Board (503)

SCHEDULE OF SPACE OCCUPIED

For the Fiscal Year Ended August 31, 2020

Location	Address	Lessor	Lease No.	Type	Usable Sq. Ft.	FTEs	Rental Per Month		Actual Annual Cost	Comments
							Cost Per Sq. Ft.	Cost Per Month		
State-owned Buildings:										
Austin	William P. Hobby Building Tower III 333 Guadalupe Street Austin, TX 78701				27,953					
Free Space:										
Austin	William P. Hobby Building Tower III 333 Guadalupe Street Austin, TX 78701				1,173					
Leased Space:										
					\$ -			\$ -	\$ -	

Addendums

ADDENDUM A
ANNUAL REPORT OF NON-FINANCIAL DATA DECEMBER 2020

Texas Medical Board (TMB)
Report of Investigations Pending Over One-Year
For the Fiscal Year Ended 8/31/2020

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." (BTCA, Occupations Code Sec. 153.056).

In preparing the data, TMB has defined "pending investigations" as all investigations that were opened before August 31, 2019 that did not have a final disposition (either dismissed for a final Board Order) by August 31, 2020.

TOTAL PENDING INVESTIGATIONS

As of August 31, 2020, there were 173 investigations in the agency that had been open for at least one year.

OPEN INVESTIGATIONS IN THE INVESTIGATION DEPARTMENT

Of the 173 investigations over one year old, 53 were still pending in the Investigations Department.

- 27 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.
- 9 were dismissed by the Board after September 1, 2020
- 9 were referred to the Litigation Department after September 1, 2020
- 3 investigations have had difficulty locating an expert panelist to review the case
- 3 remain open pending necessary records or additional evidence
- 2 remain open related to litigation strategy

OPEN CASES IN LITIGATION DEPARTMENT

- Of the 120 total cases*, 17 were closed by Board action after September 1, 2020, either via a Board Order, Remedial Plan or dismissal.
- There were thirty-three cases pending action at SOAH as of 8/31/2020 (includes either awaiting the hearing date or awaiting the issuance of a Proposal for Decision by the Administrative Law Judge).
- There are 80 cases still in the agency hearings Informal Settlement Conference process:
 - o For 38 of these cases, the agency is either still negotiating with the licensee to obtain an Agreed Order or Remedial Plan or is preparing a formal complaint for filing at SOAH.

See Tables one and two attached:

Table 1: De-identified listing of pending investigations in the Investigations Department

Table 2: De-identified listing of pending investigations in the Litigation and Enforcement Department that are over one year old. This includes cases which were reported as pending in previous reports and were still pending as of 8/31/2019.

*Some investigations logs are combined when transferred to the litigation department to maximize the efficient use of agency time and resources and to present the strongest legal case. This also reduces the total number of hearings for Respondents and saves them time and resources as well. Therefore, the number of investigations transferred to litigation will not be a one to one equation.

Table 1

LOG NUM	FY-FISCAL YEAR	Current Status
184971	18	Dismissed after 9/1/2020
186981	18	Law Enforcement Hold
188351	18	Respondent Restricted - referred to legal
188669	18	Law Enforcement Hold
188671	18	Law Enforcement Hold
188726	18	Court case 08-14-20
190251	19	Referred to Legal after 9/1/2020
190768	19	Court case no date
191319	19	Pending TS
191718	19	Court date 09-03-20
191739	19	Pending P2 (Neuro) 07-22-20
191996	19	Dismissed after 9/1/2020
192045	19	Referred to Legal after 9/1/2020
192054	19	Dismissed after 9/1/2020
192187	19	Dismissed after 9/1/2020
193949	19	Pending additional records
194167	19	Court date 09-03-20
194337	19	Court case 11-30-20
194898	19	Referred to Legal after 9/1/2020
195365	19	Referred to Legal after 9/1/2020
195384	19	Referred to Legal after 9/1/2020
195512	19	Dismissed after 9/1/2020
195608	19	Court case 09-16-20
195647	19	Referred to Legal after 9/1/2020
195823	19	Referred to Legal after 9/1/2020
195916	19	Pending P3 (Ortho) 07-15-20
195974	19	Court case no date
195997	19	Court case 08-20-20
196000	19	Court case 08-17-20
196061	19	Dismissed after 9/1/2020
196196	19	Dismissed after 9/1/2020
196200	19	Law Enforcement Hold
196222	19	Referred to Legal after 9/1/2020
196251	19	Court case 08-31-20
196254	19	Court case 10-05-20
196257	19	Court case no date
196444	19	Court case 09-16-20
196446	19	Court case no date
196449	19	Court case no date
196504	19	Court case no date
196592	19	Referred to Legal after 9/1/2020
196619	19	Court case no date
196710	19	Need Additional Records
196720	19	Dismissed after 9/1/2020
196833	19	Court case no date
197055	19	Court date 08-24-20

197057	19	Court case 09-01-20
197086	19	Court case no date
197087	19	Dismissed after 9/1/2020
197154	19	Pending P2 (Neuro) 07-14-20
197185	19	Court case 09-21-20
197431	19	Pending audit records
197800	19	Court case no date

Table 2

Filed/Received Date	Log Number	Case Number	Status
04/16/2015	15-3940	18-0488	SOAH
08/10/2015	15-6285	16-0444	SOAH
01/20/2016	16-2946	16-0458	SOAH
07/12/2016	16-6029	17-0702	SOAH
12/20/2016	17-1958	18-0327	SOAH
03/14/2017	17-3742	17-0716	SOAH
03/07/2017	17-4045	20-0533	Closed By Board Action after 9/1/2020
04/27/2017	17-4668	19-0681	ISC pending
06/16/2017	17-5918	18-0542	SOAH
05/25/2017	17-6179	17-0716	SOAH
08/21/2017	17-7267	18-0406	SOAH
06/27/2019	17-7768	19-1024	Agreed Order still under negotiation
11/07/2017	18-0732	20-0241	Closed By Board Action after 9/1/2020
12/18/2017	18-1793	19-0578	SOAH
01/11/2018	18-2285	18-0671	SOAH
01/16/2018	18-2463	19-0532	SOAH
02/21/2018	18-3289	18-1001	SOAH
03/12/2018	18-3827	19-0515	Agreed Order still under negotiation
03/19/2018	18-3924	18-0697	SOAH
02/16/2018	18-4081	18-0446	SOAH
04/12/2018	18-4765	20-0772	Agreed Order still under negotiation
04/25/2018	18-5183	19-0961	ISC pending
05/01/2018	18-5315	19-0979	ISC pending
05/31/2018	18-5997	18-0824	SOAH
06/04/2018	18-6831	20-0980	ISC pending
06/06/2018	18-6959	19-1068	SOAH
07/19/2018	18-7193	19-0247	SOAH
07/05/2018	18-7666	20-0103	Agreed Order still under negotiation
08/06/2018	18-7733	20-0910	ISC pending
08/08/2018	18-7769	19-0752	ISC pending
08/09/2018	18-7851	20-0687	Closed By Board Action after 9/1/2020
08/21/2018	18-8016	20-0629	Agreed Order still under negotiation
08/21/2018	18-8071	20-0647	ISC pending
09/04/2018	18-8469	20-0062	Agreed Order still under negotiation
08/07/2018	18-8670	20-1071	ISC pending
09/18/2018	18-9009	20-0537	Agreed Order still under negotiation
08/21/2018	18-9032	20-0929	ISC pending
10/03/2018	18-9307	19-0703	Agreed Order still under negotiation
10/08/2018	19-0001	19-0818	Agreed Order still under negotiation
10/15/2018	19-0251	21-0040	ISC pending
10/25/2018	19-0627	20-1074	ISC pending
10/17/2018	19-0931	20-0538	ISC pending
12/05/2018	19-1243	20-0601	ISC pending

Filed/Received Date	Log Number	Case Number	Status
12/11/2018	19-1595	20-0365	ISC pending
12/28/2018	19-1885	19-0981	Appeal Granted - ISC pending
01/02/2019	19-1972	20-0304	Agreed Order still under negotiation
12/19/2018	19-2045	21-0149	ISC pending
12/18/2018	19-2165	19-0967	Agreed Order still under negotiation
01/14/2019	19-2329	20-0431	Agreed Order still under negotiation
12/12/2018	19-2335	19-0619	SOAH
01/22/2019	19-2573	20-0773	ISC pending
01/30/2019	19-2596	19-1031	SOAH
02/05/2019	19-3053	19-0692	Agreed Order still under negotiation
02/19/2019	19-3098	20-0052	Agreed Order still under negotiation
02/20/2019	19-3119	20-0333	Agreed Order still under negotiation
01/24/2019	19-3209	20-0361	Agreed Order still under negotiation
03/19/2019	19-3720	19-1034	Agreed Order still under negotiation
03/21/2019	19-3813	20-0806	ISC pending
03/21/2019	19-3815	20-0716	ISC pending
03/26/2019	19-3991	20-0381	Agreed Order still under negotiation
03/25/2019	19-4081	20-0825	Agreed Order still under negotiation
03/12/2019	19-4446	20-0238	Agreed Order still under negotiation
03/12/2019	19-4448	20-0804	Agreed Order still under negotiation
04/11/2019	19-4600	20-0983	Agreed Order still under negotiation
04/30/2019	19-4655	20-0244	Closed By Board Action after 9/1/2020
05/02/2019	19-4802	20-0266	Agreed Order still under negotiation
04/23/2019	19-4821	20-0367	Agreed Order still under negotiation
05/06/2019	19-4898	21-0205	ISC pending
05/09/2019	19-4922	20-0156	Closed By Board Action after 9/1/2020
05/08/2019	19-5036	19-0951	SOAH
05/08/2019	19-5047	19-0972	Agreed Order still under negotiation
05/15/2019	19-5335	19-1116	Agreed Order still under negotiation
05/21/2019	19-5351	20-0012	ISC pending
05/21/2019	19-5352	20-0013	ISC pending
04/18/2019	19-5365	21-0002	ISC pending
05/20/2019	19-5384	21-0150	ISC pending
04/26/2019	19-5550	20-0224	SOAH complaint pending
05/30/2019	19-5609	20-1016	ISC pending
05/30/2019	19-5647	21-0206	ISC pending
05/31/2019	19-5662	20-0312	Agreed Order still under negotiation
06/03/2019	19-5702	20-0947	Closed By Board Action after 9/1/2020
06/07/2019	19-5823	21-0061	ISC pending
05/10/2019	19-5910	20-0462	Agreed Order still under negotiation
06/17/2019	19-6064	20-0067	ISC pending
06/20/2019	19-6129	20-0449	ISC pending
06/21/2019	19-6215	20-0566	Closed By Board Action after 9/1/2020
07/08/2019	19-6327	20-0424	Agreed Order still under negotiation
05/31/2019	19-6328	19-0906	Closed By Board Action after 9/1/2020
07/03/2019	19-6442	20-0280	Agreed Order still under negotiation

Filed/Received Date	Log Number	Case Number	Status
07/03/2019	19-6517	20-0192	Closed By Board Action after 9/1/2020
07/10/2019	19-6592	21-0082	ISC pending
06/28/2019	19-6620	20-1018	ISC pending
07/18/2019	19-6649	20-0567	ISC pending
07/01/2019	19-6712	20-0884	Closed By Board Action after 9/1/2020
07/01/2019	19-6760	20-0489	Closed By Board Action after 9/1/2020
07/22/2019	19-6781	20-0650	ISC pending
07/25/2019	19-6835	20-0984	ISC pending
07/18/2019	19-6864	20-0159	ISC pending
06/20/2019	19-6907	19-1001	Closed By Board Action after 9/1/2020
08/23/2019	19-7058	20-0897	Agreed Order still under negotiation
07/17/2019	19-7100	20-0443	Agreed Order still under negotiation
08/08/2019	19-7286	20-0450	Closed By Board Action after 9/1/2020
07/08/2019	19-7295	20-0529	Agreed Order still under negotiation
08/07/2019	19-7327	20-0342	Agreed Order still under negotiation
08/19/2019	19-7426	20-0554	ISC pending
08/14/2019	19-7514	20-0414	Closed By Board Action after 9/1/2020
08/16/2019	19-7527	20-0602	ISC pending
08/19/2019	19-7611	20-0841	ISC pending
08/21/2019	19-7798	20-0433	Agreed Order still under negotiation
08/27/2019	19-7837	20-0492	Agreed Order still under negotiation
07/25/2019	19-7886	20-0385	Agreed Order still under negotiation
08/21/2019	19-7919	20-0742	Agreed Order still under negotiation
08/22/2019	19-7946	20-0569	Closed By Board Action after 9/1/2020
08/29/2019	19-7998	20-0471	ISC pending
08/20/2019	19-8000	20-0160	SOAH
08/07/2019	19-8022	20-0913	ISC pending
08/13/2019	19-8392	20-0325	Closed By Board Action after 9/1/2020
08/26/2019	19-8492	20-0416	Closed By Board Action after 9/1/2020
08/30/2019	19-8878	20-0056	ISC pending
08/30/2019	19-8880	20-0043	ISC pending

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 8/31/2020

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” as all investigations that were opened on or before March 1, 2020 that did not have an informal meeting (either scheduled or held) by August 31, 2020. This addendum excludes investigations opened prior to September 1, 2019.

TOTAL PENDING INVESTIGATIONS

As of August 31, 2020, there were 123 investigations in the agency that had been open for at least six months without an informal meeting.

- Fifty-nine involved arrest/criminal charges or charges by another state board or agency and are on hold pending the outcome of those proceedings
- Forty remain open as pertinent documents have been unavailable
- Six remain open due to unavoidable delays in obtaining an expert panel
- Two were delayed due to an administrative oversight
- Ten were delayed as part of the administrative review process
- Three involved a delay related to additional complaints being received regarding the same licensee
- Three were delayed by a licensee’s refusal to cooperate

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

Log Num	Filed Date	180 Date	Status
198193	9/3/2019	3/1/2020	Pertinent documents unavailable
197931	9/6/2019	3/4/2020	Administrative oversight
198832	9/9/2019	3/7/2020	Additional complaints pending (court)
198554	9/10/2019	3/8/2020	Additional complaints pending (court)
198318	9/11/2019	3/9/2020	Additional complaints pending
198376	9/11/2019	3/9/2020	Pertinent documents unavailable (court)
197925	9/12/2019	3/10/2020	Additional complaints pending (court)
198517	9/16/2019	3/14/2020	Additional complaints pending (court)
200399	9/18/2019	3/16/2020	Additional complaints pending (court)
198336	9/20/2019	3/18/2020	Additional complaints pending (court)
198624	9/20/2019	3/18/2020	Pertinent documents unavailable
198782	9/24/2019	3/22/2020	Additional complaints pending (court)
200604	9/25/2019	3/23/2020	Pertinent documents unavailable
200141	9/25/2019	3/23/2020	Additional complaints pending (court)
198842	10/2/2019	3/30/2020	Pertinent documents unavailable
198908	10/2/2019	3/30/2020	Pertinent documents unavailable
198763	10/7/2019	4/4/2020	Additional complaints pending (court)
200215	10/10/2019	4/7/2020	Additional complaints pending
200142	10/10/2019	4/7/2020	Additional complaints pending (court)
200760	10/15/2019	4/12/2020	Additional complaints pending (court)
200768	10/15/2019	4/12/2020	Additional complaints pending (court)
200262	10/16/2019	4/13/2020	Pertinent documents unavailable
200266	10/16/2019	4/13/2020	Pertinent documents unavailable
200342	10/17/2019	4/14/2020	Administrative oversight
200499	10/21/2019	4/18/2020	Additional complaints pending (court)
200636	10/24/2019	4/21/2020	Additional complaints pending (court)
200359	10/24/2019	4/21/2020	Pertinent documents unavailable
196838	10/24/2019	4/21/2020	Additional complaints pending (court)
201434	10/25/2019	4/22/2020	Additional complaints pending (court)
200757	10/30/2019	4/27/2020	Additional complaints pending (court)
201493	10/30/2019	4/27/2020	Additional complaints pending court
200811	10/31/2019	4/28/2020	Pertinent documents unavailable
201730	11/5/2019	5/3/2020	Pertinent documents unavailable
201731	11/5/2019	5/3/2020	Additional complaints pending (court)
200906	11/6/2019	5/4/2020	Additional complaints pending (court)
201243	11/6/2019	5/4/2020	Delay with expert review
201124	11/13/2019	5/11/2020	Additional complaints pending (court)
201128	11/13/2019	5/11/2020	Pertinent documents unavailable
200956	11/15/2019	5/13/2020	Additional complaints pending court
200943	11/18/2019	5/16/2020	Delay with expert review
201468	11/19/2019	5/17/2020	Additional complaints pending (court)
201218	11/20/2019	5/18/2020	Additional complaints pending (court)
201381	11/21/2019	5/19/2020	Pertinent documents unavailable
201167	11/22/2019	5/20/2020	Pertinent documents unavailable
201250	11/26/2019	5/11/2020	Pertinent documents unavailable
201803	12/3/2019	5/31/2020	Additional complaints pending (court)
201807	12/3/2019	5/31/2020	Additional complaints pending
201808	12/3/2019	5/31/2020	Additional complaints pending (court)
201809	12/3/2019	5/31/2020	Additional complaints pending (court)
201629	12/4/2019	6/1/2020	Administrative review
201717	12/6/2019	6/3/2020	Delay with expert review
201217	12/9/2019	6/6/2020	Additional complaints pending (court)
201868	12/10/2019	6/7/2020	Pertinent documents unavailable
201867	12/11/2019	6/8/2020	Pertinent documents unavailable
201777	12/13/2019	6/10/2020	Pertinent documents unavailable/Respondent has refused to cooperate
202669	12/13/2019	6/10/2020	Pertinent documents unavailable
201950	12/13/2019	6/10/2020	Pertinent documents unavailable

201951	12/13/2019	6/10/2020	Pertinent documents unavailable
201721	12/16/2019	6/13/2020	Additional complaints pending (court)
201723	12/16/2019	6/13/2020	Additional complaints pending (court)
201725	12/16/2019	6/13/2020	Additional complaints pending (court)
201727	12/16/2019	6/13/2020	Additional complaints pending (court)
202067	12/18/2019	6/15/2020	Respondent has refused to cooperate
202058	12/18/2019	6/15/2020	Pertinent documents unavailable
202678	12/19/2019	6/16/2020	Additional complaints pending (court)
202449	12/20/2019	6/17/2020	Pertinent documents unavailable
202267	12/20/2019	6/17/2020	Pertinent documents unavailable
202083	12/27/2019	6/24/2020	Additional complaints pending (court)
202085	12/27/2019	6/24/2020	Additional complaints pending (court)
202087	12/27/2019	6/24/2020	Additional complaints pending (court)
202084	1/3/2020	7/1/2020	Additional complaints pending (court)
202670	1/5/2020	7/3/2020	Pertinent documents unavailable
202404	1/6/2020	7/4/2020	Pertinent documents unavailable/Respondent has refused to cooperate
202639	1/8/2020	7/6/2020	Delay with expert review
202490	1/10/2020	7/8/2020	Additional complaints pending (court)
202879	1/13/2020	7/11/2020	Pertinent documents unavailable
202424	1/16/2020	7/12/2020	Pertinent documents unavailable
202658	1/21/2020	7/19/2020	Administrative review
202761	1/21/2020	7/19/2020	Additional complaints pending (court)/Respondent has refused to cooperate
203322	1/23/2020	7/21/2020	Additional complaints pending (court)
202973	1/28/2020	7/26/2020	pertinent documents unavailable
203262	1/28/2020	7/26/2020	Pertinent documents unavailable
203517	1/28/2020	7/26/2020	Additional complaints pending (court)
202763	1/29/2020	7/20/2020	Pertinent documents unavailable
202863	2/3/2020	8/1/2020	Pertinent documents unavailable
202890	2/4/2020	8/2/2020	Pertinent documents unavailable
202986	2/5/2020	8/3/2020	Additional complaints pending (court)
203465	2/6/2020	8/4/2020	Additional complaints pending (court)
202874	2/6/2020	8/4/2020	Pertinent documents unavailable
203153	2/12/2020	8/10/2020	Pertinent documents unavailable
204088	2/13/2020	8/11/2020	Pertinent documents unavailable
203161	2/13/2020	8/11/2020	Pertinent documents unavailable
203148	2/13/2020	8/11/2020	Administrative review
203459	2/13/2020	8/11/2020	Additional complaints pending (court)
203672	2/13/2020	8/11/2020	Additional complaints pending (court)
203066	2/14/2020	8/12/2020	pertinent documents unavailable
203674	2/18/2020	8/16/2020	Additional complaints pending (court)
203680	2/18/2020	8/16/2020	Additional complaints pending (court)
203681	2/18/2020	8/16/2020	Additional complaints pending (court)
203682	2/18/2020	8/16/2020	Additional complaints pending (court)
203362	2/20/2020	8/18/2020	Additional complaints pending (court)
203140	2/20/2020	8/18/2020	Delay with expert review
203454	2/20/2020	8/18/2020	Additional complaints pending (court)
203455	2/20/2020	8/18/2020	Additional complaints pending (court)
203313	2/20/2020	8/18/2020	Administrative review
203342	2/20/2020	8/18/2020	Pertinent documents unavailable
203310	2/24/2020	8/22/2020	Additional complaints pending (court)
204161	2/24/2020	8/22/2020	Additional complaints pending (court)
203312	2/24/2020	8/22/2020	Additional complaints pending (court)
203314	2/24/2020	8/22/2020	Additional complaints pending court
203296	2/24/2020	8/22/2020	Administrative review
203445	2/24/2020	8/22/2020	pertinent documents unavailable
203514	2/24/2020	8/22/2020	Administrative review
203645	2/25/2020	8/23/2020	Administrative review
203687	2/25/2020	8/23/2020	Additional complaints pending (court)

204347	2/25/2020	8/23/2020	Additional complaints pending (court)
203602	2/26/2020	8/24/2020	Pertinent documents unavailable
203552	2/26/2020	8/24/2020	Administrative review
204395	2/26/2020	8/24/2020	Pertinent documents unavailable
203339	2/27/2020	8/25/2020	Pertinent documents unavailable
203525	3/2/2020	8/29/2020	Administrative review
203609	3/3/2020	8/30/2020	Delay with expert review
203664	3/4/2020	8/31/2020	Administrative review

ADDENDUM C
ANNUAL REPORT OF NON-FINANCIAL DATA DECEMBER 2020

Texas Medical Board (TMB)
 Complaints Received and Complaint Disposition by Type for the Fiscal Year Ended
 8/31/2020

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 licensees and that have been resolved from 9/1/19 through 8/31/20.

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

1. Administrative	2. Violation of Law/Criminal Behavior
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
3. Medical Error- (See QOC)	4. Mental/Physical Impairment-

Medical Errors	Illness
	Mental Impairment
	Physical Impairment
	Adjudged to be of unsound mind
5. Quality of Care	6. Disciplinary action by peers, another state, or military
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	
7. Substance Abuse	8. Unprofessional Conduct-
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 1531 complaints that were opened under SB104 requirements were resolved in FY '20.

Disposition of Complaints by Category

1. Administrative	2. Violation of Law/Criminal Behavior
Disciplinary Actions:	Disciplinary Actions:
Revocation/Voluntary Surrender 1	Revocation/Voluntary Surrender 7
Restriction/Terms and Cond. 5	Suspension 5
	Restriction/Terms and Cond. 9
	Administrative Penalty 2

Remedial Plans:	40	Remedial Plans:	0
Total Actions:	46	Total Actions:	23
Total Dismissed:	59	Total Dismissed:	116
Total Complaints Resolved:	107	Total Complaints Resolved:	139
3. Medical Error (combined with QOC)		4. Mental/Physical Impairment	
Disciplinary Actions:	0	Disciplinary Actions:	
		Revocation/Voluntary Surrender	3
		Suspension	1
		Restriction/Terms and Cond.	1
Remedial Plans:	0	Referral to PHP	0
Total Actions:	0	Total Actions:	5
Total Dismissed:	0	Total Dismissed:	26
Total Complaints Resolved:	0	Total Complaints Resolved:	31
5. Quality of Care		6. Disciplinary action by peers, another state, or military	
Disciplinary Actions:		Disciplinary Actions:	
Revocation/Voluntary Surrender	3	Revocation/Voluntary Surrender	0
Suspension	0	Suspension	0
Restriction/Terms and Cond.	31	Restriction/Terms and Cond.	14
Reprimand	6	Reprimand	5
Administrative Penalty	20	Referral to PHP	0
Remedial Plans:	52	Remedial Plans:	2

Total Actions:	112	Total Actions:	21
Total Dismissed:	938	Total Dismissed:	95
Total Complaints Resolved:	1050	Total Complaints Resolved:	116
7. Substance Abuse		8. Unprofessional Conduct	
Disciplinary Actions:		Disciplinary Actions:	
Revocation/Voluntary Surrender	2	Revocation/Voluntary Surrender	6
Suspension	3	Suspension	1
Restriction/Terms and Cond.	8	Restriction/Terms and Cond.	9
Reprimand	2	Reprimand	6
		Administrative Penalty	6
Referral to PHP	3	Remedial Plans:	28
Total Actions:	17	Total Actions:	56
Total Dismissed:	42	Total Dismissed:	379
Total Complaints Resolved:	59	Total Complaints Resolved:	435