

## 2002 Press Releases

**April 9, 2002**

### **20 Doctors Disciplined**

During its April 3-5 Board meeting, the Texas State Board of Medical Examiners disciplined 20 licensed physicians, who received one or more of the following actions: six surrender/revocations; seven suspensions, of which three were stayed and probated under various terms and conditions; four restrictions; and one public reprimand. Three administrative penalties totaling \$8,000 were assessed.

### **Rule Changes**

The Board adopted the following proposed rule changes that were published in the *Texas Register*: Chapter 184, Surgical Assistants: new sections 184.2, 184.3, 184.5, 184.7, 184.9-184.12, 184.14 and 184.16, regarding the regulation of surgical assistants as mandated by HB1183 of the 77th Legislature. In addition, new sections 184.1, 184.4, 184.6, 184.8 and 184.13 were withdrawn and will be republished for comment. Chapter 185, Physician Assistants: amendment to section 185.16 prohibiting a physician assistant from being supervised by a physician under a board order. Chapter 189, Compliance Program: new sections 189.1-189.14 relating to requirements and responsibilities for probationers and the system for monitoring a probationer's compliance. Chapter 193, Standing Delegation Orders: amendment to section 193.6 regarding the delegation of prescriptive authority to alternate practice sites as specified in SB1166.

### **Proposed Rule Changes**

The Board proposed the following rule changes for publication in the *Texas Register* and comment: Chapter 161, General Provisions: proposed amendments to section 161.6 regarding the disbanding of the Non-Profit Health Organizations Committee and the transfer of responsibilities to the Licensure Committee. Chapter 163, Licensure: proposed amendments to section 163.1 regarding the definitions of basic science curriculum and clinical science curriculum. Chapter 164, Physician Advertising: proposed amendments to section 164.3 regarding testimonials in advertising. Chapter 166, Physician Registration: proposed amendments to section 166.2 regarding continuing medical education. Chapter 173, Physician Profile: proposed amendments to section 173.1 regarding status dates. Chapter 175, Fees, Penalties, and Applications: proposed amendment to section 175.1 regarding the fee for physician annual registration permit. Chapter 183, Acupuncture: proposed amendments to section 183.4 concerning methods of evaluating English proficiency. Chapter 190, Disciplinary Guidelines: proposed

amendments to section 190.1 regarding guidelines for the resolution of potentially contested matters and to promote consistency in the imposition of sanctions in disciplinary matters. Chapter 193, Standing Delegation Orders: proposed new sections 193.11 and 193.12 concerning the use of lasers.

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 [pat.wood@tmb.state.tx.us](mailto:pat.wood@tmb.state.tx.us).

## **Disciplinary Actions**

### **Barnes, Stephen A., M.D., Houston, TX, Lic. #K5800**

A Temporary Suspension Order was entered on 3-6-02 temporarily suspending the physician's license due to evidence and information that the physician's continuation in the practice of medicine would constitute a continuing threat to the public welfare. The allegations related to the application for temporary suspension are to be the subject of a disciplinary hearing as soon as can be accomplished under the Administrative Procedure Act and Medical Practice Act. It is further ordered that the Temporary Suspension Order shall remain in effect until such time as it is superseded by a subsequent order of the Board. An Agreed Order was entered on 4-5-02 lifting the suspension, and restricting the physician's license for five years under certain terms and conditions. Action due to intemperate use of alcohol or drugs.

### **Brice, Nelson, M.D., Snyder, TX, Lic. #E6250**

An Agreed Order was entered on 4-5-02 suspending the physician's license, staying the suspension, and placing the physician on probation for five years under certain terms and conditions. Action due to unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public, failure to practice medicine in an acceptable professional manner consistent with public health and welfare, and failure to keep a record of the physician's purchase and disposal of drugs and controlled substances.

### **Burrows, Williams B., D.O., Mount Pleasant, TX, Lic. #J9637**

An Agreed Order was entered on 4-5-02 suspending the physician's license. Action due to inability to practice medicine with reasonable skill and safety to patients because of illness; drunkenness; excessive use of drugs, narcotics, chemicals, or another substance; or as a result of any mental or physical condition, and writing false or fictitious prescriptions for dangerous drugs.

### **Dorian, Hugh, M.D., El Paso, TX, Lic. #E3899**

An Agreed Order was entered on 4-5-02 restricting the physician's license for three years under terms and conditions. Action due to failure to practice medicine in an acceptable manner consistent with public health and welfare.

### **Fulton, Carl L., M.D., Dallas, TX, Lic. #G6170**

An Order was entered on 3-18-02 revoking the physician's license. Action due to violation of previous order. An Agreed Order was entered 4-5-02 revoking the physician's license. Action due to unprofessional or

dishonorable conduct that is likely to deceive or defraud the public or injure the public.

**Garza, Rebecca U., M.D., Laredo, TX, Lic. #G2750**

An Agreed Order was entered on 4-5-02 restricting the physician's license under certain terms and conditions. Action due to failure to practice medicine in an acceptable professional manner consistent with public health and welfare.

**Granek, Harold, M.D., Fort Worth, TX, Lic. #F8495**

On 4-5-02, the Board voted to revoke the physician's license. Action due to unprofessional or dishonorable conduct that is likely to deceive, defraud, or injure the public, failing to practice medicine in an acceptable professional manner consistent with public health and welfare, and having discipline imposed by a licensed hospital. Dr. Granek may file a Motion for Rehearing within 20 days of the Order. If a Motion is filed and the Board denies the motion, the Order is final. If a Motion for Rehearing is filed and the Board grants the motion, the Order is not final and a hearing will be scheduled.

**Jatoi, Alimadad M., M.D., Colleyville, TX, Lic. #D9831**

On 4-5-02, the Board voted to suspend the physician's license for three years, with all but the first 30 days of the suspension probated and the physician placed on probation under terms and conditions. Action due to failure to practice medicine in an acceptable professional manner consistent with public health and welfare. Dr. Jatoi may file a Motion for Rehearing within 20 days of the Order. If a Motion is filed and the Board denies the motion, the Order is final. If a Motion for Rehearing is filed and the Board grants the motion, the Order is not final and a hearing will be scheduled.

**Krueger, David W., M.D., Houston, TX, Lic. #E5556**

An Interim Agreed Order was entered on 4-5-02 in which the physician has agreed to quit practicing medicine 30 days from the date of the entry of this Order. The Interim Agreed Order shall remain in effect until superseded by a subsequent order of the Board.

**Kuypers, Marcus E., M.D., Camano Island, WA, Lic. #F0240**

An Agreed Order was entered on 4-5-02 publicly reprimanding the physician and assessing an administrative penalty in the amount of \$5,000. Action due to prescribing or administering a drug or treatment that is nontherapeutic in nature or nontherapeutic in the manner the drug or treatment is administered or prescribed, and disciplinary action by another state.

**Parsons, James T., M.D., Houston, TX, Lic. #C6816**

A Temporary Suspension Order was entered on 3-6-02 temporarily suspending the physician's license due to evidence and information that the physician's continuation in the practice of medicine would constitute a continuing threat to the public welfare. The allegations related to the

application for temporary suspension are to be the subject of a disciplinary hearing as soon as can be accomplished under the Administrative Procedure Act and Medical Practice Act. It is further ordered that the Temporary Suspension Order shall remain in effect until such time as it is superseded by a subsequent order of the Board.

**Psyk, Andrew M., M.D., Irving, TX, Lic. #L1171**

An Agreed Order was entered on 4-5-02 suspending the physician's license; however, the suspension was stayed and the physician was placed on probation for 10 years under terms and conditions. Action due to inability to practice medicine with reasonable skill and safety to patients because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or another substance; or as a result of any mental or physical condition, and disciplinary action by peers.

**Roberts, Gary, M.D., Mesquite, TX, Lic. #J1371**

An Agreed Order was entered on 4-5-02 assessing an administrative penalty in the amount of \$500. Action due to disciplinary action taken in another state.

**Salinas, Jose, M.D., San Antonio, TX, Lic. #H5148**

An Agreed Order was entered on 4-5-02 subjecting the physician to certain terms and conditions for three years. Action due to failure to practice medicine in an acceptable professional manner consistent with public health and welfare, and unprofessional or dishonorable conduct that is likely to deceive or defraud the public, or injure the public, to wit: failing to provide information requested by the Board's investigator.

**Schoch, Eugene P, Jr., M.D., Austin, TX, Lic. #B9181**

An Agreed Order was entered on 4-5-02 in which the physician voluntarily and permanently surrendered his Texas medical license in lieu of a hearing.

**Thomas, Stephen C., M.D., Lubbock, TX, Lic. #J5036**

On 4-5-02, the Board voted to order the revocation of the physician's Texas medical license. Action based on physician's use of controlled substances. Dr. Thomas may file a Motion for Rehearing within 20 days of the Order. If a Motion is filed and the Board denies the motion, the Order is final. If a Motion for Rehearing is filed and the Board grants the motion, the Order is not final and a hearing will be scheduled.

**Tseng, Alex Yung-Nam, D.O., Hurst, TX, Lic. #J9403**

An Agreed Order was entered on 4-5-02 restricting the physician's license for two years under terms and conditions. Action due to failure to practice medicine in an acceptable professional manner consistent with public health and welfare.

**Vagshenian, Gregory, M.D., Austin, TX, Lic. #J8155**

A Temporary Suspension Order was entered on 2-15-02 temporarily suspending the physician's license due to evidence and information that the physician's continuation in the practice of medicine would constitute a

continuing threat to the public welfare. The allegations related to the application for temporary suspension are to be the subject of a disciplinary hearing as soon as can be accomplished under the Administrative Procedure Act and Medical Practice Act. It is further ordered that the Temporary Suspension Order shall remain in effect until such time as it is superseded by a subsequent order of the Board.

**Yen, Albert A., M.D., Pearland, TX, Lic. #J8847**

An Agreed Order was entered on 4-5-02 revoking the physician's license. Action due to conviction of a crime that involves moral turpitude, and unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public.

**Zbylot, Philip L., M.D., Austin, TX, Lic. #E2962**

An Agreed Order was entered on 4-5-02 assessing an administrative penalty in the amount of \$2,500. Action due to the physician's failure to timely submit his annual registration and registration fee to the Board.

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For more information, call Jill Wiggins, Public Information Director, at (512) 305-7018 or write to:

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