

2003 Press Releases

Wednesday, August 20, 2003

55 Doctors Disciplined

During its August 14-15 Board meeting, the Texas State Board of Medical Examiners took disciplinary action against 54 licensed physicians, who received one or more of the following actions: 11 surrenders/revocations, with one stayed under certain terms and conditions; 11 suspensions, with three stayed under certain terms and conditions; eight restrictions; and six public reprimands. In addition, the board assessed 19 administrative penalties, for a total of \$49,500. The board temporarily suspended the license of one physician since the last board meeting. Disciplinary action was taken against two licensed acupuncturists. At its August 1 meeting, the Texas State Board of Physician Assistant Examiners took disciplinary action against one licensed physician assistant.

New Licenses Issued

During its August 14-15 Board meeting, the Board approved the licensure applications of 550 physicians.

Rule Changes

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

Chapter 165, Medical Records: Amendments to §§165.1, 165.3, and 165.4 regarding definitions and general cleanup. (Note: §§165.2 and 165.5 were withdrawn and will be reconsidered by the board at a future meeting.)

Chapter 171, Postgraduate Training Permits: Amendment to §171.6 regarding faculty temporary permits that would allow active military physicians, holding part-time appointments at Texas medical schools, to be eligible for faculty temporary permits.

Chapter 183, Acupuncture: Amendments to §§183.10 and 183.20 and new §183.22 concerning written instructions in medical records and continuing acupuncture education. Chapter 190, Disciplinary Guidelines: the repeal and new sections were withdrawn and will be republished - see proposed rule changes below for detail.

Chapter 193, Standing Delegation Orders: Amendments to §§193.2 and 193.6 regarding the delegation of prescriptive authority as mandated by House Bill 1095 of the 78th Legislature. New §193.11 regarding delegation and supervision of the use of lasers.

Proposed Rule Changes

The Board proposed the following rule changes for publication in the Texas

Register and comment:

Chapter 162, Supervision of Medical School Students: Rule review, repeal of §§162.2 and 162.3, and amendments to §162.1 to clarify the requirements for Texas physicians who supervise medical school students in Texas.

Chapter 163, Licensure: Amendments to §§163.1 and 163.6 regarding definitions and administration of the jurisprudence examination. Amendments to §§163.10 and 163.13 regarding relicensure and expedited licensure process that will add language to be consistent with the mandates of Senate Bill 104 and Senate Bill 558 of the 78th Legislature.

Chapter 166, Physician Registration: Amendments to §§166.1-166.6 regarding physician registration. The amendments will make the rules consistent with Senate Bill 104 of the 78th Legislature and establish a biennial registration system for physicians.

Chapter 171, Postgraduate Training Permits: Amendments to §171.2 regarding qualifications for postgraduate permit holders and temporary permits.

Chapter 173, Physician Profile: Amendments to §§173.1, 173.3, and 173.4 that will make the sections consistent with requirements of Senate Bill 104 of the 78th Legislature to remove the 10-year limitation related to malpractice information and outline the timeline for updating the profile following the filing of formal complaints.

Chapter 175, Fees, Penalties, and Applications: Amendments to §§175.1, 175.2, and 175.4 that will make the sections consistent with the requirements of Senate Bill 104 and House Bill 2985 of the 78th Legislature. The changes include the creation of biennial registration fees for physicians; increased penalty fees for late physician registration; surcharges for physician assistant, acupuncture, and acudetox renewal; and registration and penalty fees for surgical assistants. In addition, the board proposes an amendment to §175.1 to add a \$50 fee for approving a continuing acupuncture education provider.

Chapter 178, Complaints: New §§178.1-178.8 regarding procedures for initiation, filing, and appeals of complaints.

Chapter 179, Investigations: Extensive rewrite of the chapter with new chapter title. Repeal of §§179.1-179.5 and new §§179.1-179.7 regarding a system of procedures for the investigation of jurisdictional complaints.

Chapter 182, Use of Experts: New §§182.1-182.6 regarding the use of experts consistent with the requirements of Senate Bill 104 of the 78th Legislature. The new sections will establish procedures, qualifications and duties of these professionals serving as expert panel members, consultants and expert witnesses to the board.

Chapter 184, Surgical Assistants: Amendments to §184.8 and 184.25 regarding biennial registration for surgical assistants and annual continuing

education requirements; and repeal of §§184.10 and 184.11 in order to move the surgical assistant fees to Chapter 175 of the board rules.

Chapter 185, Physician Assistants: Amendment to §185.7 regarding the Board of Physician Assistant Examiners' designee being allowed to issue temporary licenses.

Chapter 187, Procedural Rules: Amendments to §§187.2, 187.9, 187.13, 187.15, 187.16, 187.18, 187.24, 187.44, 187.56, 187.57, and 187.60; and repeal of 187.5 and 187.40. The amendments and repeals will address the following: schedule of disciplinary sanctions the board may impose; the timeline for scheduling informal settlement conferences; temporary suspension or restriction of licenses; required suspension or revocation of licenses for certain offenses; and ineligibility determinations for licensure applicants.

Chapter 190, Disciplinary Guidelines: Repeal of §190.1 and new §§190.1-190.2, 190.8, and 190.14-190.16 regarding general provisions, violation guidelines, and sanction guidelines.

Chapter 192, Office-Based Anesthesia: Amendments to §§192.2, 192.3, 192.4, and 192.6 for general cleanup and to create a process for biennial registration.

Chapter 196, Voluntary Surrender of a Medical License: Amendments to §§196.1, 196.2 and 196.3 for general cleanup of the sections.

For copies of rule changes or proposed rules, write the Board at MC 901, P.O. Box 2018, Austin, TX 78768-2018, or e-mail jill.wiggins@tmb.state.tx.us