

**Texas Medical Board
Press Release**

**FOR IMMEDIATE RELEASE
June 16, 2011**

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Medical Board Approves 92 Disciplinary Actions at June Meeting

At its June 2-3, 2011 meeting, the Texas Medical Board disciplined 92 physicians, including 30 actions involving standard-of-care violations. This news release also contains summaries of a temporary restriction and an automatic suspension order approved shortly after the meeting.

Two hundred and three physician licenses were issued at the June board meeting; 2,670 total have been issued since September 1, 2010, the beginning of FY11. The average number of days to complete a licensure application following submission of expected documents is 41. Thirty three percent of the applications were completed within 10 days of submission of expected documents.

RULE CHANGE ADOPTED

The following Rule Changes were adopted at the June 3, 2011 Board meeting:

Chapter 172. Temporary and Limited Licenses: Amendment to **§172.16**, concerning Provisional Licenses for Medically Underserved Areas, provides that a temporary license shall be granted to a provisional license holder upon expiration of the provisional license, if the licensure applicant 1) meets all requirements for full licensure, or 2) has been referred to the Licensure Committee (Committee) for review, but due to a force majeure, the Committee must defer action until the Committee's next scheduled meeting, yet the provisional license is set to expire before that next Committee meeting will occur.

Chapter 173. Physician Profiles: Amendment to **§173.1**, concerning Profile Contents, provides that a physician must include on their profile whether the physician provides utilization review services for an insurance company and the name of the insurance company.

Chapter 183. Acupuncture: Amendment to **§183.20** relating to Continuing Acupuncture Education (CAE), expands the scope of acceptable Continuing Acupuncture Education to include courses approved by the National Certification Commission Acupuncture and Oriental Medicine (NCCAOM) for professional development activity credit and courses that are provided outside of the United States by a provider of continuing acupuncture education that are acceptable to the Board. Amendment to **§183.24** relating to Procedure, provides that the procedural rules under Chapter 187 shall be applied to acupuncturists.

Chapter 190. Disciplinary Guidelines: Amendment to §190.8, concerning Violation Guidelines, provides that if a licensee submits an appropriate fee but an incomplete renewal application that is not complete within one year from the expiration date of the licensee's registration certificate, the licensee shall be found to have committed unprofessional conduct as defined under the Medical Practice Act.

Chapter 195. Pain Management Clinics: Amendments to §195.2, concerning Certification of Pain Management Clinics, and §195.4, concerning Operation of Pain Management Clinics establishes the procedures for withdrawal and cancellation requests and ineligibility determinations for pain management clinic certificates and remedies incorrect citations.

Chapter 199. Public Information: Amendment to §199.4, concerning Charges for Copies of Public Records, provides updates to agency department names and updates descriptions of public information commonly requested by the public and the electronic format of the information.

DISCIPLINARY ACTIONS

TEMPORARY RESTRICTION

Ramirez, John Perez, M.D., Lic. No. H0743, Houston

On June 14, 2011, a disciplinary panel of the Texas Medical Board temporarily restricted the license of John Perez Ramirez, M.D., of Houston, barring him from treating chronic pain patients and requiring him to refer all current chronic pain patients to other practitioners within 10 days. The panel found that Dr. Ramirez poses a continuing threat to public health and safety by operating a pain clinic without obtaining a valid pain management clinic certificate from the Board. Dr. Ramirez may treat acute pain and prescribe pain medication for immediate needs only, with no refills or additional prescriptions for each patient. This Order remains in effect until the Board takes further action.

QUALITY OF CARE

Anderson, Rhonda Lee, M.D., Lic. No. L9602, Austin

On June 3, 2011, the Board and Rhonda Lee Anderson, M.D., entered into an Agreed Order requiring Dr. Anderson to complete within one year 16 hours of CME including eight hours in medical record-keeping and eight hours in identifying drug-seeking behavior, and pay an administrative penalty of \$1,000 within 60 days. The action was based on Dr. Anderson's failure to safeguard against potential complications in her treatment of a patient with an opioid addiction.

Balch, Michael Tol, M.D., Lic. No. E6031, Lubbock

On June 3, 2011, the Board and Michael Tol Balch, M.D., entered into an Agreed Order requiring Dr. Balch to complete within one year 24 hours of CME including eight hours in the subject of pain management, eight hours in medical record-keeping and eight hours in risk management; and pay an administrative penalty of \$3,000 within 60 days. The action was based on Dr. Balch's failure to follow Board guidelines for the treatment of pain, prescribing dangerous

drugs in a manner inconsistent with public health and welfare and failure to use proper diligence in his treatment of a patient.

Bond, William Michael, M.D., Lic. No. F9220, Houston

On June 3, 2011, the Board and William Michael Bond, M.D., entered into an Agreed Order requiring Dr. Bond to have another physician monitor his practice for eight monitoring cycles, complete within one year the medical record-keeping course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program, complete within one year eight hours of CME in risk management and eight hours of CME in diagnosing and treating chronic pain, and pay an administrative penalty of \$3,000 within 60 days. The Board found Dr. Bond failed to meet the standard of care, prescribed in a nontherapeutic manner and violated Board rules regarding the treatment of chronic pain.

Brown, Orval Eric, M.D., Lic. No. E8360, Colleyville

On June 3, 2011, the Board and Orval Eric Brown, M.D., entered into an Agreed Order requiring Dr. Brown to complete within one year 10 hours of CME in risk management and eight hours of CME in pediatric otolaryngology, and pay an administrative penalty of \$4,000 within 60 days. The action was based on Dr. Brown's failure to meet the standard of care, failure to safeguard against potential complications and inadequate medical records for a pediatric surgery patient, as well as Dr. Brown's suspension from hospital staff due to disruptive behavior.

Chen, Daniel Shu-Eng, M.D., Lic. No. E5355, Richardson

On June 3, 2011, the Board and Daniel Shu-Eng Chen, M.D., entered into an Agreed Order requiring Dr. Chen to complete within one year 24 hours of CME including eight hours in medical record-keeping, eight hours in risk management and eight hours in the treatment of chronic pain; and pay an administrative penalty of \$3,000 within 60 days. The basis for action was Dr. Chen's failure to maintain adequate records for one patient, failure to meet the standard of care and safeguard against potential complications.

Daumas-Britsch, Lilette Eva, M.D., Lic. No. H3240, Houston

On June 3, 2011, the Board and Lilette Eva Daumas-Britsch, M.D., entered into an Agreed Order requiring Dr. Daumas-Britsch to complete within one year eight hours of CME in evaluating and treating deep vein thrombosis and pulmonary emboli, and pay an administrative penalty of \$1,000 within 40 days. The Board found Dr. Daumas-Britsch failed to meet the standard of care and safeguard against potential complications and prescribed in a nontherapeutic manner for a patient.

Davis, Carl Cuthbert, Jr., M.D., Lic. No. E9598, Houston

On June 3, 2011, the Board and Carl Cuthbert Davis Jr., M.D., entered into an Agreed Order requiring Dr. Davis to complete within one year the professional boundaries course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program, complete within one year six hours of CME in medical record-keeping and pay an administrative penalty of \$2,000 within one year. The basis for action was Dr. Davis's prescribing to an individual who was a close friend, and doing so without a documented examination and justification.

Do, Phu M., M.D., Lic. No. L2224, Houston

On June 3, 2011, the Board and Phu M. Do, M.D., entered into an Agreed Order requiring Dr. Do to complete within one year eight hours of CME in risk management and pay an administrative penalty of \$5,000 within 60 days. The Board found that Dr. Do did not timely address, in three surgeries respectively: a pre-operative matter; an intra-operative consult; and a post-operative documentation issue.

Ellington, Owen B., M.D., Lic. No. H5109, Sugar Land

On June 3, 2011, the Board and Owen B. Ellington, M.D., entered into a Mediated Agreed Order publicly reprimanding Dr. Ellington and requiring him to surrender his DEA and DPS controlled substance certificates for Schedules II, III and IV, but not Schedule V, have his practice monitored by another physician for eight monitoring cycles, pass within one year and within three attempts the Medical Jurisprudence Examination, complete within one year 24 hours of CME including eight hours in medical record-keeping, eight hours in chronic pain management and eight hours in ethics and pay an administrative penalty of \$2,500 within 180 days. The Board found Dr. Ellington falsely advertised on his practice website, failed to treat a patient according to the standard of care and failed to comply with Board guidelines for treatment of pain.

Hagstrom, David Keith, M.D., Lic. No. H1967, Lubbock

On June 3, 2011, the Board and David Keith Hagstrom, M.D., entered into an Agreed Order requiring Dr. Hagstrom to complete within one year 24 hours of CME including eight hours in medical record-keeping, eight hours in risk management, and eight hours in the treatment of chronic pain. The Board found Dr. Hagstrom failed to meet the standard of care in his treatment of one patient, failed to safeguard against potential complications, prescribed narcotics to a known abuser of drugs and prescribed in a nontherapeutic manner.

Hardwick, Jack Franklin, M.D., Lic. No. C6352, Fort Worth

On June 3, 2011, the Board and Jack Franklin Hardwick, M.D., entered into an Agreed Order in which Dr. Hardwick, who has retired from the active practice of medicine, agrees not to practice until he requests in writing to do so and appears before the Board and provides clear and convincing evidence that he is physically and mentally competent to safely practice medicine. The Board found Dr. Hardwick failed to meet the standard of care when he did not properly diagnose a patient's ovarian cancer.

Henry, Bruce Allen, M.D., Lic. No. H2454, Arlington

On June 3, 2011, the Board and Bruce Allen Henry, M.D., entered into an Agreed Order requiring Dr. Henry to have another physician monitor his practice for eight monitoring cycles and complete within one year 32 hours of CME including eight hours in medical record-keeping, eight hours in pain management and eight hours in the topic of professional boundaries. The Board found Dr. Henry failed to meet the standard of care in his treatment of a patient and prescribed to a known abuser of narcotic drugs or controlled substances.

Herrera, Henry Harrison, M.D., Lic. No. E6413, San Antonio

On June 3, 2011, the Board and Henry Harrison Herrera, M.D., entered into an Agreed Order requiring Dr. Herrera to complete within one year eight hours of CME in medical record-keeping

and pay an administrative penalty of \$1,000 within 60 days. The Board found Dr. Herrera failed to meet the standard of care and failed to maintain adequate medical records.

Hill, Welton Ellis, M.D., Lic. No. F6746, Bellville

On June 3, 2011, the Board and Welton Ellis Hill, M.D., entered into an Agreed Order requiring Dr. Hill to have another physician monitor his practice for one monitoring cycle and complete within one year 40 hours of CME including 20 hours in affective disorders and related pharmacology and 20 hours in the topic of renal function. The Board found Dr. Hill failed to meet the standard of care for four patients by non-therapeutically prescribing medications and failing to keep adequate medical records.

Lee, Shayna Patrice, M.D., Lic. No. H0554, Houston

On June 3, 2011, the Board and Shayna Patrice Lee, M.D., entered into an Agreed Order requiring Dr. Lee to have her practice monitored by another physician for 12 monitoring cycles; complete within one year 26 hours of CME including eight hours in opioid prescribing, eight hours in risk management, eight hours in medical record-keeping and two hours in ethics; and pay an administrative penalty of \$3,000 within 60 days. The basis for action was Dr. Lee's non-therapeutic prescribing, failure to cooperate with Board staff, failure to meet the standard of care and inadequate supervision of those acting under Dr. Lee's supervision.

Madisetty, Sudhir, M.D., Lic. No. J3846, Waco

On June 3, 2011, the Board and Sudhir Madisetty, M.D., entered into an Agreed Order requiring Dr. Madisetty to have his practice monitored by another physician for eight monitoring cycles, complete within one year 24 hours of CME including eight hours in medical records, eight hours in neonatal sepsis and eight hours in childhood respiratory infections, and pay an administrative penalty of \$1,000 within 60 days. The basis for action was Dr. Madisetty's failure to meet the standard of care for two pediatric patients, negligence, failure to safeguard against potential complications, failure to maintain adequate medical records, as well as peer review action taken against Dr. Madisetty resulting in the suspension of his medical privileges.

Moussaoui, Ali Mohamad, M.D., Lic. No. K4161, Katy

On June 3, 2011, the Board and Ali Mohamad Moussaoui, M.D., entered into an Agreed Order requiring Dr. Moussaoui to complete within one year 32 hours of CME including eight hours in ethics, eight hours in medical record-keeping and 16 hours in identifying and treating lower back pain. In addition, Dr. Moussaoui must pay an administrative penalty of \$2,000 within 60 days. The basis for action was Dr. Moussaoui's failure to meet the standard of care, lack of adequate medical records and his providing medically unnecessary services to a patient and submitting inappropriate billing statements.

Nguyen, Doan Khac, M.D., Lic. No. J8690, Houston

On June 3, 2011, the Board and Doan Khac Nguyen, M.D., entered into an Agreed Order requiring Dr. Nguyen to complete within one year eight hours of CME in risk management and pay an administrative penalty of \$3,000 within 60 days. The Board found Dr. Nguyen failed to meet the standard of care in his treatment of a pediatric patient with a fractured wrist.

O’Neil, Stephen Blair, M.D., Lic. No. J4945, Beaumont

On June 3, 2011, the Board and Stephen Blair O’Neil, M.D., entered into an Agreed Order requiring Dr. O’Neil to have another physician monitor his practice for four monitoring cycles, complete within one year 20 hours of CME including 10 hours in risk management and 10 hours in medical record-keeping and pay an administrative penalty of \$5,000 within 180 days. The Board found Dr. O’Neil failed to properly evaluate a patient with chronic pain, proceeded in treatment without clear medical indication and meaningful treatment planning and disregarded clear indicators of substance abuse.

Parkey, Paul James, M.D., Lic. No. D3362, Wichita Falls

On June 3, 2011, the Board and Paul James Parkey, M.D., entered into a Mediated Agreed Order, resolving a Formal Complaint against Dr. Parkey filed by the Board at the State Office of Administrative Hearings. The Mediated Agreed Order requires Dr. Parkey to pass within one year and within three attempts the Medical Jurisprudence Examination and complete within one year 20 hours of CME including 10 hours in risk management and 10 hours in medical record-keeping. The Board found Dr. Parkey prescribed dangerous drugs without establishing a proper physician-patient relationship, failed to adequately supervise those acting under his supervision and failed to maintain adequate medical records.

Perez, Fred Laurel, Jr., M.D., Lic. No. F8611, Edinburg

On June 3, 2011, the Board and Fred Laurel Perez, Jr., M.D., entered into an Agreed Order requiring Dr. Perez to complete within one year 16 hours of CME including eight hours in medical record-keeping and eight hours in risk management. The Board found Dr. Perez failed in one patient’s case to obtain and an additional x-ray and adequately document an assessment prior to discharge from his care.

Phan, Hoang Minh, M.D., Lic. No. M6827, Houston

On June 3, 2011, the Board and Hoang Minh Phan, M.D., entered into an Agreed Order requiring Dr. Phan to complete within one year 16 hours of CME including eight hours in medical record-keeping and eight hours in risk management. The action was based on Dr. Phan’s failure in one patient’s case to document an adequate medical record, and failure to timely acknowledge a drug prescription issue and a patient monitoring issue.

Rasamallu, Vijaya Kishore, M.D., Lic. No. M9598, San Antonio

On June 3, 2011, the Board and Vijaya Kishore Rasamallu, M.D., entered into an Agreed Order requiring Dr. Rasamallu to complete within one year 16 hours of CME including eight hours in the topic of strokes and anticoagulants and eight hours in risk management, and pay an administrative penalty of \$3,000 within 60 days. The basis for action was Dr. Rasamallu’s failure to meet the standard of care and failure to maintain an adequate medical record for a patient.

Rivera, Diego, M.D., Lic. No. G1757, Lubbock

On June 3, 2011, the Board and Diego Rivera, M.D., entered into an Agreed Order requiring Dr. Rivera to have his practice monitored for 12 monitoring cycles; complete within one year the medical record-keeping course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; complete within one year eight hours of CME in the subject of diagnosing and treating chronic pain; and pay an administrative penalty of

\$3,000 within 60 days. The Board found that Dr. Rivera did not comply with Board guidelines for the treatment of pain, failed to meet the standard of care in his treatment of a patient and prescribed or administered a drug or treatment that was nontherapeutic in nature.

Shallin, Anthony Wolfe, M.D., Lic. No. J2323, Georgetown

On June 3, 2011, the Board and Anthony Wolfe Shallin, M.D., entered into an Agreed Order requiring Dr. Shallin to pay an administrative penalty of \$3,000 within 90 days and complete within one year 16 hours of CME including eight in medical record-keeping and eight in urinary tract infections. The Board found that Dr. Shallin failed to meet the standard of care and engaged in unprofessional conduct which led to a delay in a patient's diagnosis with bladder cancer.

Simpson, Charles Blakely, M.D., Lic. No. J0265, San Antonio

On June 3, 2011, the Board and Charles Blakely Simpson, M.D., entered into an Agreed Order requiring Dr. Simpson to pay an administrative penalty of \$1,000 within 60 days and complete within one year eight hours of CME in risk management. The Board found Dr. Simpson failed to use proper diligence in his treatment of one patient when Dr. Simpson failed to followup on the results of a patient's CT scan.

Sloan, Matt, M.D., Lic. No. G5619, Garland

On June 3, 2011, the Board and Matt Sloan, M.D., entered into an Agreed Order requiring Dr. Sloan to pass within one year and within three attempts the Medical Jurisprudence Exam, complete within one year 16 hours of CME including eight hours in diagnosing and treating chronic pain and eight hours in ethics and pay an administrative penalty of \$2,000 within 60 days. The action was based on Dr. Sloan's refilling pain medicine prescriptions over the internet for patients whom he never saw face-to-face.

Supnet, Benjamin Defante, M.D., Lic. No. L3152, Corpus Christi

On June 3, 2011, the Board and Benjamin Defante Supnet, M.D., entered into an Agreed Order requiring Dr. Supnet to complete eight hours of CME in the topic of diagnosing and treating gynecological complications in surgery and pay an administrative penalty of \$1,000 within 60 days. The Board found Dr. Supnet failed to meet the standard of care and was subject to disciplinary action taken by his peers.

Williams, Vernon F., M.D., Lic. No. H9732, San Antonio

On June 3, 2011, the Board and Vernon F. Williams, M.D., entered into an Agreed Order requiring Dr. Williams to pass within one year and within three attempts the Medical Jurisprudence Examination, complete within one year 10 hours of CME in medical record-keeping and 20 hours in bariatric medicine and related pharmacology and pay an administrative penalty of \$2,000 within 60 days. The Board found Dr. Williams prescribed dangerous drugs for two employees and a close family member without indication of an immediate need and without maintaining adequate medical records.

Zbylot, Philip L., M.D., Lic. No. E2962, Wimberley

On June 3, 2011, the Board and Philip L. Zbylot, M.D., entered into a two-year Agreed Order prohibiting Dr. Zbylot from supervising or delegating medical tasks to other health care providers or unlicensed personnel. The order also requires Dr. Zbylot to: have another physician

monitor his practice for eight monitoring cycles, pass within one year and within three attempts the Medical Jurisprudence Exam, complete within one year eight hours of CME in medical record-keeping and eight hours in risk management and pay an administrative penalty of \$3,000 within two years. The Board found Dr. Zbylot provided medically unnecessary services to a patient and submitted improper billing, engaged in nontherapeutic prescribing, violated Board rules regarding complementary and alternative medicine and failed to meet the standard of care.

UNPROFESSIONAL CONDUCT

Cobos, Victor Luis, M.D., Lic. No. K8089, Denton

On June 3, 2011, the Board and Victor Luis Cobos, M.D., entered into an Agreed Order requiring Dr. Cobos to complete within one year the “Maintaining Proper Boundaries” course at Sante Center for Healing in Argyle, complete within one year four hours of CME in patient-physician communications and pay an administrative penalty of \$1,000 within 60 days. The Board found Dr. Cobos behaved in an abusive or disruptive manner toward patients, patient family members and staff at Presbyterian Hospital of Denton and another hospital.

Fasakin, Yemi M., M.D., Lic. No. M6607, Houston

On June 3, 2011, the Board and Yemi M. Fasakin, M.D., entered into an Agreed Order publicly reprimanding Dr. Fasakin and requiring Dr. Fasakin to surrender his DEA and DPS controlled substance certificates; pass within one year the Medical Jurisprudence Examination, within three attempts; complete within one year the medical record-keeping course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; complete within one year 16 hours of CME in chronic pain treatment; complete within one year eight hours of CME in risk management; and pay an administrative penalty of \$5,000 within 60 days. The Board found Dr. Fasakin engaged in unprofessional conduct, failed to meet the standard of care in for 10 chronic pain patients, aided and abetted the practice of medicine by an unlicensed person and delegated professional medical responsibility to a person whom Dr. Fasakin knew was unqualified.

Nimchan, Ralph, M.D., Lic. No. E3075, Laredo

On June 3, 2011, the Board and Ralph Nimchan, M.D., entered into an Agreed Order requiring Dr. Nimchan to complete within one year 20 hours of CME including eight hours in the topic of professional boundaries, eight hours in risk management and four hours in medical record-keeping and pay an administrative penalty of \$3,000 within 60 days. The Board determined that Dr. Nimchan behaved in an inappropriate manner with a patient and failed to maintain adequate medical records.

Roby, Russell R., M.D., Lic. No. E1255, Austin

On June 3, 2011, the Board and Russell R. Roby, M.D., entered into an Agreed Order publicly reprimanding Dr. Roby and requiring Dr. Roby to complete within one year the professional boundaries course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program, complete within one year the medical record-keeping course offered by PACE, pass within one year and within three attempts the Medical Jurisprudence Examination, complete within one year eight hours of CME in ethics, continue his treatment concerning his bipolar disorder, submit within 30 days all of his written media,

commercials, advertisements and other materials for review to the Board's Compliance Division to demonstrate they are in strict compliance with provisions of Dr. Roby's 2007 Agreed Order as it relates to disclosures, and pay an administrative penalty of \$3,000 within 60 days. The Board determined that Dr. Roby entered into a sexual relationship with a patient, violated a 2007 Agreed Order by not disclosing all the ingredients in a non-FDA-approved formulation used by Dr. Roby; failed to use diligence in his practice and did not maintain adequate medical records.

Salzer, Thomas, M.D., Lic. No. J5638, College Station

On June 3, 2011, the Board and Thomas Salzer, M.D., entered into an Agreed Order requiring Dr. Salzer to complete within one year eight hours of CME in risk management and complete within one year an ICM-coding course with in-person attendance. The action was based on Dr. Salzer's unprofessional conduct when he submitted an improper billing statement.

Weaver, Harry T., Jr., M.D., Lic. No. H4784, Levelland

On June 3, 2011, the Board and Harry T. Weaver Jr., M.D., entered into an Agreed Order publicly reprimanding Dr. Weaver and requiring Dr. Weaver to undergo an independent medical evaluation and comply with recommended care and treatment by a psychiatrist, continue seeing his treating psychologist twice a month, complete within one year 16 hours of CME in anger management and pay an administrative penalty of \$5,000 within 60 days. The basis for action was Dr. Weaver's unprofessional conduct relating to his June 2010 arrest on a felony charge of assault, arising out of a domestic violence incident that occurred after Dr. Weaver had been drinking.

VOLUNTARY SURRENDER

Akkanti, Venkat Reddy, M.D., Lic. No. J8868, Bastrop

On June 3, 2011, the Board and Venkat Reddy Akkanti, M.D., entered into an Agreed Voluntary Surrender Order in which Dr. Akkanti permanently and voluntarily surrendered his license, thus resolving any complaints currently before the Board. The Board found Dr. Akkanti failed to practice medicine in an acceptable manner when he non-therapeutically prescribed large amounts of promethazine with codeine to numerous patients without legitimate medical necessity or adequate documentation.

Chavez, Armando, M.D., Lic. No. J8487, Houston

On June 3, 2011, the Board and Armando Chavez, M.D., entered into an Agreed Voluntary Surrender Order requiring Dr. Chavez to immediately cease practice in Texas. Dr. Chavez, who was subject to a previous Board Order, determined that he no longer desired to practice medicine.

Facello, James Anthony, D.O., Lic. No. K3723, Kilgore

On June 3, 2011, the Board and James Anthony Facello, D.O., entered into an Agreed Order of Voluntary Surrender, in which the Board accepted the permanent surrender of Dr. Facello's license. That basis for action was Dr. Facello's inability to safely practice medicine because of a physical condition.

Joachim, Dan, M.D., Lic. No. TM00054, Covington, LA

On June 3, 2011, the Board and Dan Joachim, M.D., entered into an Agreed Voluntary Surrender Order in which Dr. Joachim agreed to voluntarily and permanently surrender his Texas telemedicine license. In August 2010, Dr. Joachim was indicted by a federal grand jury in Louisiana on charges of receipt and possession of child pornography.

Mulder, Lucas Donald, M.D., Lic. No. J6182, Alice

On June 3, 2011, the Board and Lucas Donald Mulder, M.D., entered into an Agreed Order of Voluntary Surrender in which Dr. Mulder surrendered his medical license, resolving any matters pending before the Board. In addition, Dr. Mulder is required to surrender his DEA and DPS certifications and destroy all of his prescription pads within 14 days. The Board found Dr. Mulder failed to comply with Board guidelines for the use of pain medicines.

IMPAIRMENT

Andrews, William Alan, M.D., Lic. No. F6394, Friendswood

On June 3, 2011, the Board and William Alan Andrews, M.D., entered into an Agreed Order terminating his 2007 suspension and requiring Dr. Andrews to limit his medical practice to a group or institutional setting approved by the Board, limit his work week to 40 hours, continue treatments with his current psychiatrist and pass within one year and within three attempts the Special Purpose Examination. In addition, Dr. Andrews is not permitted to supervise or delegate prescriptive authority to physician extenders. The Board found Dr. Andrews in compliance with all terms and conditions of his 2007 Order which suspended his license until he could provide evidence of his competency to safely practice medicine.

Caddell, James Donald, M.D., Lic. No. F6497, Dallas

On June 3, 2011, the Board and James Donald Caddell, M.D., entered into a 10-year Agreed Order requiring Dr. Caddell to abstain from prohibited substances, promptly pay all costs related to drug and alcohol screening, seek continued care and treatment from a psychiatrist, surrender DEA and DPS controlled substance certificates, limit his practice to a group or institutional setting approved by the Board, participate in Alcoholics Anonymous five times a week and pass within one year and within three attempts the Medical Jurisprudence Examination. In addition, Dr. Caddell may not treat or otherwise serve as a physician for his immediate family or prescribe dangerous drugs with addictive potential to himself or his immediate family, and may not supervise any physician assistants or advanced nurse practitioners. The Order was based on Dr. Caddell's violation of Board Rules regarding pain management treatment, inability to practice medicine with reasonable skill and safety to patients because of excessive use of drugs, inappropriate prescription of controlled substances to oneself and nontherapeutic prescribing.

Greenwood, Denise Rochelle, M.D., Lic. No. J7977, Little Rock AR

On June 3, 2011, the Board and Denise Rochelle Greenwood, M.D., entered into an Agreed Order requiring Dr. Greenwood to pay an administrative penalty of \$500 within 90 days. The action was based on Dr. Greenwood's failure to notify the Board of a change in her address, a violation of a previous Board Order that requires her to comply with an Arkansas State Medical Board rehabilitation order.

Morales Mendez, Jacobo, M.D., Permit No. BP10031804, El Paso

On June 3, 2011, the Board and Jacobo Morales Mendez, M.D., entered into an Agreed Order requiring Dr. Morales Mendez to enter into the Texas Physician Health Program. The action was based on Dr. Morales Mendez's use of alcohol in an intemperate manner that could endanger a patient's life.

Norton, Linda Eck, M.D., Lic. No. E5872, Austin

On June 3, 2011, the Board and Linda Eck Norton, M.D., entered into an Agreed Order of Voluntary Surrender requiring Dr. Norton to immediately cease practice in Texas. The action was based on an impairment that makes Dr. Norton unable to practice medicine with reasonable skill and safety.

Szumlas, Rick Alan, M.D., Lic. No. L3154, Paris

On June 3, 2011, the Board and Rick Alan Szumlas, M.D., entered into an Agreed Order lifting Dr. Szumlas' March 2011 suspension and requiring Dr. Szumlas to receive care and treatment from a Board-approved psychiatrist twice a month and limit his practice to a group or institutional setting approved in advance. The treating psychiatrist must provide written reports to the Board no less than quarterly each year during Dr. Szumlas' treatment. The reports shall include current diagnosis, treatment regimen, treatment compliance, follow-up recommendations and prognosis. The action was based on the Board's finding that Dr. Szumlas suffers from a mental impairment when not receiving appropriate and regular treatment for his mental condition.

PEER REVIEW ACTION

Slayton, James Leonard, Jr., D.O., Lic. No. K9471, Woodville

On June 3, 2011, the Board and James Leonard Slayton Jr., D.O., entered into an Agreed Order requiring Dr. Slayton to verify within 30 days that he has completed all delinquent patient charts that were the subject of investigation for this case and complete within one year 16 hours of CME including eight hours in risk management and eight hours in medical record-keeping. The Board found Dr. Slayton's privileges at College Station Medical Center were suspended for delinquent medical records.

AUTOMATIC SUSPENSION

Atchley, Michael Reginald, M.D., Lic. No. H9759, Boyd

On June 15, 2011, the Board entered an Order of Automatic Suspension, suspending the license of Michael Reginald Atchley, M.D. The action was based on Dr. Atchley's intemperate use of alcohol or drugs in a manner that could endanger a patient's life, his testing positive for cocaine in 2009, his guilty plea on one count of possession of a controlled substance and deferred adjudication for two years and his defaulting on his student loan.

OTHER STATE'S ACTION

Laster, Jerry Lynn, M.D., Lic. No. G8234, Fort Worth

On June 3, 2011, the Board and Jerry Lynn Laster, M.D., entered into an Agreed Order requiring

Dr. Laster to refrain from the practice of any surgery required to be performed under general anesthesia and pay an administrative penalty of \$1,000 within 60 days. The basis for action was Dr. Laster's being subject to disciplinary proceedings in Missouri regarding his care of two patients and a Letter of Reprimand issued by the Nevada Regional Medical Center regarding his care and treatment of surgical patients.

VIOLATION OF PRIOR ORDER

Liggett, Scott Patterson, M.D., Lic. No. F8766, Marble Falls

On June 3, 2011, the Board and Scott Patterson Liggett, M.D., entered into an Agreed Order requiring Dr. Liggett to pay an administrative penalty of \$1,000 within 60 days. The basis for action was Dr. Liggett's violation of a 2009 Order by failing to complete required CME in the area of diagnosis and treatment of diabetes.

INADEQUATE MEDICAL RECORDS

Cantu, Robert Edward, M.D., Lic. No. H4211, Austin

On June 3, 2011, the Board and Robert Edward Cantu, M.D., entered into an Agreed Order requiring Dr. Cantu to complete within one year four hours of CME in medical record-keeping and pay an administrative penalty of \$1,000 within 60 days. The action was based on Dr. Cantu's failure to use proper diligence in his professional practice and failure to maintain adequate medical records.

Furniss, Wilburn Edward, II, M.D., Lic. No. D7575, Nacogdoches

On June 3, 2011, the Board and Wilburn Edward Furniss, II, M.D., entered into an Agreed Order requiring Dr. Furniss to complete within one year eight hours of CME in medical record-keeping and pay an administrative penalty of \$2,000 within 60 days. The Board found Dr. Furniss failed to maintain adequate medical records for a patient.

Herndon, Greta Parks, M.D., Lic. No. J6130, Texarkana

On June 3, 2011, the Board and Greta Parks Herndon, M.D., entered into an Agreed Order requiring Dr. Herndon to complete within one year eight hours of CME in risk management and eight hours in medical record-keeping. The Board found Dr. Herndon did not maintain adequate medical records.

Padua, Federico Pasudag, M.D., Lic. No. F6062, San Antonio

On June 3, 2011, the Board and Federico Pasudag Padua, M.D., entered into an Agreed Order requiring Dr. Padua to complete within one year eight hours of CME in medical record-keeping. The action was based on Dr. Padua's failure to maintain adequate medical records sufficient to ensure continuity of care for one patient.

RULES VIOLATION

Barber, Laura Anseth, M.D., Lic. No. G5641, Abilene

On June 3, 2011, the Board and Laura Anseth Barber, M.D., entered into an Agreed Order requiring Dr. Barber to pay an administrative penalty of \$500 within 60 days. The Board found

Dr. Barber unintentionally prescribed controlled substances for a short period after her DPS controlled substance registration expired.

Nwora, Emmanuel Mbanefo, M.D., Lic. No. M2428, Houston

On June 3, 2011, the Board and Emmanuel Mbanefo Nwora, M.D., entered into a Mediated Agreed Order, resolving a Formal Complaint the Board filed against Dr. Nwora at the State Office of Administrative Hearings. The Mediated Agreed Order requires Dr. Nwora to complete within one year eight hours of CME in the topic of medical record-keeping and risk management and pay an administrative penalty of \$500 within 60 days. The Board found Dr. Nwora did not maintain adequate medical records when he examined patients at a health fair held at a retirement village.

FAST TRACK ORDERS

The board issued 24 orders for minor statutory violations.

CORRECTIVE ORDERS

Corrective orders are for violations that do not warrant restricting a physician's license but may include requirements such as administrative penalties, continuing medical education or chart monitoring.

Aviles, Ricardo Alfonso, M.D., Lic. No. M9823, Sierra Vista, AZ
Boylston, William Harrison, M.D., Lic. No. D6231, Houston
Campbell, Andrew Foil, Lic. No. G1284, Dallas
Egbe, Joyce Eziashi, M.D., Lic. No. M7962, Houston
Farmer, Amy Curth, M.D., Lic. No. L3639, The Woodlands
Florez, Marco, M.D., Lic. No. F1010, Pharr
Kolkebeck, Thomas Edward, M.D., Lic. No. M5802, San Antonio
Nattama, Jaggarao S., M.D., Lic. No. L5483, Webster
Parikh, Ramesh Ramanlal, Lic. No. D6603, Houston
Riedel, David C., M.D., Lic. No. H8355, Liberty Hill
Rohn, Gregory, M.D., Lic. No. H8358, Plano
Sosa, Jose I., M.D., Lic. No. K5405, Pearsall