Dr. Shulkin appointed to Board

Governor Rick Perry has appointed Allan Shulkin, M.D., to the board.

Dr. Shulkin has been a physician in private practice at Pulmonary and Critical Care Medicine in Dallas for more than 25 years. Formerly, he served as a board member of the Dallas County Medical Society Board of Directors. He currently serves as a member of the board of managers for the Dallas County Hospital District and Parkland Memorial Hospital.

Dr. Shulkin received a bachelor's degree from the University of Texas at Austin and a medical degree from the University of Texas Medical School at San Antonio.

Board Implements Fast-Track Procedure for Minor Violations

The Texas Medical Board has adopted a new fast-track enforcement procedure that will allow doctors facing discipline for relatively minor administrative violations to quickly resolve the matter rather than undergoing a lengthy investigation. Diverting administrative cases into the new streamlined procedure will allow TMB to free up investigative resources that can then be redirected to more serious violations involving inadequate patient care or unprofessional conduct.

Physicians who choose to participate in the new fast-track system can agree to administrative charges and pay a fine, rather than undergo a full investigation and the resulting stress and expense. A licensee who disputes the charges can contest the violation in writing and the case will be
reviewed by a board committee, or a physician may opt out of fast-track entirely and contest the charges through TMB’s traditional investigation and litigation process.

This will benefit both the medical community and medical consumers in Texas, said Donald Patrick, M.D., J.D., TMB’s executive director. Doctors will be able to dispose of relatively minor administrative violations quickly. Consumers benefit because TMB will be able to concentrate its limited investigative resources on more serious cases.

Administrative violations punishable only by a fine, with no other allegation, will be eligible for fast-track consideration. These include failure to provide medical records in a timely manner, failure to file a change of address with TMB, failure to sign a death certificate in a timely manner, failure to obtain required continuing medical education, and other administrative violations. Violations arising from inadequate patient care or unprofessional conduct are not eligible for fast-track consideration.

The number of times a licensee may opt for fast-track consideration will be limited to three times, and only once for a given violation.

Prior to the adoption of the new procedure, all complaints believed to be a probable violation resulted in an investigation that could last 180 days, followed by an additional 180 days of litigation procedures, culminating in a hearing before a panel of board representatives. Cases considered under the new procedure can be concluded in as few as 60 days, said Mari Robinson, TMB’s director of enforcement.

We thought these administrative violations should be handled more like traffic tickets and less like full-scale investigations, Robinson said. The initial reaction from the medical community has been very positive.

FROM THE EXECUTIVE DIRECTOR

Parting Thoughts

By Donald W. Patrick, M.D., J.D.

Ed. Note: Dr. Patrick has announced that he will retire as TMB’s Executive Director on August 28, his 70th birthday. He has been accepted into the graduate program in the Butler School of Music at the University of Texas at Austin and will pursue a degree in musicology. The board and agency staff wish him well after his nearly seven years of dedicated service during a time of great challenge and opportunity.
The media has accurately reported that the numbers of physicians applying for licensure in Texas have jumped to all-time highs each of the last five years. This increase is gratifying to the population who realize the baby boomer years are upon us and our need for healers will outstrip the number of doctors being educated in Texas.

Studies have shown that the location of one’s medical school is not well correlated with its graduates choosing Texas for a practice location. On the other hand, the location of the residency program does have a high degree of correlation with practice sites. There are 1,700 residents in Texas finishing their programs each year, a far cry from the 6,000 or so per year needed in Texas by 2013. The fact that we need more than 4,300 graduating residents who trained elsewhere to come to Texas and practice is worrisome.

However, if we were still at our 2003 level of applicants 2,400 not the 4,000 received each of the last two years and projected for this year, the task would be even greater. The dramatic increase gives us some hope that we might be able to meet the needs of the aging population and take care of patients arriving in Texas, both by immigration and by birth.

The dramatic increase in physician licensure applicants is probably tied to the tort reforms of the 2003 session, which brought a sizeable increase in the strength, size, and assets of the Texas Medical Board. In the face of the Dallas Morning News articles in 2002 that exposed TMB’s shortcomings in meeting the challenges of physician discipline, the medical board showed immense strength and fortitude by conducting 200 informal settlement conferences in the first three months of fiscal year 2003, more than had been previously conducted in the course of an entire year.

Once TMB showed these enormous increases in regulatory vigor, the public was ready to accept passage of S.B. 104, which strengthened the medical board, and Proposition 12 and H.B. 4, which brought about tort reform. If the agency and the board had not shown its mettle by aggressively improving its disciplinary record, I believe TMB would have been a liability to the tort reform movement rather than the asset we became and have remained.

While the vast majority of physicians in Texas perform up to standard in patient care, there are those relatively few who are impaired, unskilled or prefer to practice in a way that is inconsistent with public health and welfare.

Prior to 2003, the focus of the board was on boundary and impairment issues. Without abandoning that focus, our current overwhelming duty is to use our expert panelists (all of whom are board certified, Texas licensed practicing physicians) to determine whether a physician against whom a complaint has been filed met the standard of care in taking care of patients.

Medical malpractice litigation has its place in the equation, but has never kept any doctor, no matter how egregiously he or she might have acted, from continuing to practice. The Texas Medical Board is the only institution in this state with the duty to remove incompetent doctors from practice for standard of care deficiencies. The board also disciplines other physicians by ordering course work and chart monitors to remediate deficiencies in patient care and/or documentation of that care.
One could argue that malpractice litigation serves as a deterrent by the threat of a suit aimed at a physician whose conduct in a particular case was negligent. However, that usually takes place in a completely private atmosphere, with only a tiny number reaching the public eye. The medical board, on the other hand, widely disseminates dozens of brief disciplinary summaries after each board meeting, six times a year, making physicians' errors public.

To emphasize the effects of public disclosure, one need only to look back to a hearing held by the House Appropriations Committee Regulatory Subcommittee on October 23, 2007, in which approximately 20 doctors with orders from the medical board appeared. Those testifying considered themselves to be innocent of all charges. However, media reports following the hearing noted that many of those testifying had signed agreed orders; others had had opportunities through hearings to demonstrate their innocence and had ultimately been found to have violated the Medical Practice Act.

At the end of the day, which system better serves physicians and the public: one that allows both private and public hearings, followed by either a public agreed disciplinary order, or dismissal, in which case the issue never becomes public if the physician is found to be innocent of the charges, or a system that allows a case to be played out in the media before any hearing has been heard and the only action has been filing of the lawsuit in court?

Let's compare the two systems, litigation versus medical board action. Litigation uses a lay jury as a fact finder and it is a public matter. In TMB's system, physicians are involved in each of four steps of the process. The medical board keeps investigations and hearings private unless a violation is found and the respondent either agrees to the action or it is filed with the State Office of Administrative Hearings, at which time it becomes public.

The medical board received 6,700 complaints last year and took action on nearly 400, all of which became public. How many final malpractice litigation actions went public last year? Malpractice litigation rarely compensates the plaintiff adequately and most cases are dismissed or settled privately. Many medical board cases result from complaints involving multiple patients. Virtually every malpractice action deals with just one patient.

We do need a civil system that protects the patients from erring doctors and compensates them for their injuries. However, not only should it not take the place of state public action in the regulatory arena, it should continue to play a secondary and subsidiary role to medical board action.

Physicians complained mightily that malpractice litigation was driving doctors out of the state and out of high liability practices. They got relief from tort reform, and almost immediately doctors began flocking to Texas. About 18,000 have applied for licenses since 2003, and around 13,000 have been licensed. An analysis of information provided on these applications indicates that a smaller percentage of them have serial malpractice judgments than in the past.

The anti-tort reform lobby has used statistics from the Texas Department of State Health Services that imply that the physician population in Texas has not increased since tort reform. Granted, physicians leave the state, retire or otherwise quit practicing, and no one has control over that, other than those the medical board removes from practice, so the key number is the net gain in physicians
in Texas since tort reform. That number is 7,397. Whether physicians leave Texas and move to other states because of anticipated medical board action is unknown.

FY 2008, ending in August, will have been a year of superlatives for the medical board. In addition to launching the fast-track procedure for minor violations and the LIST system for improving the licensure applications process, we will have licensed more physicians, investigated more complaints, held more informal settlement conferences and taken more public actions against doctors than ever before. We have also heard more complaints by physicians against the medical board than ever before. In response to those complaints, a shrewd political analyst commented, "You must be doing your job!"

Indeed, we are.

Though popularity with the profession is not our top goal, a collegial working relationship with the profession is mandatory. This summer, a team from the medical board is on the road throughout the state conducting work sessions on licensure issues and explanations of the complaint, investigation, compliance and litigation processes. These "town hall" meetings will be the forum for agency-physician dialogue. We hope you, the profession, will appreciate the challenges we face as we in turn listen to your concerns.

New Legislation Requires Electronic Death Registration

Texas Electronic Death Registration Update for Medical Certifiers

House Bill 1739, which mandates electronic death registration for funeral homes and medical certifiers, was signed by Governor Rick Perry on June 15, 2007, and took effect on September 1, 2007. Section 193.005 requires that medical certifiers on a death certificate submit the medical certification and attest to its validity using an electronic process (currently Texas Electronic Registrar) approved by the State Registrar.

To register, go to the Texas Department of State Health Services' electronic death registry page at http://www.dshs.state.tx.us/vs/edeath/medical.shtm

Governor Appoints Acupuncture Board Members
Governor Rick Perry appointed Karen Siegel and Allen Cline to the Texas State Board of Acupuncture Examiners, which regulates the practice of acupuncture.

Ms. Siegel is an acupuncturist and dietitian with Acupuncture and Nutrition Clinic in Houston. She is a member of the Texas Association of Acupuncture and Oriental Medicine, American Dietetics Association, Houston Area Dietetics Association, National Eating Disorder Association and the Accreditation Commission for Acupuncture and Oriental Medicine. She received a bachelor's degree in dietetics from the University of Vermont in Burlington, VT, a master's degree in nutrition from the University of Texas School of Public Health, and her masters in Traditional Chinese Medicine from the American College of Acupuncture and Oriental Medicine in Houston. Ms. Siegel is the only licensed dietitian in Texas who can treat patients utilizing Chinese and western food therapy with acupuncture and herbal formulations. She replaces Marshall Voris of Corpus Christi for a term to expire January 31, 2011.

Mr. Cline is president of Turtle Dragon Health Services. He is a past member of the Texas and American associations of Acupuncture and Oriental Medicine. He received a master's degree from the New England School of Acupuncture. Cline also attended Beijing Medical University and the National Academy of Traditional Chinese Medicine of China in Beijing. He replaces Meng-Sheng Linda Lin of Plano for a term to expire January 31, 2013.

Physician Assistant Board Thanks Dwight Deter for Many Years of Service

At its May 16 meeting, the Texas Physician Assistant Board recognized Dwight Deter, Pa.C., and thanked him for his many years of service to the board, as he has now left the board. Mr. Deter served on the board from its inception in 1995, and also served on the Physician Assistant Advisory Council prior to that. Mr. Deter has the distinction of holding license #PA00001.

Medical Board, Department of Insurance and Department of State Health Services Work Together to Implement SB 1731

S.B. 1731, passed by the 80th Legislature in 2005, created a Consumer Guide to Health Care on the Department of State Health Services website to provide certain information to the general public.
The bill also requires that physicians and hospitals create and maintain consistent billing policies, that these policies be posted for disclosure to the patient, and to inform patients about the possibility of an out-of-network physician or provider working in an in-network facility and any potentially resultant costs to the patient. This bill requires the Texas Department of Insurance to create a new data collection program to collect certain reimbursement rates that health plans pay to insurers and to organize this information in a specific fashion. Finally, the bill prohibits the waiving or discounting of co-payments, co-insurance, or deductibles and provides penalties for such. In compliance with S.B. 1731, TDSHS has created the page, which is at http://www.dshs.state.tx.us/thcic/consumerguide/consumerguide.shtm. The page includes a link to consumer and complaint information on TMB’s web site. Additional information is on TDI’s web site at http://www.tdi.state.tx.us/consumer/cpmbalancebilling.html.

LIST SYSTEM TO SPEED UP MEDICAL LICENSE APPLICATIONS

New System Allows Applicants to Track Status, Communicate with TMB

It just got a little easier for a doctor to be licensed in Texas.

On June 1, the Texas Medical Board implemented the Licensure Inquiry System of Texas, an online license application tracking system that promises to reduce the time required to process and issue physician licenses in Texas. A public/private partnership, LIST was funded by a grant from the Texas Hospital Association.

The LIST application uses existing software in an innovative manner, and is designed for ease of use by applicants and TMB staff alike. It allows applicants to track the status of their physician licensure applications online 24 hours a day without requiring the assistance of TMB staff, including providing detailed explanations of any missing items needed to process the application. LIST allows applicants to communicate with TMB from anywhere in the world with internet access. The system also creates an easily accessible archive of all such communication between TMB and the applicant.

LIST also allows TMB to broadcast to all applicants in the event that changes in statute or TMB rules modify requirements for licensure.

Prior to the implementation of LIST, an applicant was required to contact TMB to determine the status of their application, confirm receipt of submitted materials or determine what might still be needed to complete their application.

The fact that it is available 24 hours a day from anywhere in the world is very significant, said Roberta M. Kalafut, D.O., TMB’s Board President. Doctors may work challenging hours, and contacting TMB during regular business hours may be difficult. Also, doctors who want to practice in Texas come from all over the world. Business hours here might be the middle of the night where the applicant resides.
The new system is expected to reduce the time required to license a physician in Texas by adding efficiencies not only for TMB staff but also for the applicants, who will have real-time access to all the materials they submitted.

� There is a great need in Texas for additional doctors, particularly in rural and border areas where Texans' medical needs are underserved, said Dr. Dan Stultz, president and CEO of THA.  
� This system will streamline the application process, putting more doctors in the field. We immediately saw the potential when TMB approached us about funding this project and we are very pleased to be involved. 

Rule Changes

The board has adopted the following rules and rule changes since the last issue of the Medical Board Bulletin. The rules can be found on the TMB web site at http://www.tmb.state.tx.us/rules/rules/bdrules_toc.php.

� Chapter 161, General Provisions, amending 161.7 Executive Director, authorizes the Executive Director to delegate responsibilities and authority to other staff members.  

Chapter 162, Supervision of Medical Students, including changes in 162.1, relating to supervision of medical students. 162.1, updates the names of the Texas Medical Board and provides limited circumstances for when a physician who is employed by the federal government physician but who is not licensed in Texas may supervise a medical student.

Chapter 164, Physician Advertising, rule review; 164.3, Misleading or Deceptive Advertising, redefines solicitation by deleting reference to door to door solicitation and referring to Sec. 102.001(a), Tex. Occ. Code.

Chapter 166, Physician Registration, amends 166.4 Expired Registration Permits, Interprets 156.005, Occ. Code, as providing an exclusive penalty for practicing medicine after the expiration of a permit and within one year.

Chapter 167, Reinstatement and Reissuance, in addition to nonsubstantive changes, the changes to Chapter 167 amend the process for the application for the request for reissuance of a revoked license, and add the requirement that a physician who wishes to have an active medical license after his license has been revoked or suspended must also demonstrate that his service would benefit the citizens of Texas, amending 167.1 Reinstatement and Reissuance of Medical
License Following Suspension or Revocation and 167.3 Application for Reissuance of a Revoked License; Repeal and Revise 167.4, Best Interest of a Physician and 167.5 Best Interest of the Public; and amending 167.8 Certain Persons Ineligible for Reinstatement or Reissuance of License.

Chapter 173, Physician Profiles, including changes to 173.1 relating to Profile contents, 173.2, Profile Update and Correction Form, 173.3, Physician-Initiated Updates, provides description information for citations to statutes and 173.5, Updates to the Physician’s Profile Due To Information Received by a Third Party; and 173.7 Corrections and Dispute Process, clarifies that dispute process applies to any update of a profile discussed in Chapter 173.

Chapter 175, Fees, Penalties, and Forms, amending 175.1, Application Fees, the board shall charge the following fees for processing an application for a license or permit.

Chapter 177, Certification of Non-Profit Organizations, updates the name of the Texas Medical Board, amends statutory references to the Business Organizations Code, and corrects citations to other provisions in the Board’s rules, amending 177.1 Definitions; 177.3 Qualifications for Certification as a 162.001(b) Health Organization; 177.4 Applications for Certification as a 162.001(b) Health Organization; 177.6 Biennial Reports for 162.001(b) Health Organizations; 177.9 Migrant, Community or Homeless Health Centers; and 177.13 Complaint Procedure Notification.

Chapter 187, Procedural Rules, new subchapter sets forth a procedure for the imposition of an administrative penalty as authorized by Chapter 165, Subchapter A (165.001, et seq.), Occupations Code, for administrative violations as identified in 190.14 of this title, adding new rules 187.75 Purposes and Construction; 187.76 Notice of Intention to Impose Administrative Penalty, Response; 187.77 Payment of the Administrative Penalty; 187.78 Written Response; 187.79 Personal Appearance at an Informal Meeting; 187.80 Imposition of Administrative Penalty; 187.81 Reports of Imposition of Administrative Penalty; and 187.82 Unpaid Administrative Penalties.

Chapter 196, Voluntary Surrender or Relinquishment of a Medical License, 196.1, Relinquishment of License, requires request to relinquish a license to be submitted in writing and deletes requirement that full board review a request for relinquishment. 196.2, Surrender Associated with Disciplinary Action and 196.3, Surrender Associated with Impairment.

Chapter 198, Unlicensed Practice, rule review and proposed amendment to include changes to 198.2, Complaints, and 193.3, Investigation of Complaints.
Chapter 199, **Public Information**, rule review and proposed amendments to include changes to 
199.3 relating to **Requests for Information**; 199.4 relating to **Charges for Copies of Public Records**, and amendment to 199.5, **Notice of Ownership Interest in a Niche Hospital**.

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**Formal Complaints**

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

<table>
<thead>
<tr>
<th>Name</th>
<th>License No.</th>
<th>Date filed</th>
<th>Allegations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Esteban Alejo, M.D.</td>
<td>F6361</td>
<td>4/3/08</td>
<td>Failure to practice consistent with public health and welfare; failure to meet the standard of care; inability to practice medicine with reasonable skill and safety; intemperate use; unprofessional conduct.</td>
</tr>
<tr>
<td>Nancy L. Anderson, M.D.</td>
<td>F7350</td>
<td>3/21/08</td>
<td>Inability to practice medicine with reasonable skill and safety; intemperate use; unprofessional conduct; failure to practice consistent with public health and welfare; nontherapeutic prescribing.</td>
</tr>
<tr>
<td>Michael L. Blackwell, M.D.</td>
<td>J3695</td>
<td>4/10/08</td>
<td>Failure to maintain adequate medical records; unprofessional conduct; failure to meet the standard of care.</td>
</tr>
<tr>
<td>George T. Boozalis, M.D.</td>
<td>H4178</td>
<td>3/21/08</td>
<td>Unprofessional conduct (providing medically unnecessary services); nontherapeutic prescribing; improper billing; failure to practice consistent with public health and welfare.</td>
</tr>
<tr>
<td>Jody Green Caldwell</td>
<td>G3409</td>
<td>11/27/08</td>
<td>Failure to practice consistent with public health and welfare; failure to meet the standard of care; failure to maintain adequate medical records; unprofessional conduct.</td>
</tr>
<tr>
<td>Manuel R. Carrasco-Santiago</td>
<td>J5275</td>
<td>4/8/08</td>
<td>Failure to practice consistent with public health and welfare; failure to meet the standard of care; unprofessional conduct.</td>
</tr>
</tbody>
</table>
Kalamani Rachel Dharma, M.D. G3289..11/28/07.....Failure to maintain adequate medical records; disciplinary action by peers; unprofessional conduct; failure to meet the standard of care; violation of the Health and Safety code regarding abortions; nontherapeutic prescribing.

Guy R. Fogel, M.D. .............. J5322...11/29/07.....Failure to practice consistent with public health and welfare; failure to meet the standard of care; failure to maintain adequate medical records; nontherapeutic prescribing; unprofessional conduct (providing unnecessary services).

William L. Fontenot, M.D. .... L0176 ...5/30/08.....Failure to maintain adequate medical records; failure to practice consistent with public health and welfare; unprofessional conduct; failure to meet the standard of care; nontherapeutic prescribing.

Joel F. S. Hochman, M.D. ...... D3266 ...5/29/08.....Failure to maintain adequate medical records; failure to practice consistent with public health and welfare; failure to meet the standard of care; unprofessional conduct; nontherapeutic prescribing.

Mark R. Hughes, M.D. ........... H4426 ...4/9/08.....Violation of board rules; unprofessional conduct.

Roland D. Iboni, D.O. .......... L7424 ..11/29/07.....Failure to practice consistent with public health and welfare; failure to meet the standard of care; unprofessional conduct.

Reuben A. Isern, M.D. .......... E8585 ..11/30/07.....Failure to comply with Board subpoenas and requests for records.

Clarence G. King Jr., M.D. .... E1883 ...4/9/08.....Inability to practice medicine with reasonable skill and safety; violation of a previous order; unprofessional conduct.

Vivek Pratap Kushwaha, M.D. . K3290..11/29/07.....Failure to meet the standard of care; failure to maintain adequate medical records; unprofessional conduct (providing unnecessary services); nontherapeutic prescribing.

Jesse J. Mackey, M.D. ........... H9677 ..11/27/07.....Failure to practice consistent with public health and welfare; failure to meet the standard of care; unprofessional conduct.

Harold D. Marshall, M.D. ....... K2530..11/27/07.....Failure to practice consistent with public health and welfare; nontherapeutic
prescribing; violation of laws regarding substance abuse or diversion; unprofessional conduct.

Richard D. Mau, M.D. .......... K4144..4/8/08.....Unprofessional conduct (behaving in an abusive manner; failing to maintain patient confidentiality).

Jason P. Montague, P.A. .......... PA01357 ..4/1/08.....Unprofessional conduct; conviction of a felony offense.

Victor A. Pallares, M.D. .......... J3867...11/27/07.....Failure to practice consistent with public health and welfare; failure to meet the standard of care; failure to maintain adequate medical records; nontherapeutic prescribing; improper billing.

Vijesh Patel, M.D. ................. K1616. 11/30-07 ....Unprofessional conduct; violation of the Americans with Disabilities Act.

Guillermo R. Pechero, M.D. ..... J5441...11/19/07.....Failure to practice consistent with public health and welfare; failure to meet the standard of care; failure to keep adequate medical records; unprofessional conduct.

Ruben D. Pechero, M.D. .......... D4834 ..11/27/07.....Failure to practice consistent with public health and welfare; failure to meet the standard of care; failure to maintain adequate medical records; nontherapeutic prescribing; unprofessional conduct.

Robert O. Powell, M.D. .......... H5037 ...4/10/08.....Failure to maintain adequate medical records; failure to meet the standard of care; unprofessional conduct.

Kenneth M. Rice, M.D. .......... J8737...11/30/07.....Failure to practice consistent with public health and welfare; unprofessional conduct; failure to keep adequate drug records.

Patrick K. Riggs, M.D. .......... H0760 ...3/28/08.....Inability to practice medicine with reasonable skill and safety; failure to practice consistent with public health and welfare; nontherapeutic prescribing; unprofessional conduct; failure to properly supervise

Ramasamy Selvaraj, M.D. ........ J0894...12/21/07.....Failure to practice consistent with public health and welfare; failure to meet the standard of care; unprofessional conduct.

Heriberto Sedeno-Suarez, M.D. ..E5440 ...4/8/08.....Inability to practice medicine with reasonable skill and safety; failure to
practice consistent with public health and welfare; unprofessional conduct.

Suraphandhu Srivathanakul, M.D. E7288 4/8/08.......Violation of a previous order; unprofessional conduct.

John R. Woodward, M.D. .......... D4884 12/21/07.....Inability to practice medicine with reasonable skill and safety; failure to practice consistent with public health and welfare; unprofessional conduct.

New Physician Licenses Issued, November 2007-April 2008

The Texas Medical Board issued licenses to 2,088 physicians between November 30, 2007 and April 11, 2008. The board congratulates the following new Texas licensed physicians:

Abbassi-Ghanavati, Mina, MD * Abdelnaby, Abier Abdelhamid, MD * Abdul Waheed, Salima, MD * Abdulhayoglu, Emil Sefik, MD * Abdulla, Nihal Essa, MD * Abraham, Bincy Paulose, MD * Abraham, Jacob C, MD * Abraham, Susan Catherine, MD * Abramson, Israel Jack, MD * Abu Alfa, Amer Khaled, MD * Abulaimoun, Bdair Matar, MD * Achanta, Venkata Lakshmi S.K., MD * Adair, Heather Elaine, MD * Adams, Brian Lee, MD * Adams, James Willis, MD * Adams, John Michael, MD * Adapala, Prashanth, MD * Ader, John Teodoro, DO * Adeyemi-Bero, Oluymemisi Gbemisola, MD * Adigun, Yetunde Elizabeth, MD * Adkisson, Kendall Beth, MD * Adolfsen, Stephen Erik, MD * Affolter, Jeremy Todd, MD * Aga, Irene Eseese, MD * Agarwal, Nidhi, MD * Agarwal, Pallavi, MD * Agarwal, Rajan, MD * Agboola, Iyabode Abiodun Munirat, MD * Aggarwal, Anjali, MD * Agim, Nnenna Gebechi, MD * Agnew, Daniel Kelly, MD * Aguilar, Kelly Renee, MD * Aguilera, Dolly Graciela, MD * Aguirre-Trevino, Alfonso Marcelo, MD * Agullo, Francisco Jose, MD * Ahmed, Sonya, MD * Ahsan, Nusrat, MD * Ailabouni, Wadad, MD * Al Shikh Hasan, Mosaab, MD * Alam, Mahboob, MD * Alavala, Deepika, MD * Al-Balas, Hassan, MD * Albana, Zuhair Ali Abdullahi, MD * Alcantara, Enedina, MD * Aldred, Brian Neil, MD * Alexander, Alan Richard, MD * Alford, Stephanie Howle, MD * Ali, Beshir Osman Ahmed, MD * Ali, Zahir, MD * Alissa, Hassan Micheal, MD * Al-Khalil, Ihsan, MD * Allen, Meredith Brooke, MD * Allen, Patricia Bette, MD * Allen, Rachel Diane, MD * Allen, Virginia, MD * Allerkamp, Eric Arthur, MD * Alletag, Michelle Johnson, MD * Alley, Darrell Eugene Reliford, MD * Almendarez, Yvette Marie, MD * Almoosa, Khalid Faeq, MD * Alphonso, Helene Michele, DO * Alsaleh, Mazin A, MD * Al-Shaer, Moutasim Homod, MD * Alvarez, Norberto, MD * Alwan, Ahmad, DO * Aly, Fatima Fidahasayn Muhammad, MD * Amakiri, Onyema Edward, DO * Amara, Ramesh, MD * Amaratunge, Harshinie Chamiindika, MD * Ampajwala, Madhavi, MD * Anand, Rangasamy
Chahal, Ravinder Singh, MD * Chambers, Lajuan Jones, MD * Chamkur, Amarnath, MD * Champion, Stephanie, MD * Chan, Teresa Valerie, MD * Chan, Yie Shan, MD * Chana, Amarpal Singh, MD * Chandler, Adam Wade, MD * Chandler, Nathan Chase, MD * Chang, Hui-Chu Judy, MD * Chang, Kuang-Yu Marvin, MD * Chang, Shao-Chun Rose, MD * Chang, Yufang Jennifer, MD * Channabasappa, Nandini, MD * Chan, Yie Shan, MD * Chavarria, Myrna, MD * Chavez, Pompeyo Cesar, MD * Chawla, Jane Sperry, MD * Cheema, Omar Mukhtar, MD * Chelu, Laura, MD * Chemmalakuzhy, Asha Joseph, MD * Chen, Alice, DO * Chen, David Kuang-Hua, MD * Chen, Lei, MD * Chen, Tso Ming, MD * Cheruku, Kiran Kumar, MD * Chhabra, Avneesh, MD * Chhay, Samir Amit Ushakant, MD * Chiang, I-Hui, MD * Chilukuri, Ananthakrishna, MD * Chinnek, Ashley Zhou, MD * Chin, Mihwa, MD * Chintala, Vijaya Shree, MD * Chiruvolu, Arpitha, MD * Chiu, Kevin, MD * Cho, Sung Joon, MD * Choe, Jessica Wonme, MD * Choi, Jeannie McIntyre, MD * Chong, Benjamin Franklin, MD * Chung, Deborah Yeh, MD * Choudhri, Joseph, MD * Choudhry, Ajay, MD * Choudhry, John, MD * Christal, Jeffrey Lyman, MD * Christensen, Kathleen, MD * Christopherson, Chad, MD * Church, Don Adrian, MD * Church, Robert Joe, MD * Cinclair, Robert Donald, MD * Citardi, Martin Jason, MD * Clark, Carlos Adrian, DO * Clarke, Rohan, MD * Cleaves, Constance O’Brien, MD * Clifton, Jennifer Anne, MD * Clybourn, Clyde Corwin, MD * Cockrell, Rex Daniel, MD * Cogdill, Rachel Kathleen Stauffer, MD * Collins, Kimberly Michelle, MD * Comair, Youssef Georges, MD * Compton, Johnathan Mark, MD * Conklin, Jeremy Henry, DO * Conner, Catherine Sue, MD * Conner, Chad Stephen, MD * Conner, Matthew Shane, DO * Conner, William Chace, MD * Conway, Stafford Austin, MD * Cooney, Paul David, MD * Copeland Trahan, Kathy Lauren, MD * Cope-Yokoyama, Sandy, MD * Cornelius, Jonathan Philip, MD * Cortes, Wilberto Gil, MD * Cost, Carrye Rudolph, MD * Costello, Richard Frederick, DO * Cotant, Casey Lee, MD * Courtney, Ardith Marie, DO * Cox, Ashley Michelle, MD * Crabb, Benjamin Edward, MD * Craig, William Shalar, MD * Cranston-Deamato, Hope Anderson, MD * Crapanzano, John Patrick, MD * Criden, Marc Robert, MD * Croffy, Bruce Robert, MD * Crole, Mark Holland, MD * Cross, Jennette Lynnell, MD * Crowson, Arthur Neil, MD * Cruz, Victor Tamayo, MD * Cullen, Amy Ruth, MD * Culp, Stephen Hembree, MD * Cunningham, Mara Lynn, DO * Cunningham, Robert Lewis, MD * Cunningham, Russell Drew, MD * Currie, Tully Jenks, MD * Curry, Daniel Joseph, MD * Curry, Marissa Banatwala, MD * Dacey, Sarah Balek, MD * Dada, Mohammed Atiq, MD * Dadfar, Nemat Matthew, DO * Daher, Iyad Nassim, MD * Dalere, Mente Flores, MD * Dalton, Jeremy Robert, MD * Dalton, Scott Ryan, DO * Dancer, Jane Young, MD * Danney, Christopher Marc, MD * Danney, Rahul, MD * Danturti, Indira Suryanarayana, MD * Dao, Vuong Duy, DO * Dar, Saira, MD * Damall, Christopher Keilty, MD * Das, Sandeep Ram, MD * Das, Shailendra, DO * Das, Shounek, MD * Dasari, Aravind, MD * Dassu, Arun, MD * Datta, Paramita, MD * Davalos, Fernando, MD * Davanloo, Heddie, MD * Davidoff, Alan Brett, MD * Davies, Mark Glynn, MD * Davila, Samuel Valentin, MD * Davis, Daniel, DO * Davis, Eric, MD * Davis, Sean
MD * Hadley, Celene Rosanne, MD * Hagen, Katherine Blalock, MD * Hahn, Dan Wyatt, MD * Hahn, Steven Lynn, MD * Haidenberg, Jaime, MD * Haiderzaidi, Seema Iqbal, MD * Hakim, Samuel, MD * Hall, Brian Terry, MD * Hall, Christopher Streckert, MD * Halpert, Michael, MD * Ham, Jee-Young Nina, MD * Ham, Jamille Domicio, MD * Hamid, Shazia, MD * Hamilton, Lesley Elizabeth, MD * Hamilton, Raynal Ruch, MD * Hamilton Spence, Erin Colleen, MD * Hammett, Bradley, MD * Hammouda, Hesham M. A., MD * Hamon, Gregory Alan, MD * Han, Stephanie Chen, MD * Hand, Andy Allan, MD * Hanes, Jennifer Renee, DO * Hanif, Muzammil Zakkir, MD * Hannan, Hashibul, MD * Haq, Muhammad Hashamul, MD * Harbison, Matthew Trevor, MD * Harren, Rachel Doll, MD * Harford, Rhondey Ian O'Brien, MD * Harrar-Murray, Amy Kristin, MD * Harrar-Murray, Paul David, MD * Harrell, William Bruce, MD * Harrington, Catherine Inez, MD * Harris, Patricia Newby, MD * Harrison, Bernard Mitchell, MD * Hartker, Frederick William, MD * Hasford, Matthew Kobina, MD * Hashish, Lama, MD * Hassan, Mohamad Charif, MD * Hauck, Erik Friedrich, MD * Haupt, Bisong, MD * Havekorn, Rashel Thi Mikulec, MD * Hayee, Abdul Ahad, MD * Hayek, Brent R, MD * Hayes, Patrick Michael, MD * Haynes, Scotty Jack, MD * Haynie, Aisha Cecilia, MD * Hays, Robert Frank, MD * Head, Hayden Wilson, MD * Hearne, Monika, MD * Hebert, Randy Bertrand, MD * Hedayaati, Saghafan Susan, MD * Heffez, Jordan Lawrence, MD * Hellbusch, Amy Rochelle, MD * Henderson, Elizabeth Anne, MD * Henderson, Sherronda Moore, MD * Hennessy, Michael Ware, MD * Hennigan, Stephanie Lynn, MD * Henry, Eva Lai, MD * Herrsmat, Erik Lars, MD * Heyne, Joseph Dietrich, MD * Hickman, Meridythe Ashley, MD * Hile, Lisa Meredith, MD * Hill, Keith Jay, MD * Hindelang, Floyd Michael, MD * Hirsch, John V, MD * Hirschberg, Jeff, MD * Ho, Thomas Chung-Chao, MD * Ho, Vu The, MD * Hoang, Kim Duc, MD * Hoang, Mary Theresa Vu, MD * Hobday, Christopher David, MD * Hobday, Gabrielle Schneider, MD * Hoffman, Cary Joseph, MD * Hofkamp, Michael Patrick, MD * Holmgreen, Kimberly Rovansek, MD * Holstein, Gaylyn June, MD * Honig, Kevin, MD * Hopewell, Donald Keith, MD * Hopkins, Matthew Christopher, MD * Horrace-Voigt, Kathie Michaelleen, DO * Horton, Sheryl Lee, MD * Howell, Sean Samuel, MD * Hoxhaj, Shkelzen, MD * Hsu, Elias I-Hsin, MD * Hsu, Jean Enid, MD * Hsu, Patrick Wei-Te, MD * Huang, Grace Yu-Tyng, MD * Huang, Jasmine Lin, MD * Hubenthal, Erica Alane, MD * Hudgins, Amanda Sue, MD * Hughes, Jenevieve Holton, MD * Hughes, Katrina Reja Samuels, MD * Humpert, Natalie Marie, DO * Hunt, Agatha Alexander, MD * Hussain, Feroze Abid, MD * Hussain, Shahid, MD * Hussein, Hanan, MD * Hutchinson, Julia M., MD * Huynh, Dung Ngoc, MD * Ibrahim, Adel Asaad, MD * Ibrahim, N'estreen Saad Ahmed, MD * Idowu, Modupe, MD * Ighani-Hosseinabad, Farshid, MD * Ijaz, Beena, MD * Iliescu, Cezar Angi, MD * Iliescu, Gloria Diana, MD * Im, Benjamin Hyunjong, MD * Imperial, Valerie, MD * Ingram, James Ray, DO * Iruke, Barrington Obinna, MD * Islam, Asad, MD * Islam, Tanzina Aziz, MD * Israel, Steven Laurence, MD * Iyengar, Anjali Ramaswami, MD * Iyer, Chandramouli Pattabiram, MD * Jabbar, Samad Ahmed, MD * Jabr, Fadi Ibrahim, MD * Jack, Haydon Orin, MD * Jackson, Shaun Chadrick, MD * Jacob, Julie, MD * Jacobson, Leslie Sue, MD * Jafri, Syed Zaheer Abbas, MD * Jain, Siddharth Gulabchand, MD * Jalal, Prasun Kumar, MD * Jalees, Shah Arshaduddin, MD * Jalil, Amjad, MD * Jamal, Saira, MD * Jambhekar, Kedar, MD * James, Joshua Clark, MD * James, Julia
Kosik, Edward Siegmund, DO * Kosten, Thomas Richard, MD * Kota, Suresh Kumar, MD * Kotwal, Dhiraj Kumar, MD * Kramer, Rita Munn, MD * Kramer, Robyn Theresa, MD * Kreml, Stephanie Sue Ling, MD * Krenitsky, Gabriel Harrison, MD * Krishnan, Rajmani, MD * Krog, Benjamin John, MD * Krstic, Biljana, MD * Kruger, Ariel Yehuda, MD * Kugler, Carlos David, MD * Kumar, Arun, MD * Kumar, Ramon, MD * Kumar, Roy, MD * Kumar, Sumeet, DO * Kumar, Swati Sharma, MD * Kumar, Udhyagondopala, MD * Kumari, Rekha, MD * Kureshi, Ikram Urrehman, MD * Kurian, Elizabeth Marie, MD * Kurian, Kizhake Cherian, MD * Kusi-Mensah, Christian, MD * Kuusisto, Karla Ann, MD * Kwiatkowski, Linda Diane, MD * Kwon, Bobby Young, MD * Ladde, Jay Gangaram, MD * Ladi, Larry, MD * Lallande, Beverly Jean, MD * Lam, Vinh Dao, MD * Lameh, Rahele, MD * Lamell, James Michael, MD * Landau, Ronald I, MD * Landes, Phillip William, MD * Landry, Christine Susan, MD * Lara, Theresa Christell, MD * Larppanichpoonphol, Panupong, MD * Larrier, Deidre Roseanne, MD * Lartchenko, Serge, MD * Laster, Rebecca B., DO * Latham, David Allen, MD * Latif, Asad, MD * Latortue, Jean Woel, MD * Lau, May Chi, MD * Laughton, Pierre Earl, MD * Launikitis, Robert Anthony, MD * Laur, Bridget Nicole, MD * Lavrovskaya, Elena, MD * Lawlor, Dennis P, MD * Lawrence, Sharnelle Joy, MD * Layton, Robert Glenn, MD * Lazrott, Laurie Wagnon, MD * Le, Duc Minh, MD * Le, Toan Huu, MD * Ledoux, Mark Allen, MD * Lee, Benjamin Pin-Hsun, MD * Lee, David Woo Sok, MD * Lee, Diana King, MD * Lee, Eric Ted, MD * Lee, Gabriel H, MD * Lee, George Rozier, MD * Lee, Hans Joo, MD * Lee, James, MD * Lee, Jennifer C, MD * Lee, June Jieun, MD * Lee, Kenneth H, MD * Lee, Regina Kay, MD * Lee, Roger Paul, MD * Lee, Tae Young, MD * Lee, Tammy, MD * Leech, Ana Luisa, MD * Leeds, Timothy Gerard, MD * Leewood, Charles Thomas, MD * Lemes, Alma, MD * Lenington, Robert Michael, MD * Lenis, Michael Fernando, MD * Lentzsch Parcells, Carolyn M, MD * Leong, Benjamin Yet-Fan, MD * Lepeska, Michael John, MD * Lesley, Amber Marie, MD * Lewen, Gregory David, MD * Lewin, Marc Roy, MD * Lewin, Matthew, MD * Lewis, Felicia Lenora, MD * Lewis, Shane Darrell, MD * Liebeskind, Amy, MD * Lighvani, Andre Arash, MD * Lin, Chun Min, MD * Lin, Scott Hsin Sheng, MD * Linares, Silvia Teresa, MD * Lincoln, Katherine Ann, DO * Lindenmayer, Brian Joseph, MD * Linderman, Julie Klesse, MD * Linetsky, Michael, MD * Lingam, Anuradha, MD * Lisanti, Christopher Joseph, MD * Little, Donald Glenn, MD * Little, Kim Jing-Ming, MD * Little, Vijayavalli, MD * Liu, Jerome Hu, MD * Liu, Xiushi, MD * Liu, Yang, MD * Llanera, Marissa Gabriela, MD * Llanos, Raoul, MD * Lloren, Ellaine Abigail, DO * Lloyd, Jessica Lynn, MD * Lo, Ann, MD * Lo, Matthew Chung-Yin, MD * Lo, Sam Lai Huat, MD * Loesch, William Robert, MD * Longoria, Oscar Jesus, MD * Lopez, Jose, MD * Lopez, Monica Esperanza, MD * Lopez, Peter Putters, MD * Lopez, Rene Inocente, MD * Loqman, Nuvceed, MD * Lord, Jennifer Noel, MD * Lowe, Christopher Hugh, MD * Lowry, Adam Wayne, MD * Lowry, Joseph Michael, DO * Loyd, Ryan Andrew, MD * Lozano-Gorena, Maria Estrella, MD * Lu, Amy, MD * Lu, Steven S, MD * Lucas, Quincy Marso, MD * Lucas, Sharon Holness, MD * Lucia, Dominic John-Thomas, MD * Luerssen, Thomas George, MD * Lukasewicz, Jason David, DO * Luna, Maria Guadalupe, MD * Lundy, Julie Lynn, MD * Lusby, Rachel Diane, MD * Lyon, Jane Beth, MD * Lyons, Mark Anthony, MD * Lytton, Lynn Elizabeth, MD * Mabry, Robert Leon, MD * Macedo, Elizabeth Vimala, MD * Machinena, Anne Christine, MD *
MD * Modi, Shreyas A, MD * Modlinski, Ryan Edward, MD * Moger, Adrian Carlos, MD * Mogonye, Jason Alan, MD * Molina-Anstee, Ana Maria, MD * Moniz, Mark Phillip, MD * Montalvo, Jessica Macleod, MD * Montana, Margaret Anne, MD * Montes, Javier Gerardo, MD * Monzon-Bordonaba, Federico Alberto, MD * Moon, Michelle, DO * Moore, Catherine Porter, MD * Moore, Jolene Christie, MD * Moore, Keith S, MD * Moore, Kimberly Ann, MD * Moore, Portia Lynette, MD * Moore-Olufemi, Stacey Denise, MD * Moparty, Srinivasu Rao, MD * Moreira, Sergio Gugisch, MD * Morgan, Christopher David, MD * Morgan, Courtney Ricardo, MD * Morgan, Peter Benjamin, MD * Morrell, Peter John, DO * Morris, Michael Christopher, MD * Morrow, Kyle Eric, MD * Morse, Brian Gregory, MD * Mossad, Emad Beniameen, MD * Motheral, Lesley Crowley, MD * Mounce, Genevieve Patman, MD * Moza, Joseph, MD * Mujeeb, Syed Naser, MD * Mukkamala, Aparna, MD * Mullen, Marie Therese, MD * Mumert, Diana Joana, MD * Munz, John Wesley, MD * Murray, Sean Patrick, MD * Murrish, Geoffrey Morgan, MD * Musa, Nuha Nazar, MD * Musacchio, Michael Joseph, MD * Musharaf, Gulam Hssain, MD * Muthalakuzhy, George Sunil, MD * Muzzafar, Tariq, MD * Myat, Thin Thin, MD * Myers, Michael, MD * Myers, My Nguyen, MD * Nabi, Qaiser, DO * Nagavarapu, Shantimony Poturreddy, MD * Nagineni, Lavanya Latha, MD * Naheed, Saniya, MD * Nair, Ashalatha Kesavankuty, MD * Nair, Vinita Vijay, MD * Nakra, Tanuj, MD * Nalla, Kavitha, MD * Nandish,Shailesh, MD * Narayan, Satish Dharmapuri, MD * Narla, Amita Rao, MD * Narla, Nirmala Kumari, MD * Narotam, Sanjay Kumar, MD * Naseer, Shruti, MD * Nasir, Syed Mohammad, MD * Nassi, Shahryar Sean, MD * Nassif, Mariam Nabil, MD * Nasuti, Joseph Floriano, MD * Natale, Andrea, MD * Naus, Kathryn Anne, MD * Navarro, Rodolfo Roman, MD * Nayem, Qasim, MD * Naz, Shehla, MD * Nazeri, Alicreza, MD * Nef, Patrick Chinedu, MD * Negrón Gonzalez, Viviana Maria, MD * Nielsen, Alan Christian, MD * Nelson, Ann Krone, MD * Nelson, James Allen, MD * Nelson, Peter Scott, MD * Nettles, Karl Matthew, MD * New, Ronald Brent, MD * Newman, Trichelle Angelene, MD * Newmark, Harris, MD * Newsome, Reginald James, MD * Newton, Luke Arndt, MD * Nguyen, Chanh Minh, MD * Nguyen, Daniel Van, MD * Nguyen, Duyen Kim, DO * Nguyen, Erin Hoai, MD * Nguyen, Jacqueline Tram, DO * Nguyen, Jon Dzung, MD * Nguyen, Ky Quoc, MD * Nguyen, Ngoc Xuan, MD * Nguyen, Nhu-Nguyen Thi, MD * Nguyen, Trinh Thi-Thu, DO * Nguyen, Vu Nhu, MD * Nguyen-Ho, Phong, MD * Nicholson, Thomas Cornell, MD * Niebanck, Alison Elizabeth, MD * Niece, Julia Allyson, MD * Nielsen, Joy Kathleen, MD * Nagwekar, Priya, MD * Niravath, Polly Ann, MD * Nisbet, Alan A, MD * Nishi, Shawn Pua Eiko, MD * Noe, Paula Michelle, MD * Nokes, Steven Richard, MD * Nomanbhoy, Fatema, MD * Noorani, Muzamil Mohamed Zubair, MD * Norris, Kim Sheree, MD * Nour, Rabih, MD * Novell, Laura Ann, MD * Nowlin, Thomas Peyton, MD * Ntiamo, Chloe Agnes, MD * Nunez, Susan Balite, MD * Nuss, Geoffrey Robert, MD * Nusser, Denise Kay, DO * Oandasan, Dulce Maria S., MD * O'Brien-Leighton, Robbie Leanne, MD * Ochoa, Oscar, MD * Oconer, Thaddeo Consunji, MD * Oetgen, Matthew Evan, MD * Ogawa, Yoshiko, MD * Oh, Irene Jennifer, MD * Oh, Scott Seungyup, MD * Ohenhen, Jonathan, MD * Okafor, Chiaka Nwando, MD * Okezie, Ihuoma Nicole, MD * Olkowska, Danuta, MD * Olkowski, Piotr Krzysztof, MD * Olmedo, Pablo De Jesus, MD * Olobatuyi, Felix Ademola, MD * Olson, Craig Howard, MD * Olson, Erin Elizabeth, MD
Know the Rules for Substituting Generic Drug Products

Texas State Board of Pharmacy regulations allow pharmacists to dispense a generically equivalent drug product if the following conditions are met:

- the generic product costs the patient less than the prescribed drug product;
- the patient does not refuse the substitution; and
- the practitioner does not certify on the prescription form that a specific prescribed brand is medically necessary through a dispensing directive as defined below. Note: if the practitioner has prohibited substitution, a pharmacist may not substitute a generically equivalent drug product unless the pharmacist obtains oral or written authorization from the practitioner and notes such authorization on the original prescription drug order.

The following conditions apply on hand-written, oral and electronic prescriptions when a prescriber wants a brand name product to be dispensed:

- on hand-written prescriptions, the prescriber must write brand necessary or brand medically necessary on the face of the prescription in his or her own handwriting;
- on oral prescriptions, the prescriber (or their designated agent) must clearly indicate to the pharmacist brand necessary;
on electronic prescriptions, the prescriber must note "brand necessary" or "brand medically necessary" on the electronic prescription when communicated to the pharmacy.

TSBP encourages prescribers who issue written prescriptions in Texas to use a form that contains a single signature line for the prescriber and this reminder statement on the face of the prescription, which indicates that a specific dispensing directive must be used: "A generically equivalent drug product may be dispensed unless the prescriber hand writes the words "Brand Necessary" or "Brand Medically Necessary" on the face of the prescription. The dispensing directive may not be preprinted, rubber stamped, or otherwise reproduced on the prescription form.

This format does not apply to prescription drug orders issued by a practitioner in another state or in Mexico or Canada or in a federal facility.

A practitioner may prohibit substitution on a written prescription only by following the dispensing directive specified. Two-line prescription forms, check boxes, or other notations on an original prescription drug order which indicate "substitution instructions" are not valid methods to prohibit substitution, and a pharmacist may substitute on these types of written prescriptions.

For more information or to see the regulation in detail, go to http://info.sos.state.tx.us/pls/pub/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=22&pt=15&ch=309&rl=3

Disciplinary Actions

Since the Fall 2007 issue of the Medical Board Bulletin, the Board has taken disciplinary action on 184 physicians and one surgical assistant. The following is a summary of those actions.

QUALITY OF CARE VIOLATIONS

BIDNER, SANDY M., M.D., LIC. #J1192, FORNEY, TX
On April 11, 2008, the Board and Dr. Bidner entered into an Agreed Order reprimanding Dr. Bidner and requiring that he complete 20 hours of CME in physician-patient communications, 10 hours of continuing medical education in risk management; complete a mini-fellowship in orthopedic trauma of a minimum of two weeks, plus a total of 14 days of courses in orthopedic trauma; and pay an administrative penalty of $5,000. The action was based on his failure to exercise diligence and safeguard against potential complications in a surgical case for a hip fracture.

CHERICO, FELIX JR., M.D., LIC. #E9153, AUSTIN, TX
On February 8, 2008, the Board and Dr. Cherico entered into an Agreed Order requiring Dr.
Cherico to write a letter of apology to a patient, complete 10 hours of CME in patient communications and risk management, and pay an administrative penalty of $5,000. The action was based on Dr. Cherico’s failure to appropriately test for a patient’s breast cancer and failure to communicate with the patient.

COOPER, VIRAF F., M.D., LIC. #G4553, MCALLEN, TX
On April 11, 2008, the Board and Dr. Cooper entered into a two-year Agreed Order requiring that Dr. Cooper obtain a concurring second opinion from a board-certified neurosurgeon before performing any spine surgery involving more than two motion segments, except for emergencies; obtain a concurring second opinion on his next 20 surgeries involving skull-based tumors before performing those surgeries, except for emergencies; have his practice monitored by another physician; submit all surgical records of the acoustic schwannoma surgeries he has done since 2002; submit records of 75 surgical cases performed in the last two years, of which 70 per cent should be for spine surgeries and 30 per cent should be skull-based surgeries; and complete 10 hours of CME in neurosurgery, 10 hours of CME in risk management, and 10 hours of CME in medical recordkeeping. The action was based on Dr. Cooper’s failure to meet the standard of care for two patients and his failure to adequately document his discussion of the off-label use of a device with another patient.

CRAYTOR, BRET, F., M.D., LIC. #J8974, TEXARKANA, TX
On February 29, 2008, the Board and Dr. Craytor entered into an Agreed Order whereby Dr. Craytor was publicly reprimanded and required to a $1,500 administrative penalty and to take 10 hours of CME in patient communications and 20 hours in cancer detection, diagnosis and management. The action was based on Dr. Craytor’s diagnosis of sarcoidosis without supporting diagnostic evidence, failure to provide appropriate followup care, and failure to timely respond to a patient’s communications.

DESHAN, PRESTON W. JR., M.D., LIC. #D2211, LEVELLAND, TX
On April 11, 2008, the Board and Dr. Deshan entered into an Agreed Order requiring that Dr. Deshan obtain Advanced Cardiac Life Support recertification. The action was based on Dr. Deshan’s failure to review the monitoring strips of a patient who presented to the emergency department and diagnosed by Respondent as having a transient ischemic episode rather than supraventricular tachycardia with which the patient was later diagnosed.

DOTSON, RODNEY N., M.D., LIC. #D9988, HEREFORD, TX
On February 8, 2008, the Board and Dr. Dotson entered into a seven-year Mediated Agreed Order publicly reprimanding Dr. Dotson and requiring that he complete the Health Science Rural and Community Health Institute peer evaluation program; have a licensed medical assistant with education, training, or experience in medical terminology to assist him with documentation; pass the Special Purpose Examination; and have his practice monitored by another physician. The action was based on standard of care violations found by the physician authorized to monitor his practice under Dr. Dotson’s 2004 Order.

FARBER, STEVEN H., M.D., LIC. #F8102, THE WOODLANDS, TX
On February 8, 2008, the Board and Dr. Farber entered into an Agreed Order publicly reprimanding
Dr. Farber and assessing a $2,500 administrative penalty. The action was based on Dr. Farber inappropriately prescribing medication without first establishing a proper professional relationship with a patient.

FERENCE III, MICHAEL, M.D., LIC. #G6504, SAN ANTONIO, TX
On November 30, 2007, the Board and Dr. Ference entered into an Agreed Order canceling Dr. Ference’s license. The action was based on Dr. Ference’s violation of the standard of care which resulted in significant and permanent harm to the vision of three of his patients.

GARTON, SUSAN M., D.O., LIC. #H8061, SAN ANTONIO, TX
On February 8, 2008, the Board and Dr. Garton entered into an Agreed Order requiring Dr. Garton to complete 10 hours of CME in medical recordkeeping and pay an administrative penalty of $500. The action was based on Dr. Garton’s failure to maintain an adequate medical record and disclose potential risks involved with estrogen therapy applied to transgender reassignment.

GARCIA, PHILIP E., M.D., LIC. #L4947, SAN ANTONIO, TX
On April 11, 2008, the Board and Dr. Garcia entered into an Agreed Order requiring Dr. Garcia complete 20 hours of CME in medical recordkeeping and documentation and pay an administrative penalty of $1,000. The action was based on Dr. Garcia’s failure to document a patient’s intraoperative awareness and provide appropriate follow-up.

HASKETT, WILLIAM R. JR., M.D., LIC. #H6279, WACO, TX
On April 11, 2008, the Board and Dr. Haskett entered into an Agreed Order requiring that Dr. Haskett write a letter of apology to a patient and pay an administrative penalty of $2,500. The action was based on Dr. Haskett’s failure to perform an endometrial sampling prior to a patient’s subtotal hysterectomy, and his later reporting to the patient by phone in a blunt manner that the final pathology report revealed endometrial adenocarcinoma.

HERNANDEZ, RAMIRO, M.D., LIC. #E6093, EL PASO, TX
On February 8, 2008, the Board and Dr. Hernandez entered into a Mediated Agreed Order publicly reprimanding Dr. Hernandez and requiring that Dr. Hernandez request modification of his DEA and DPS controlled substances registrations eliminating his Schedule II-IV prescription authorizations; that his practice be monitored by another physician for five years; that he pass the Medical Jurisprudence Examination; that he perform 100 hours of community service a year for five years; and prohibiting him from supervising or delegating prescriptive authority or supervising a surgical assistant. The action was based on his failure to submit to chart monitoring as required by a 2003 order.

HICKMAN, ALFREDO, M.D., LIC. #D9494, NUEVO LEON, MEXICO
On November 30, 2007, the Board and Dr. Hickman entered into an Agreed Order requiring that Dr. Hickman limit his medical practice to a group or institutional setting, complete 10 hours of CME in medical recordkeeping, and requiring that he not self-treat or otherwise serve as a physician to his immediate family.

HO, KHAI-LINH V., M.D., LIC. #L1341, EL PASO, TX
On April 11, 2008, the Board and Dr. Ho entered into an Agreed Order requiring that Dr. Ho have
another surgeon assist with surgeries for the first 20 surgical procedures performed after the effective date of this order and that the charts for these cases be reviewed by another physician. The action was based on Dr. Ho’s failure to meet the standard of care during a left laparoscopic nephrectomy in which he failed to identify relevant anatomy and irreparably damaged crucial structures.

KENNAMER, KENAN K., M.D., LIC. #C9037, ABILENE, TX
On April 11, 2008, the Board and Dr. Kennamer entered into an Agreed Order requiring that Dr. Kennamer complete 10 hours of CME in risk management and pay an administrative penalty of $500. The action was based on Dr. Kennamer’s mistakenly administering cyclopentolate that he thought was an anesthetic to a two-year old for the removal of an item lodged in the patient’s nostril.

KEY, JAMES D. SR., M.D., LIC. #E339, DALLAS, TX
On April 11, 2008, the Board and Dr. Key entered into a two-year Agreed Order requiring that Dr. Key obtain a second opinion from a board-certified orthopedic surgeon on spinal surgeries/procedures before undertaking any surgery of that kind, have his practice monitored by another physician, obtain 10 hours of CME in medical recordkeeping, and pay a $5,000 administrative penalty. The action was based on Dr. Key’s failure to meet the standard of care in treating four surgical patients because of inadequate documentation of physical evaluations, indications for surgery, post-operative reports and summaries, and because of a lack of follow-up with the four patients.

KINZIE, DANIEL H., M.D., LIC. #G8562, MIDLAND, TX
On November 30, 2007, the Board and Dr. Kinzie entered into a Mediated Agreed Order requiring Dr. Kinzie to successfully complete the medical records-keeping course offered by the University of California San Diego Physician Assessment and Clinical Education program, have his practice monitored by another physician for one year, take and pass the Medical Jurisprudence Examination, and complete 30 hours of CME in prescribing medications. The action was based on Dr. Kinzie’s violation of the standard of care with regard to 13 patient seen at a minor emergency clinic.

KIPPELS, KENNETH M., M.D., LIC. #E5551, PLANO, TX
On November 30, 2007, the Board and Dr. Kippels entered into an Agreed Order requiring that Dr. Kippels complete 10 hours of CME in recordkeeping, revise his informed consent form for intravenous infusions, and pay an administrative penalty of $5,000. The action was based on his inadequate medical records for a patient and his use of an insufficient informed consent form.

KODALI, SAYOJIRAO, M.D., LIC. #G1691, LONGVIEW, TX
On February 8, 2008, the Board and Dr. Kodali entered into an Agreed Order requiring that Dr. Kodali submit proof of current ACLS certification and complete CME in recordkeeping (10 hours), risk management (10 hours), and post-operative management of surgical patients (10 hours). The action was based on Dr. Kodali’s failure to adequately monitor two patients.

KONJOYAN, THOMAS R., D.O., LIC. #G2173, NEDERLAND, TX
On November 30, 2007, the Board and Dr. Konjoyan entered into a three-year Agreed Order,
requiring that Dr. Konjoyan have his practice monitored by another physician and that he complete 20 hours of CME in emergency medicine for each year under the order.

KORSAH, KENNETH N., M.D., LIC. #E6827, HOUSTON, TX
On November 30, 2007, the Board and Dr. Korsah entered into an Agreed Order reprimanding Dr. Korsah and requiring that Dr. Korsah not practice obstetrics until he can demonstrate to the Board that he is competent to do so and that he obtain 30 hours of CME in high-risk obstetrics. The action was based on his failure to exercise adequate diligence in the care of a patient who had gestational hypertension and was at risk for placental abruption.

LEE, JOON S., M.D., LIC. #E9766, HOUSTON, TX
On April 11, 2008, the Board and Dr. Lee entered into a Mediated Agreed Order requiring that his practice be monitored by another physician for 18 months, and that he complete a course of at least 12 hours relating to cervical and lumbar MRIs. The action was based on his findings in his radiological reports of several patients that were not supported by MRIs.

LEWIS, HAROLD D., D.O., LIC. #E6126, AUSTIN, TX
On February 8, 2008, the Board and Dr. Lewis entered a five-year Agreed Order publicly reprimanding Dr. Lewis, limiting his prescriptive authority of controlled substances, and requiring that his practice be monitored by another physician. In addition, the order requires that he not treat any chronic pain patients except for prescribing for immediate needs; not use any PAs or APNs in his practice; not re-open his North Austin clinic; not assume position of medical director of any additional methadone clinics without first notifying the Board; complete CME in the areas of risk management (10 hours/year) and medical recordkeeping (10 hours/year); and pay an administrative penalty of $5,000. The action was based on Dr. Lewis’s violation of the Board’s rules regarding the treatment of pain and for maintaining inadequate medical records.

LIGGETT, CHARLES JR., M.D., LIC. #F2324, HOT SPRINGS, AK
On February 8, 2008, the Board and Dr. Liggett entered an Agreed Order suspending his license for 30 days and publicly reprimanding him. The action was based on Dr. Liggett’s failure to recognize the development of systemic inflammatory response syndrome and treat his patient for postoperative hypertension and sepsis in a timely and appropriate manner.

MACKEY, JESSE J., M.D., LIC. #H9677, COPPELL, TX
On February 8, 2008, the Board and Dr. Mackey entered into an Agreed Order requiring that Dr. Mackey write a scholarly paper about Pulmonary Emboli and Other Acute/Life-Threatening Thrombotic Conditions and that he complete CME in the areas of diagnosis and treatment of patients presenting with acute, life-threatening, emergency conditions (20 hours), diagnosis and treatment of pulmonary emboli (10 hours), and medical recordkeeping (10 hours). The action was based on his failure to adequately test for the diagnosis and treatment of a patient who was at risk for pulmonary embolus.

MAGGI, SERGIO P., M.D., LIC. #J2175, AUSTIN, TX
On March 17, 2008, the Board and Dr. Maggi entered into a Agreed Order reprimanding Dr. Maggi, requiring that he obtain a written consultation from a Board-approved plastic surgeon prior to performing any elective plastic surgery for three years; and that he obtain five hours of CME (CME)
in CPT codes and billing, 10 hours CME in liposuction, and 10 hours CME in post-operative management. The action was based Dr. Maggi’s performance of liposuction and abdominoplasty at the same time for a patient where it was contraindicated and for doing a composite graft procedure for another patient where the procedure was ill-advised and almost certain to fail.

MARQUIS, ALEJANDRO F., M.D., LIC. #K1248, KELLER, TX
On February 8, 2008, the Board and Dr. Marquis entered into an Agreed Order requiring that Dr. Marquis complete CME in risk management (20 hours) and in medical recordkeeping (15 hours) and that he pay an administrative penalty of $1,000. The action was based on Dr. Marquis failure to examine a nursing home patient during the patient’s nine-day stay who suffered from several severe medical conditions, including congestive heart failure and pneumonia.

MILLER, DUANE C., M.D., LIC. #D6498, ABILENE, TX
On February 8, 2008, the Board and Dr. Miller entered into an Agreed Order requiring that Dr. Miller complete 10 hours of CME in medical management of psychiatric patients or management of medical problems of psychiatric patients. The action was based on Dr. Miller’s failure, along with another treating physician, to timely order enough lab tests and coordinate the monitoring of a patient’s lithium levels, which resulted in the failure to diagnose lithium toxicity.

NAAMAN, ADAM, M.D., LIC. #E3591, HOUSTON, TX
On April 11, 2008, the Board and Dr. Naaman entered into a Mediated Agreed Order requiring that, if Dr. Naaman resumes doing bariatric surgery, his first 20 bariatric surgery cases must be reviewed by another physician, and he must complete the medical recordkeeping course offered by the University of California San Diego Physician Assessment and Clinical Education program. Whether or not he returns to bariatric surgery, he must pay a $2,000 administrative penalty. The action was based on Dr. Naaman’s failure to adequately document post-operative instructions to a patient and failure to appropriately monitor the patient in the immediate post-operative period following the laparoscopic removal of a gastric band.

O’NEAL, KENNETH W., M.D., LIC. #D6119, BRECKENRIDGE, TX
On April 11, 2008, the Board issued a Final Order revoking Dr. O’Neal’s license. The action was based on his care of four patients, in which he failed to meet the standard of care, engaged in unprofessional conduct, prescribed or administered a drug or treatment that is nontherapeutic in nature or nontherapeutic in the manner the drug or treatment is administered or given, and failed to maintain adequate medical records for each patient that was complete, contemporaneous and legible. Dr. O’Neal did not file a Motion for Rehearing, so the Order dated April 11, 2008, is final and is effective May 13, 2008.

PEYTON, JOHN C., M.D., LIC. #D5152, RUSK, TX
On November 30, 2007, the Board and Dr. Peyton entered into an Agreed Order publicly reprimanding Dr. Peyton, prohibiting him from having hospital privileges, and requiring that he take and pass the Medical Jurisprudence Examination; obtain eight hours of CME in medical recordkeeping; and that he pay an administrative penalty of $500. The action was based on his failure to adequately attend to his hospital patients by making his daily rounds and responding to nursing pages for which he was subsequently disciplined by the hospital.
PHILLIPS, DANA, M.D., LIC. #H4720, LUBBOCK, TX
On February 8, 2008, the Board and Dr. Phillips entered into an Agreed Order requiring that Dr. Phillips complete 10 hours of CME in physician-patient communications and 30 hours of CME in risk management. The action was based on Dr. Phillips's failure to disclose reasonably foreseeable risks of a breech presentation in a multiparous patient who was over 38 weeks gestation and failure to document that the patient was given adequate information about the high-risk nature of her pregnancy.

PIPER, JOSEPH N., D.O., LIC. #K5181, COPPERAS COVE, TX
On November 30, 2007, the Board and Dr. Piper entered into an Agreed Order requiring that Dr. Piper complete a total of 20 hours of CME in medical recordkeeping, evaluation and treatment of anemia, evaluation and treatment of hepatitis, and evaluation and treatment of diabetic ketoacidosis. The action was based on Dr. Piper's failure to meet the standard of care for two patients.

RIDLEY, COURTNEY P., LIC. #L1983, M.D., DALLAS, TX
On November 30, 2007, the Board and Dr. Ridley entered into an Agreed Order requiring that Dr. Ridley's practice be monitored by another physician for two years; that she provide chelation therapy for only FDA-approved purposes; that she obtain 20 hours of CME with half of the hours in endocrine disorders and the rest in medical recordkeeping; and that she pay a $5,000 administrative penalty. The action was based on Dr. Ridley's provision of hormone therapy and chelation therapy without adequate documentation.

RODRIGUEZ-AGUERO, JESUS, M.D., Lic. #D2126, MCALLEN, TX
On April 11, 2008, the Board issued a two-year Final Order, suspending Dr. Rodriguez-Aguero's license, staying the suspension, and placing him on probation under the following terms and conditions: completion of 20 hours of CME in medical recordkeeping and payment of a $3,000 administrative penalty. The action was with regard to one patient and based on inadequate medical records and failure to medically manage a lung mass suspected of being cancerous for 11 months. Dr. Rodriguez-Aguero filed a Motion for Rehearing, which was denied by the board on May 27, 2008. Final Order dated April 11, 2008, is effective May 27, 2008.

SARKAR, ANKUR, M.D., LIC. K3450, EL CAMPO, TX
On April 11, 2008, the Board and Dr. Sarkar entered into an Agreed Order requiring Dr. Sarkar to have his practice monitored by another physician, complete the medical recordkeeping course offered by the University of California San Diego Physician Assessment and Clinical Education program, and pay a $5,000 administrative penalty. The action was based on Dr. Sarkar's failure to evaluate, diagnose, treat a patient who had gastric complaints and was subsequently diagnosed with annular adenocarcinoma.

SHAH, AMAN A., M.D., LIC. #M1440, WHITNEY, TX
On November 30, 2007, the Board and Dr. Shah entered into a three-year Mediated Agreed Order requiring Dr. Shah to complete at least 20 hours of CME in emergency medicine, family medicine, and risk management; and successfully complete courses in Advanced Cardiac Life Support, Advanced Cardiac Life Support and Pediatric Advanced Cardiac Life Support. The action was based on Dr. Shah's failure to timely effectuate the transfer of a patient with bowel and mesenteric injuries to a trauma facility.
SHERICK, KURT J., M.D., LIC. #H1210, KINGWOOD, TX
On April 11, 2008, the Board and Dr. Sherick entered into a Mediated Agreed Order requiring that Dr. Sherick complete 30 hours of CME in the assessment and management of adult chest pain. The action was based on Dr. Sherick’s failure to fully ascertain cardiac risk factors and obtain a chest x-ray for a patient who presented with complaints of chest pains with deep breaths and subsequently died from a ruptured aorta.

SHIRVANI, ALI R., M.D., LIC. #J7848, CARROLLTON, TX
On April 11, 2008, the Board and Dr. Shirvani entered into an Agreed Order requiring that Dr. Shirvani complete 10 hours of CME in the area of urological indications for surgery and complications and pay an administrative penalty of $1,000. The action was based on Dr. Shirvani performing a bilateral retrograde pyelogram, bilateral diagnostic ureteroscopy and bilateral ureteral stent placement without evidence of microhematuria.

SHOEMAKER, JAMES G., M.D., LIC. #E6617, HOUSTON, TX
On April 11, 2008, the Board and Dr. Shoemaker entered into a five-year Agreed Order reprimanding him and requiring that he not practice critical care medicine, his practice be monitored by another physician for three years, that he undergo a psychiatric evaluation and follow any recommendations, complete 10 hours of CME in communication skills/risk management and 10 hours of CME in documentation/medical records, pay an administrative penalty of $10,000 and not be permitted to supervise or delegate prescriptive authority to physician assistants or advanced practice nurses. The action was based on standard of care violations related to several patients and his surrender of hospital privileges in lieu of termination of his privileges.

TAKASE, KOUJI, M.D., LIC. #G1839, HOUSTON, TX
On February 8, 2008, the Board and Dr. Takase entered into an Agreed Order requiring that Dr. Takase surrender his controlled substances registration certificates to the DPS and DEA and that he not possess, administer or prescribe controlled substances. The action was based on his prescriptions of controlled substances to a patient without proper documentation and without a treatment plan.

TRAYNHAM, JULIE A., D.O., LIC. #L6244, JUSTIN, TX
On February 8, 2008, the Board and Dr. Traynham entered into a three-year Agreed Order requiring that Dr. Traynham’s practice be monitored by another physician, that she complete a medical recordkeeping course offered by the University of California San Diego Physician Assessment and Clinical Education program, and that she maintain adequate medical records on all patient office visits, consultations, surgeries performed, drugs provided, and treatment rendered. The action was based on Dr. Traynham’s delivery of inappropriate care to a chronic pain patient who was subsequently hospitalized for drug overdoses.

TORRES, NORMAN J., M.D., LIC. #K8532, THE WOODLANDS, TX
On April 11, 2008, the Board and Dr. Torres entered into a Mediated Agreed Order requiring that Dr. Torres provide copies of records for 30 elective spine surgeries performed in the last year for retrospective review by another neurosurgeon, complete 10 hours of CME in the area of spine surgery and 10 hours of CME in the area of radiographic study interpretation. The action was based on Dr. Torres’ failure to use proper diligence in his professional practice.
TRAN, HOA D., M.D., LIC. #G6034, WINCHESTER, VA
On April 11, 2008, the Board and Dr. Tran entered into a five-year Agreed Order requiring Dr. Tran to limit his work setting to a group or institutional setting; for the first six months under the order have any intraocular surgical practice directly supervised by another physician; have his practice monitored by another physician; and complete 10 hours of CME in medical recordkeeping and 20 hours in ophthalmology or ophthalmological surgery techniques. The action was based on Dr. Tran’s failure to meet the standard of care by failing to exercise proper diligence in his medical practice, maintaining inadequate medical records, and having his privileges restricted while employed by the U.S. Air Force.

UDELL, KIMBERLY, D.O., LIC. #L1225, ARLINGTON, TX
On February 8, 2008, the Board and Dr. Udell entered into an Agreed Order assessing an administrative penalty of $250. The action was based on Dr. Udell’s termination of patient care without providing reasonable notice.

WOERNER, DAVID R., M.D., LIC. #E6692, AUSTIN, TX
On April 11, 2008, the Board and Dr. Woerner entered into a two-year Agreed Order reprimanding Dr. Woerner and requiring that he obtain 10 hours of CME in the evaluation and treatment of common psychological problems in young adults or drug abuse related to a diagnosis of bipolar disorder, 10 hours of CME in pain management, and have his practice monitored by another physician. The action was based on his failure to appropriately diagnose, treat and monitor a patient’s pain, and failure to adequately monitor the patient’s use of narcotics under circumstances that indicated Dr. Woerner reasonably should have known that the patient was abusing pain and anxiety medication.

UNPROFESSIONAL CONDUCT VIOLATIONS

BUCH, RICHARD G., M.D., LIC. #H5391, DALLAS, TX
On April 11, 2008, the Board and Dr. Buch entered into an Agreed Order requiring that Dr. Buch undergo an independent medical evaluation by a psychiatrist and follow recommendations, obtain 15 hours of CME in ethics and 15 hours of CME in physician-interpersonal relationships, and pay an administrative penalty of $5,000. The action was based on disciplinary action due to five reported instances of disruptive behavior by a hospital where he had hospital privileges.

Burch, Francis X., M.D., Lic. #F4774, San Antonio, TX
On April 11, 2008, the Board issued a Final Order reprimanding Dr. Burch and requiring that he pay a $3,000 administrative penalty and complete a HIPAA compliance course and 10 hours of CME in ethics/risk management. The action was based on inadequate medical records and improper disclosure of confidential medical information. Dr. Burch did not file a Motion for Rehearing; therefore, the Order was final and effective May 13, 2008.

BRUCE, LENA R., M.D., LIC. #H6081, TEXAS CITY, TX
On February 8, 2008, the Board and Dr. Bruce entered into an Agreed Order publicly reprimanding Dr. Bruce and requiring her to obtain an independent medical evaluation and follow recommendations, complete a professional boundary course, and pay an administrative penalty of $5,000. The action was based on Dr. Bruce’s personal relationship with a patient who was also the spouse of another patient under her care.
CAMPBELL, ANDREW F., M.D., LIC. #G1284, DALLAS, TX
On April 11, 2008, the Board and Dr. Campbell entered into an Agreed Order reprimanding Dr. Campbell and requiring that he complete 10 hours total of CME in HIPAA requirements and in medical recordkeeping/disposal, and that he pay an administrative penalty of $1,500. The action was based on Dr. Campbell's failure to properly dispose of patient records.

COLLINS, DIANA M., M.D., LIC. #J4534, SUGARLAND, TX
On February 8, 2008, the Board and Dr. Collins entered into an Agreed Order publicly reprimanding Dr. Collins and requiring that she take and pass the Medical Jurisprudence Examination, complete 15 hours of CME in ethics, and pay an administrative penalty of $2,000. The action was based on Dr. Collins' failure to respond to a Board subpoena request for medical records relating to the investigation of another physician.

CRABTREE, ROBERT N., M.D., LIC. #H4256, DALLAS, TX
On November 30, 2007, the Board and Dr. Crabtree entered into an Agreed Order requiring that Dr. Crabtree pay an administrative penalty of $2,500 and that he update his profile within 30 days regarding his criminal history. The action was based on Dr. Crabtree's convictions for obstruction of a passageway in 2003 (original arrest for DWI) and deadly conduct in 2005 (original arrest for DWI), and failure to notify the Board of his change in practice address.

GRAHAM, THOMAS W., M.D., LIC. #H8659, TYLER, TX
On November 30, 2007, the Board and Dr. Graham entered into an Agreed Order requiring that he pay an administrative penalty of $1,000. The action was based on Dr. Graham behaving in a disruptive manner toward other medical personnel and for discipline by his peers in relation to behavior.

GUPTA, RAJEEV, M.D., LIC. #K0795, BASTROP, TX
On November 30, 2007, the Board and Dr. Gupta entered into a two-year Agreed Order requiring the following: that his practice be monitored by another physician with regard to medical and billing records; that he obtain 10 hours of CME in the office management of medical billing and coding; that he may supervise no more than two midlevel professionals; that he comply with all laws, regulations and other requirements as ordered by the Texas Department of State Health Services; and that he pay an administrative penalty of $1,000. The action was based on billing irregularities with at least five patients.

HELMER, RICHARD E. III, M.D., LIC. #D8265, AUSTIN, TX
On February 8, 2008, the Board and Dr. Helmer entered into an Agreed Order assessing an administrative penalty of $1,000. The action was based on Dr. Helmer's physical examination of a female patient, during which he was not sufficiently sensitive to her privacy concerns, and did not discuss with her in advance what his intentions were in regard to components of the examination, when a chaperone was not present during the examination.

HANSON, ROBERT E. JR., M.D., LIC. #E1329, BEAUMONT, TX
On April 11, 2008, the Board and Dr. Hanson entered into an Agreed Order assessing a $1,000 administrative penalty. The action was based on his failure to comply with state regulations relating to abortion facilities.
HENWOOD, BEVERLEY L., M.D., LIC. #F2281, SAN ANTONIO, TX
On April 11, 2008, the Board and Dr. Henwood entered into an Agreed Order requiring that Dr. Henwood complete 10 hours of CME in medical recordkeeping and confidentiality and that she pay an administrative penalty of $2,000. The action was based on Dr. Henwood’s failure to properly dispose of patient records.

JIMENEZ, CARLOS J., M.D., PERMIT #BP10029555, GALVESTON, TX
On November 30, 2007, the Board and Dr. Jimenez entered into an Agreed Order requiring that Dr. Jimenez pass the Medical Jurisprudence Examination within one year and pay an administrative penalty of $1,000. The action was based on his plea to unlawful discharge of a weapon and his provision of false information to the Board.

JOHNSON, DWIGHT J., M.D., LIC. #M1800, KOTZEBUE, AK
On November 30, 2007, the Board and Dr. Johnson entered into an Agreed Order requiring that Dr. Johnson complete a three-day course in boundary violations and that he pay an administrative penalty of $1,000. The action was based on Dr. Johnson’s personal relationship with a patient.

KAUFMAN, JAMES K., M.D., LIC. #L0318, FORT WORTH, TX
On April 11, 2008, the Board and Dr. Kaufman entered into an Agreed Order requiring that he complete a medical recordkeeping course and pay an administrative penalty of $500. The action was based on his failure to timely release medical records upon request and unprofessional behavior in an operating room where another physician was providing patient care.

LIKOVER, LARRY L., M.D., LIC. #E4483, HOUSTON, TX
On April 11, 2008, the Board and Dr. Likover entered into an Agreed Order requiring that Dr. Likover complete 10 hours of CME in physician-patient communications and patient relations and pay an administrative penalty of $2,500. The action was based on Dr. Likover’s disruptive behavior toward a patient and hospital personnel that could reasonably be expected to adversely effect the quality of care rendered to the patient.

MARQUEZ, RAUL A., M.D., LIC. #J1302, EDINBURG, TX
On November 30, 2007, the Board and Dr. Marquez entered into an Agreed Order requiring that Dr. Marquez obtain five hours of CME in ethics each year for five years and that he have copies of all independent billing record audits submitted to the Board. The action was based on Dr. Marquez’s settlement agreement with the federal and state government concerning his billing practices.

MARSHALL, HAROLD D., M.D., LIC. #K2530, RED OAK, TX
On April 11, 2008, the Board issued a Final Order revoking Dr. Marshall’s license. The action was based on Dr. Marshall prescribing controlled substances to his wife and subsequently diverting the medication and being criminally charged with possession of a controlled substance in violation of §481.117 of the Health and Safety Code.

McCLELLAN, DAVID M., M.D., LIC. #G0476, CROSBY, TX
On February 8, 2008, the Board and Dr. McClellan entered into an Agreed Order reprimanding Dr. McClellan for violation of state law.
McClellan, prohibiting him from engaging in any practice of medicine that involves direct or indirect contact with female patients, prohibiting him from supervising or delegating prescriptive authority to a physician assistant or advanced practice nurse or supervise a surgical assistant, and assessing a $5,000 administrative penalty. The action was based on his violation of a prior order and making inappropriate remarks of a sexual nature to a patient.

DONNELL, WILLIAM C. JR., M.D., LIC. #E3389, KERRVILLE, TX
On April 11, 2008, the Board and Dr. O\textasciitilde;Donnell entered into an Agreed Order requiring that Dr. O\textasciitilde;Donnell have a chaperone present during the physical examination of any patient and pay an administrative penalty of $5,000. The action was based on Dr. O\textasciitilde;Donnell inappropriately kissing a patient\textprime;s mother during an office visit.

RAMIREZ, ARACELI, M.D., LIC. #L3083, BROWNSVILLE, TX
On April 11, 2008, the Board and Dr. Ramirez entered into an eight-year Agreed Order requiring that Dr. Ramirez abstain from consuming prohibited substances, including alcohol and drugs not prescribed for her; participate in the Board\textprime;s program for testing for drugs and alcohol; receive treatment from a psychiatrist at least once every two months; undergo a medical evaluation by a urologist and follow recommendations; not self-treat or serve as a physician for her immediate family; her prescriptive authority be limited to Schedules IV and V; participate in the activities of Alcoholics Anonymous at least five times per week; limit her work week to no more than 30 hours per week in a group or institutional setting; and prohibiting her from supervising or delegating prescriptive authority to a physician assistant or advanced nurse practitioner.

RODRIGUEZ, DIRK I., M.D., LIC. #H5735, CINCINNATI, OH
On November 30, 2007, the Board and Dr. Rodriguez entered into a three-year Agreed Order requiring that Dr. Rodriguez complete a course of at least 10 hours in managing professional relationships with physicians and medical staff; that he receive treatment from a psychologist for the purpose of individual counseling, therapy, and treatment in anger management; and that he pay an administrative penalty of $1,000. The action was based on his behaving in a manner toward other medical personnel that could have adversely impacted patient care and for being disciplined by his peers at the hospital where he had staff privileges.

SCHOTTSTAEDT, MARGARET, M.D., LIC. # F3324, GILMER, TX
On February 8, 2008, the Board and Dr. Schottstaedt entered into an Agreed Order requiring that Dr. Schottstaedt pay an administrative penalty of $750 and that she complete 10 hours of CME in the area of pain management. The action was based on her ordering of medication including morphine for non-specific patient emergency kits at a hospice facility.

SMITH, MICHAEL D., M.D., LIC. #F4545, HOUSTON, TX
On November 30, 2007, the Board and Dr. Smith entered into an Agreed Order requiring that Dr. Smith pay an administrative penalty of $2,500. The action was based on Dr. Smith\textprime;s violation of his October 7, 2005, Agreed Order on July 28, 2006, when he failed to submit to a drug and alcohol screen as requested by the Board.

WARREN, RAY E., M.D., LIC. #D4453, KINGWOOD, TX
On April 11, 2008, the Board and Dr. Warren entered into an Agreed Order reprimanding Dr.
Warren and requiring that he complete a professional boundaries course offered by Vanderbilt Medical Center for Professional Health or a similar approved course and pay an administrative penalty of $5,000. The action was based on his inappropriate personal relationship with a patient that included what the patient stated was non-consensual sexual actions.

**WASSERMAN, MATTHEW W., M.D., LIC. #M0603, KATY, TX**

On April 11, 2008, the Board and Dr. Wasserman entered into an Agreed Order reprimanding Dr. Wasserman and requiring that he complete 10 hours of CME in ethics, 10 hours of CME in medical recordkeeping, and a course in professional boundaries; for two years have a chaperone present when examining female patients; and pay an administrative penalty of $5,000. The action was based on Dr. Wasserman engaging in sexually inappropriate phone conversations with a patient and offering to examine the patient outside the office setting.

**VIOLATION OF PROBATION OR PRIOR ORDER**

**ALLOJU, LISA D., D.O., LIC. #L6256, BEDFORD, TX**

On April 11, 2008, the Board and Dr. Alloju entered into an Agreed Order reprimanding Dr. Alloju and modifying her 2003 Order to require her to attend AA five times a week, to suspend her license for one month, complete an intensive outpatient treatment program for substance abuse, attend 90 AA meetings in 90 days, pay an administrative penalty of $5,000, and complete 120 hours of community service at a public health clinic or public health service facility that provides counseling/psychiatric services related to substance abuse issues. The action was based on Dr. Alloju’s violation of her 2003 Order.

**BAKER, MERRIMON W., M.D., LIC. #G4807, CLEVELAND, TX**

On November 30, 2007, the Board entered a Final Order whereby the Board revoked Dr. Baker’s license and required him to pay $1,514 for transcript costs. The action was based on Dr. Baker’s violation of his October 6, 2006, order on October 10, 2006, when he performed a spine surgery which was not permitted by his October, 2006, order.

**BASPED, BEAUFORD, D.O., LIC. #E3813, FORT WORTH, TX**

On April 1, 2008, the Board entered an Automatic Suspension Order, immediately suspending Dr. Basped’s license. The action was based on the violation of his 2005 and 2007 Orders that required him to pass the Special Purpose Examination and complete the Center for Personalized Education for Physicians Program.

**BIXBY, RAYMOND R., M.D., LIC. #K0420, GARLAND, TX**

On April 11, 2008, the Board and Dr. Bixby entered into an Agreed Order publicly reprimanding Dr. Bixby and requiring that within 90 days he pass the Medical Jurisprudence Examination and complete 10 hours of CME in medical recordkeeping and ethics, and that he undergo an independent medical evaluation, and if he fails to do any of these three things, that his license be automatically suspended. The action was based on his violation of his 2006 Order.

**DERUSHA, MARTIN A. JR., D.O., LIC. #K0454, ARLINGTON, TX**

On April 11, 2008, the Board and Dr. Derusha entered into a Voluntary Agreed Order of Suspension suspending Dr. Derusha’s license for at least one year until Dr. Derusha requests that
the suspension be lifted and demonstrates that he is physically, mentally, and otherwise competent to return to the practice of medicine. The action was based on Dr. Derusha’s violation of his 2006 Order by failing to report the ingestion of a prohibited substance and failing to report to the Board that he had been arrested for DWI.

GUERRERO, TERESA T., M.D., LIC. #H8471, SPRING, TX
On April 11, 2008, the Board and Dr. Guerrero entered into an Agreed Order suspending Dr. Guerrero’s license until such time as she demonstrates that she is physically, mentally, and otherwise competent to safely practice medicine. All other terms of the June 2007 Order are to remain in effect that are not inconsistent with her suspension. The action was based on Dr. Guerrero’s violation of her June 2007 Order by testing positive for morphine and failing to submit required specimens for examination for drug or alcohol consumption on two occasions.

MAYS, JEFFRY P., M.D., LIC. #J7815, BRADY, TX
On February 8, 2008, the Board and Dr. Mays entered into an Agreed Order assessing an administrative penalty of $500. The action was based on Dr. Mays’ violation of his 2006 Order with Board by failing to timely call the Board’s substance abuse screening program on two occasions.

NIKKO, ANTHONY P., M.D., LIC. #K5639, HOUSTON, TX
On April 11, 2008, the Board and Dr. Nikko entered into an Agreed Order requiring that Dr. Nikko pay an administrative penalty of $500. The action was based on Dr. Nikko’s failure to timely complete the CME requirements of his October 2006 Order.

ORTIZ, AURELIO A., M.D., LIC. #F7870, DEL RIO, TX
On April 11, 2008, the Board and Dr. Ortiz entered into a Second Agreed Order Modifying Prior Order that requires Dr. Ortiz to pass the Medical Jurisprudence Examination within 90 days of the effective date of the Order and pay an administrative penalty of $1,000. The action was based on Dr. Ortiz’s failure to timely complete CME and pass the JP Exam as required by his 2006 Order.

ROGERS, MARK R., M.D., LIC. #H0770, HOUSTON, TX
On November 30, 2007, the Board and Dr. Rogers entered into a 10-year Mediated Agreed Order requiring Dr. Rogers to abstain from consuming prohibited substances, including alcohol and drugs not prescribed for him; participate in the Board’s program for testing for drugs and alcohol; continue to see both his therapist and psychiatrist on a monthly basis the first year of the order and then quarterly for the remainder of the order; participate in the activities of Alcoholics Anonymous at least five times per week; participate in the activities of a county or state medical society committee on physician health and rehabilitation; and comply with his continuing care contract with the Harris County Physician’s Health and Rehabilitation Committee. The action was based on his violation in October, 2005, of his December 8, 2000, Agreed Order by consuming alcohol on one occasion.

SUOMINEN, DAVID, M.D., LIC. #J675, ARGYLE, TX
On November 30, 2007, the Board and Dr. Suominen entered into an Agreed Order Modifying Prior Order extending Dr. Suominen’s 2005 Order. The action was based on Dr. Suominen’s consumption of alcohol resulting in a positive EtG test in violation of his 2005 Order.
WERNER, TIMOTHY H., D.O., LIC. #G4508, DALLAS, TX
On April 11, 2008, the Board and Dr. Werner entered into a 10-year Agreed Order Superseding Prior Order reprimanding Dr. Werner and requiring that he abstain from the consumption of prohibited substances, participate in the Board’s drug screening program, continue to receive monthly psychiatric treatment, participate in AA five times a week with one of the five meetings to be a Caduceus meeting, limit his practice to a group or institutional setting and not work more than 40 hours per week, and not supervise physician assistants, surgical assistants, or advanced practice nurses. Dr. Werner’s failure to comply with all terms of his Order shall result in the automatic suspension of his license. The action was based on Dr. Werner’s violation of his 2006 Order.

INADEQUATE MEDICAL RECORDS

CARUSO, MICHELA, M.D., LIC. #K8721, MESQUITE, TX
On April 11, 2008, the Board and Dr. Caruso entered into an Agreed Order requiring that Dr. Caruso obtain 10 hours of CME in medical recordkeeping, 10 hours of CME in risk management with an emphasis in patient communication, document procedural changes in her documentation process to ensure completeness and accuracy, and pay an administrative penalty of $2,000. The action was based on Dr. Caruso’s failure to adequately document the treatment of a patient who had a tumor on her supraglottic larynx and left lymph nodes and provide updated information to the patient about possible consequences of her condition.

CURVIN, THOMAS J., M.D., LIC. #H8616, CORPUS CHRISTI, TX
On April 11, 2008, the Board and Dr. Curvin entered into an Agreed Order requiring that Dr. Curvin complete 16 hours of CME in medical recordkeeping and eight hours of CME in patient communications. The action was based on Dr. Curvin’s failure to maintain adequate medical records for a patient diagnosed with myocardial infarction; in addition, his communication with the patient’s family was found to be unprofessional.

DONOVITZ, JAMES A., M.D., LIC. #K1747, DENTON, TX
On April 11, 2008, the Board and Dr. Donovitz entered into a Mediated Agreed Order requiring that Dr. Donovitz complete 10 hours of CME in acute cardiac care and 10 hours CME in medical recordkeeping and that he pay an administrative penalty of $2,000. The action was based on his diagnosis of bursitis without a differential diagnosis and inadequate medical records for the patient.

FREZZA, ELDO E., M.D., LIC. #M1684, LUBBOCK, TX
On April 11, 2008, the Board and Dr. Frezza entered into an Agreed Order requiring that Dr. Frezza complete 10 hours of CME in medical recordkeeping and that he pay an administrative penalty of $3,000. The action was based on Dr. Frezza’s failure to record a patient’s symptoms and adequately prepare office notes for a patient who had undergone a lap-band procedure.

GARCIA, ROBERT W., M.D., LIC. #H4341, ANDREWS, TX
On April 11, 2008, the Board and Dr. Garcia entered into an Agreed Order requiring Dr. Garcia to complete 20 hours of CME in medical recordkeeping. The action was based on Dr. Garcia’s failure to document a patient’s refusal of medical testing.
JOHNSON, GLOVER, O.L. JR., Lic. #E2031, M.D., Houston, TX
On November 30, 2007, the Board and Dr. Johnson entered into an Agreed Order requiring that Dr. Johnson complete 10 hours of CME in medical recordkeeping and 20 hours of CME regarding cardiac risk factors with emphasis on diabetes and asymptomatic patients. The action was based on Dr. Johnson’s failure to document a patient’s established coronary artery disease and abnormal EKG findings.

LA ROSE, JAMES M., D.O., LIC. #D7432, HOUSTON, TX
On November 30, 2007, the Board and Dr. La Rose entered into an Agreed Order requiring that Dr. La Rose complete 10 hours of CME in medical record documentation and pay an administrative penalty of $1,000. The action was based on his failure to maintain adequate medical records for a patient.

LEE, SUNG, M.D., LIC. #E6473, HOUSTON, TX
On November 30, 2007, the Board and Dr. Lee entered into a two-year Agreed Order requiring that Dr. Lee surrender his DEA and DPS registration certificates to the appropriate authorities and not reapply until permitted by the Board to do so; that his practice be monitored by another physician; that he complete additional CME hours in the area of medical recordkeeping each year of the order; and that he pay an administrative penalty of $500. The action was based on Dr. Lee’s ordering and dispensing controlled substances without maintaining adequate medical records and for misappropriation of state property that he obtained through employment with the state.

RAVICHANDRAN, G.K., M.D., LIC. #F358, HOUSTON, TX
On November 30, 2007, the Board and Dr. Ravichandran entered into an Agreed Order requiring that Dr. Ravichandran complete 10 hours of CME in medical recordkeeping and that he pay an $500 administrative penalty. The action was based on his failure to maintain adequate medical records for a patient.

REDKO, VLADIMIR, M.D., LIC. #J1366, HOUSTON, TX
On November 30, 2007, the Board and Dr. Redko entered into a one-year Mediated Agreed Order requiring that Dr. Redko’s practice be monitored by another physician, that he complete 12 hours of CME in the area of recordkeeping and/or risk management, and that he pay an administrative penalty of $2,000. The action was based on incomplete documentation with regard to five patients, including documentation of the focused examination and documentation of medical necessity.

RICE, KENNETH M., M.D., LIC. #J8737, LUBBOCK, TX
On April 11, 2008, the Board and Dr. Rice entered into a Mediated Agreed Order requiring that Dr. Rice complete 10 hours of CME in medical recordkeeping/risk management. The action was based on Dr. Rice’s failure to document an indication for leaving a central subclavian venous line in place at the time of a patient’s admission to a skilled nursing facility.

SEIFERT, JOHN D., M.D., LIC. #D4855, GARLAND, TX
On April 11, 2008, the Board and Dr. Seifert entered into a five-year Mediated Agreed Order requiring that Dr. Seifert’s practice be monitored by another physician, that he complete the medical recordkeeping course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program and 10 hours of CME with some of the hours
in medical recordkeeping and some in risk management, and that he pay an administrative penalty of $10,000. The action was based on his failure to adequately document his pre-operative assessments or post-operative care for four patients.

**SIMONS, DANE D., M.D., LIC. #J2334, BAY CITY, TX**
On November 30, 2007, the Board and Dr. Simons entered into an Agreed Order requiring that Dr. Simons pay an administrative penalty of $1,000. The action was based on Dr. Simons’s failure to document that a patient had refused treatment and the Dr. Simons had made requests to the nursing staff to have the patient transferred.

**STEFFEK, JOHN C., M.D., LIC. #D6184 HOUSTON, TX**
On April 11, 2008, the Board and Dr. Steffek entered into an Agreed Order requiring that Dr. Steffek complete five hours of CME in medical recordkeeping. The action was based on Dr. Steffek’s failure to document two patients’ height and weight who were diagnosed with ADHD and perform mental status exams after the initial examination and include them in the patients’ records.

**TYE, CHRISTOPHER, M.D., LIC. #J2388, SOUTHLAKE, TX**
On February 8, 2008, the Board and Dr. Tye entered into an Agreed Order requiring that Dr. Tye’s practice be monitored by another physician for one year and that he complete 10 hours of CME in medical recordkeeping. The action was based on Dr. Tye’s failure to document a patient’s pre-surgery work-up exam and ensure that adequate post-op status documentation was completed.

**WINNIE, MICHAEL G., M.D., LIC. #K3953, CORPUS CHRISTI, TX**
On April 11, 2008, the Board and Dr. Winnie entered into an Agreed Order requiring Dr. Winnie to complete 10 hours of CME in the area of pharmacology with a focus on the risk of medications and 10 hours of CME in the area of medical recordkeeping. The action was based on Dr. Winnie’s failure to properly monitor the use of Zonegran he prescribed to a patient who had severe headaches.

**IMPAIRMENT DUE TO ALCOHOL OR DRUGS**

**ARROYO, CARLOS, M.D., LIC. #F9148, CHANNELVIEW, TX**
On February 8, 2008, the Board and Dr. Arroyo entered into an Agreed Order requiring that Dr. Arroyo’s license be suspended; he abstain from consuming prohibited substances, including alcohol and drugs not prescribed for him; and participate in the Board’s program for testing for drugs and alcohol. In addition, he may not supervise or delegate prescriptive authority to a physician assistant or advanced practice nurse or supervise a surgical assistant. The action was based on his abuse of cocaine and the previous temporary suspension of his license.

**BURGER, DAVID L., M.D. LIC. #F8758, HOUSTON, TX**
On April 11, 2008, the Board and Dr. Burger entered into a 10-year Agreed Order requiring Dr. Burger to abstain from the consumption of prohibited substances, participate in the Board’s drug screening program, participate in AA five times per week, enter into a Physician Health and Rehabilitation contract with the Harris County Medical Society, receive treatment from a psychiatrist
every two months for the first 12 months of the order and then every three months thereafter, and pay an administrative penalty of $1,000. The action was based on Dr. Burger’s alcohol dependency and coming to work under the influence on two occasions.

DAVIS, BRIAN R., M.D., LIC. #M3514, LOUISVILLE, KY
On February 8, 2008, the Board and Dr. Davis entered into a 10-year Agreed Order requiring that he abstain from consuming prohibited substances, including alcohol and drugs not prescribed for him; participate in the Board’s program for testing for drugs and alcohol; participate in the activities of Alcoholics Anonymous at least five times per week; meet with a psychiatrist monthly; and have his physician supervisor submit reports to the Board every six months for the first two years under the Order regarding issues of work performance and impairment. The action was based on the suspension of his hospital privileges at a hospital in New York and the surrender of his medical license in New York due to alcohol impairment issues.

GREEN, DAVID A., M.D., DALLAS, TX LIC. #K9073
On November 30, 2007, the Board and Dr. Green entered into a 10-year Agreed Order requiring that Dr. Green abstain from consuming prohibited substances, including alcohol and drugs not prescribed for him; participate in the Board’s program for testing for drugs and alcohol; participate in the activities of Alcoholics Anonymous at least three times per week; participate in the activities of a county or state medical society committee on physician health and rehabilitation; undergo an independent psychiatric evaluation; receive psychiatric care on a weekly basis the first year of the order and then as recommended; and complete 10 hours of CME in ethics. The action was based on Dr. Green’s intemperate use of alcohol and cocaine and peer action taken against him for seeing patients while impaired and against the hospital’s orders.

HALL, JOHN, D.O., LIC. #J4179, SAN ANTONIO, TX
On February 8, 2008, the Board entered into an Agreed Order suspending Dr. Hall’s license and requiring that he abstain from consuming prohibited substances, including alcohol and drugs not prescribed for him, and that he participate in the Board’s program for testing for drugs and alcohol. The action was based on his testing positive for cocaine in violation of his November 30, 2007, order.

HANCOCK, TODD W., M.D., LIC. #L5758, ALLEN, TX
On February 8, 2008, the Board and Dr. Hancock entered into a 10-year Agreed Order requiring that Dr. Hancock abstain from consuming prohibited substances, including alcohol and drugs not prescribed for him; participate in the Board’s program for testing for drugs and alcohol; undergo an independent medical evaluation; receive weekly psychotherapy and monthly psychiatric treatment; not engage in the practice of anesthesia; limiting his practice to no more than 20 hours per week for the first 30 days of the order, and 40 hours per week thereafter, in a group or institutional setting with two onsite monitors; not prescribe to himself or family members; not prescribe Class II Schedule drugs outside a hospital setting; and participate in the activities of Alcoholics Anonymous at least five times per week. The action was based on Dr. Hancock’s intemperate use of Fentanyl and Vicodin.

ERNESTO RHODES, M.D., LIC. #J3886, MIDLAND, TX
On January 15, 2008, the board issued an Automatic Suspension Order suspending Dr. Rhodes' license. The action was based on his violation of the August 2004 Agreed order by testing positive for cocaine on two occasions.

ROBERTS, DENNIS DONALD, M.D., LIC. #M6362, HOUSTON, TX

On April 28, 2008, a Disciplinary Panel of the Board temporarily suspended Dr. Roberts' license after determining that Dr. Roberts' continuation in the practice of medicine presents a continuing threat to the public welfare. The length of the temporary suspension is indefinite and it remains in effect until the Board takes further action. The temporary suspension was based on a finding that Dr. Roberts revealed a substance abuse problem in 2007, and while making progress with initial steps toward recovery, had relapsed in 2008 while on duty as an emergency room physician.

SALMOND, RONALD, M.D., LIC. #G3758, FORT WORTH, TX

On April 11, 2008, the Board and Dr. Salmond entered into an Agreed Order indefinitely suspending Dr. Salmond's license until he can demonstrate that he is physically, mentally and otherwise competent to return to the practice of medicine. This action followed the temporary suspension of Dr. Salmond's license based on his nontherapeutic prescribing of medications without first establishing a physician-patient relationship, use of cocaine, diversion of controlled substances, and arrest for a firearm violation and drug paraphernalia possession.

SILVA, JOSE J., M.D., LIC. #J0675, EL PASO, TX

On April 11, 2008, the Board and Dr. Silva entered into a 20-year Agreed Order requiring Dr. Silva to follow aftercare recommendations made by Talbott Recovery Center, abstain from the consumption of prohibited substances, participate in the Board's drug screening program, continue to see his therapist weekly, continue to see his addictionologist monthly, receive psychiatric treatment monthly, participate in AA by attending 90 meetings in 90 days and then five times a week thereafter, continue to participate in the activities of a county medical society's physician and rehabilitation committee, not register for controlled substance certificates with DEA or DPS until authorized by the Board, and limit his work week to that recommended by Talbott. The action was based on Dr. Silva's intemperate use and self-prescribing of controlled substances and fictitious prescription writing.

SPRATT, LORENZO, M.D., LIC. #F9031, CEDAR HILL, TX

On February 15, 2008, the board issued an Automatic Suspension Order based on his positive test for cocaine on February 5, 2008, in violation of his 2007 Order. On November 30, 2007, the Board and Dr. Spratt entered into a 10-year Agreed Order requiring that Dr. Spratt abstain from consuming prohibited substances, including drugs or alcohol not prescribed for him; that he participate in the Board's program for testing for drugs and alcohol; receive treatment from a psychiatrist on a monthly basis; complete 15 hours of CME each year of the order in the area of urgent care trauma; limit his work week to 80 hours; participate in the activities of Alcoholics Anonymous at least three times per week; and pay an administrative penalty of $6,000. The action was based on his intemperate use of alcohol and drugs that affected his ability to care for patients and resulted in disciplinary actions taken by his peers resulting in termination of his employment with two hospital districts.
TSCHEN, LUIS F., M.D., LIC. #K7405, ANGLETON, TX
On November 30, 2007, the Board and Dr. Tschen entered into a 10-year Agreed Order requiring the following: that he abstain from consuming prohibited substances, including drugs or alcohol not prescribed for him; participate in the Board’s program for testing drugs and alcohol; continue psychiatric treatment on a monthly basis; continue receiving therapy from his psychologist at least every two weeks; that he only practice in an in-office practice setting and not at any hospitals or nursing homes; that he not self-treat or otherwise serve as a physician to his immediate family; that he surrender his DEA/DPS controlled substances certificates of registration; and that he participate in the activities of Alcoholics Anonymous at least five times per week. The action was based on Dr. Tschen’s addiction to hydrocodone and benzodiazepine and violation of state and federal law regarding the diversion of controlled substances.

IMPAIRMENT DUE TO PHYSICAL OR MENTAL CONDITION

ANDREWS, WILLIAM A., M.D., LIC. #F6394, FRIENDSWOOD, TX
On November 30, 2007, the Board and Dr. Andrews entered into an Agreed Order suspending Dr. Andrews’ license until he can provide evidence to the Board that he is physically, mentally, and otherwise competent to return to the practice of medicine. The action was based on findings of cognitive impairment by a psychiatrist that adversely impacted his ability to care for a patient.

FRANCIS, WILLIAM R., M.D., LIC. #E0920, HOUSTON, TX
On November 30, 2007, the Board and Dr. Francis entered into an Agreed Order limiting Dr. Francis’ medical practice to a non-surgical practice only. The action was based on Dr. Francis’ neurological condition that has affected the use of his right hand and in turn has affected his abilities as a surgeon.

LUNBERRY, JULIA J., M.D., LIC. #K8790, FRISCO, TX
On November 30, 2007, the Board entered into an Agreed Order of Suspension that suspended Dr. Lunberry’s license until such time as she demonstrates to the Board that she is physically, mentally, and otherwise competent to return to the practice of medicine. The action was based on Dr. Lunberry’s medical condition that makes her unable to practice medicine safely.

NON THERAPEUTIC PRESCRIBING

BLAKE, BROOKS, M., D.O., LIC. #L4187, MARBLE FALLS, TX
On April 11, 2008, the Board and Dr. Blake entered into a two-year Agreed Order requiring that Dr. Blake limit his practice to primary care only with a treatment emphasis on osteopathic manipulative therapy, have his practice monitored by another physician, surrender his DEA and DPS controlled substances certificates, complete 10 hours of CME in medical recordkeeping, pass the Special Purpose Examination (or alternatively, obtain board certification in OMT) and pass the Medical Jurisprudence Examination, and pay an administrative penalty of $2,500. The action was based on Dr. Blake’s overprescribing of controlled substances to patients with complaints of pain.

ROBERT R. CASSELLA, MD, LIC. #F4784, CARROLLTON, TX
On December 14, 2007, the Board entered an Automatic Suspension Order suspending Dr. Cassella’s license. The action was based on his violation of his August, 2006, Agreed Order that
required him to take and pass the Medical Jurisprudence Examination within three attempts within one year. On April 11, 2008, the Board entered into an Order of Termination of Suspension with Dr. Cassella, granting Dr. Cassella’s petition for termination of suspension and reinstating the provisions of his October 2006 Order.

**PEACE, MICHAEL C., D.O., LIC. #H6504, SEAGOVILLE, TX**
On April 11, 2008, the Board and Dr. Peace entered into an Agreed Order of Voluntary Surrender whereby Dr. Peace surrendered his license in lieu of further disciplinary action. The action was based on his nontherapeutic prescribing of medications to a patient.

**STEWART, EWA K., M.D., LIC. #K9430, GARLAND TX**
On February 8, 2008, the Board and Dr. Stewart entered into an Agreed Order requiring that Dr. Stewart complete at least 15 hours of CME in the treatment of pediatric dehydration, pediatric pharmacology, and risk management and that she pay an administrative penalty of $1,000. The action was based on her prescription of Phenergan that was contraindicated for a patient less than two years of age.

**WHITEFIELD, BARRETT D., D.O., LIC. #L1495, ODESSA, TX**
On November 30, 2007 the Board and Dr. Barrett entered into a one-year Agreed Order publicly reprimanding Dr. Whitefield and requiring that his practice be monitored by another physician; that he complete 16 hours of CME with half of the hours in ethics and the remaining hours in medical recordkeeping, requiring that he only prescribe schedule II and III drugs to patients in a hospice and nursing home setting; and that he pay an administrative penalty of $1,000. The action was based on Dr. Whitefield’s nontherapeutic treatment and care of a chronic pain patient.

**ROBERTO ZAYAS JR., M.D., LIC. #K2832, OROVILLE, WA**
On April 28, 2008, a Disciplinary Panel of the Board temporarily suspended Dr. Zayas’ medical license after determining that Dr. Zayas’ continuation in the practice of medicine presents a continuing threat to the public welfare. The length of the temporary suspension is indefinite and it remains in effect until the Board takes further action. The temporary suspension was based on a finding that Dr. Zayas was responsible for an operation of weight-loss clinics that engaged in nontherapeutic prescribing, improper dispensing of drugs, inadequate physician/patient contact, inadequate oversight of mid-level practitioners, inadequate medical records, failure to obtain informed consents, and improper billing.

**INADEQUATE SUPERVISION OR DELEGATION**

**ARMSTRONG, DAVILL, M.D., LIC. #F3025, HOUSTON, TX**
On February 8, 2008, the Board and Dr. Armstrong entered into an Agreed Order requiring Dr. Armstrong to pay a $2,000 administrative penalty. The action was based on the employment of his wife as a medical technician and allowing her to prescribe medication to a patient when there was no physician onsite and while Dr. Armstrong’s license was suspended by the Board.

**GIRALDI, RODOLFO G., M.D., LIC. #J0503, HOUSTON, TX**
On February 8, 2008, the Board and Dr. Giraldi entered into an Agreed Order requiring Dr. Giraldi
to surrender his DEA and DPS registration certificates and remain inactive from the practice of medicine until he elects to return to the practice of medicine, at which time he may not practice pain management; that he limit his practice to internal/family medicine, and that he has his practice monitored by another physician for five years. The action was based on Dr. Giraldi’s violation of the Board’s rules relating to treatment of pain and supervision of delegates.

JOSHI, CHANDRA M., M.D., LIC. #G7832, MINDEN, LA
On November 30, 2007, the Board and Dr. Joshi entered into an Agreed Order reprimanding Dr. Joshi; prohibiting him from practicing pain management; and requiring that his practice be monitored by another physician, that he complete 20 hours of CME in the areas of risk management and ethics, and that he pay an administrative penalty of $5,000. The action was based on Dr. Joshi’s failure to adequately supervise individuals acting under his supervision at a pain management clinic that he ran.

JUAREZ, EDWARD C., M.D., LIC. #H5327, EL PASO, TX
On November 30, 2007, the Board and Dr. Juarez entered into a two-year Agreed Order requiring that Dr. Juarez complete 10 hours of CME in the management of hypertensive crisis and cardiac emergencies and 10 hours of CME in the supervision of physician assistants and/or nurse practitioners; and pay an administrative penalty of $10,000. The action was based on Dr. Juarez’s failure to personally assess a patient who had been admitted to the hospital by his physician assistant, who was not qualified to treat the patient’s specific medical condition.

AIDING AND ABETTING UNLICENSED PRACTICE

CHAVEZ, ARMANDO, M.D., LIC. #J8487, HOUSTON, TX
On November 30, 2007, the Board and Dr. Chavez entered into an Agreed Order suspending Dr. Chavez’s license until May 16, 2008, and then lifting the suspension under the following terms: completion of a course in ethics offered by the University of California San Diego Physician Assessment and Clinical Education program, medical practice monitored by another physician for five years, practice of medicine be limited to internal medicine and phlebology, assessment of an administrative penalty of $75,000, and prohibition from supervising or delegating to physician assistants, advanced practice nurses or surgical assistants.

VOLUNTARY SURRENDERS

ANDERSON, RONALD R., D.O., LIC. #D4462, DALLAS, TX
On February 8, 2008, the Board and Dr. Anderson entered into an Agreed Order whereby Dr. Anderson voluntarily and permanently surrendered his license due his inability to comply with his order and his desire to reside outside of Texas and retire.

BROWNING, JAMES M., M.D., LIC. #E4225, FORT WORTH, TX
On February 8, 2008, the Board and Dr. Browning entered into an Agreed Order whereby Dr. Browning voluntarily and permanently surrendered his license in lieu of further disciplinary proceedings.
FADHLI, WAMEETH, M.D., PERMIT #514476, GALVESTON, TX
On February 8, 2008, the Board and Dr. Fadhli entered into an Agreed Order of Voluntary Surrender whereby the Dr. Fadhli voluntarily surrendered his PIT license. The action was based on his conviction of a felony conviction for aggravated assault.

FONTENOT, JAMES N., M.D., LIC. #G7206, WICHITA FALLS, TX
On February 8, 2008, the Board and Dr. Fontenot entered into an Agreed Order whereby Dr. Fontenot voluntarily and permanently surrendered his license. The action was based on his inability to practice medicine safely due to a physical or mental condition.

MICHIELS, JOHN F., M.D., LIC. #J9211, HAMILTON, ONTARIO, CANADA
On November 30, 2007, the Board and Dr. Michiels entered into an Agreed Order of Voluntary and Permanent Surrender whereby Dr. Michiels agreed to surrender his license to the Board. The surrender was done in lieu of further investigation relating to improper Internet prescribing practices.

TREASURE, TREVOR E., M.D., LIC. #J6775, CARMEL, IN
On November 30, 2007, the Board and Dr. Treasure entered into an Agreed Order accepting the voluntary and permanent surrender of Dr. Treasure’s license since he no longer practices medicine in Texas.

WACHENDORFER, RUTH, M.D., LIC. #J4592, DALLAS, TX
On February 8, 2008, the Board and Dr. Wachendorfer entered into an Agreed Order of Voluntary Surrender whereby Dr. Wachendorfer voluntarily and permanently surrendered her license in lieu of further disciplinary proceedings.

ACTIONS BASED ON CRIMINAL CONVICTIONS

ALEXANDER, BRUCE J., M.D., LIC. #K1336, FRISCO, TX
On November 30, 2007, the Board revoked Dr. Alexander’s license. The action was based on Dr. Alexander’s final conviction on the felony charge of possession of morphine with the intent to distribute.

KORNELL, BERNARD D., M.D., LIC. #F2308, DUNCANVILLE, TX
On February 8, 2008, the Board and Dr. Kornell entered into an Agreed Order amending his 2006 Order by placing Dr. Kornell on a stayed revocation rather than a stayed suspension and assessing an administrative penalty of $500. The action was based on his conviction for a third-degree felony of unlawfully obtaining from a legally registered pharmacist a controlled substance by using a false or forged prescription. The conviction was in relation to his arrest addressed in his 2006 order.

TATE, HAROLD A., M.D., LIC. #L5921, LAS VEGAS, NV
On February 8, 2008, the Board entered into a five-year Agreed Order revoking Dr. Tate’s license and probating the revocation and requiring Dr. Tate to complete his criminal probation with the state of California and complete his probation imposed by the Medical Board of California. The action was based on his felony conviction for failure to file an income tax return and for disciplinary action taken by another state medical board.
ADVERTISING VIOLATIONS

ROY, MARCI, M.D., LIC. #J5635, AUSTIN, TX
On November 30, 2007, the Board and Dr. Roy entered into an Agreed Order requiring that Dr. Roy pay an administrative penalty of $1,000. The action was based on her advertising professional superiority and comparing her services with other health care professionals in a manner that could not be factually substantiated.

ACTIONS BASED ON PEER REVIEW ACTIONS

BAILEY, CHARLES F. JR., M.D., LIC. #C6859, GRAND PRAIRIE, TX
On February 8, 2008, the Board and Dr. Bailey entered into an Agreed Order requiring that Dr. Bailey limit his medical practice to his current position as the Medical Director of the Price Daniel Prison Unit in Snyder in Texas or at a setting approved by the Board’s executive director and that he obtain 10 hours of CME in neurology. The action was based on a peer review action taken due to his failure to provide adequate treatment of a patient with an acute stroke and failure to recognize the immediate need for hospitalization.

GREEN, DAVID A., M.D., Lic. #K9073, Richardson, TX
On April 11, 2008, the Board and Dr. Green entered into an Agreed Order requiring that Dr. Green complete 20 hours of CME in ethics and pay an administrative penalty of $1,000. The action was based on his suspension of hospital privileges for failure to timely complete delinquent medical records.

ACTIONS BASED ON OTHER STATES ACTIONS

DERICKS, GERARD HENRY JR., LIC. #E6764, CONCORD, CA
On April 11, 2008, the Board and Dr. Dericks entered into a two-year Agreed Order requiring that Dr. Dericks complete 15 hours of CME in medical recordkeeping each year of the order, have his practice monitored by another physician, pay an administrative penalty of $1,000, and pass the Special Purpose Examination. The action was based on action taken by the New Mexico Medical Board for violations related to the keeping of patient medical records.

IMAM, NAIYER, M.D., LIC. #M1782, ROANOKE, VA
On April 11, 2008, the Board and Dr. Imam entered into an Agreed Order requiring that he pay an administrative penalty of $2,000 and complete 10 hours of CME in ethics. The action was based on disciplinary actions taken by three other state medical boards regarding false statements made to those boards and by falsely reporting to the Texas Medical Board on his licensure application that he had never been placed on academic probation.

VAUGHAN, THOMAS A.J., M.D., LIC. #E0299, JACKSON, MS
On April 11, 2008, the Board issued a Final Order revoking Dr. Vaughan’s license. The action was based on the revocation of Dr. Vaughan’s license by the Mississippi State Board of Medical Licensure due to his mental illness that affects his professional competency and violation of a prior order with the Mississippi Board. Dr. Vaughan did not file a Motion for Rehearing so the order dated April 11, 2008, is final and effective May 12, 2008.
MISCELLANEOUS VIOLATIONS

BOUDREAU, DANIEL A., D.O., LIC. #D5354, CORPUS CHRISTI, TX
On April 11, 2008, the Board and Dr. Boudreau entered into an Agreed Order requiring that Dr. Boudreau reimburse $600 to a former patient. The action was based on Dr. Boudreau’s failure to notify the patient that he had relocated and so the patient was unable to locate the physician for reimbursement for services not rendered.

JAMALUDDIN, AHMED U., M.D., LIC. #H5326, HOUSTON, TX
On April 11, 2008, the Board and Dr. Jamaluddin entered into a Mediated Agreed Order requiring that Dr. Jamaluddin pass the Medical Jurisprudence Examination within three attempts, complete 10 hours of CME in ethics in the practice of medicine and 20 hours of CME in risk management, and that he pay an administrative penalty of $10,000. The action was based on Dr. Jamaluddin employing her brother to serve as the clinic’s administrator and marketing director and permitting him to take patient medical histories and vital signs when she should have known his medical license had been suspended by the Maryland Board of Medicine due to sexual misconduct with patients.

POWELLS, JANICE R., M.D., LIC. #E9337, HOUSTON, TX
On November 30, 2007, the Board and Dr. Powells entered into an Agreed Order requiring that Dr. Powells take and pass the Medical Jurisprudence Examination and that she pay an administrative penalty of $500. The action was based on her office’s refusal to release a patient’s medical records until an outstanding bill was paid.

SAMONTE, MIGUEL B. JR., M.D., LIC. #K0184, EL PASO, TX
On April 11, 2008, the Board and Dr. Samonte entered into an Agreed Order requiring that Dr. Samonte pay an administrative penalty of $3,000, complete 10 hours of CME in medical recordkeeping and ethics, and pass the Medical Jurisprudence Examination. The action was based on Dr. Samonte removing the operative anesthetic record of a patient and inappropriately replacing it with another version.

TAYLOR, JILL A., D.O., LIC. #K2296, KINGWOOD, TX
On November 30, 2007, the Board and Dr. Taylor entered into an Agreed Order requiring that Dr. Taylor take and pass the Medical Jurisprudence Examination and that she complete six hours of CME in medical office management. The action was based on Dr. Taylor’s altering a medical record that had been requested by the Board without making a notation that the record had been supplemented, changed or corrected.

MINIMAL STATUTORY VIOLATIONS
Thirty-eight licensees agreed to enter into orders with the Board for minimal statutory violations.

SURGICAL ASSISTANT

CANO, EDMUNDO N., S.A., Houston, TX Lic. #SA00260
On November 30, 2007, the Board and Mr. Cano entered into an Agreed Order revoking his license and assessing an administrative penalty of $5,000. The action was based on Mr. Cano’s practicing medicine without a license and holding himself out as a physician.