

**Texas Medical Board
Press Release
FOR IMMEDIATE RELEASE
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36 Doctors Disciplined

Since its last Board meeting in December, the Texas Medical Board has taken disciplinary action against 36 licensed physicians. Actions included seven violations based on quality of care; three actions based on impairment involving drugs or alcohol; two actions based on inappropriate conduct involving physician-patient relationships; six actions based on unprofessional conduct; one action based on peer review actions; two actions based on inadequate medical records; two actions based on violations of probation or prior orders; two voluntary surrenders; one action based on other state board actions; and 10 administrative violations. Administrative penalties totaling \$91,200 were assessed.

New Licenses Issued

During its February 2-3 Board meeting, the Board approved the licensure applications of 251 physicians.

Rule Changes

Proposed amendments to *Chapter 165, Medical Records*, to include amendments to 165.1 Medical Records and the addition of 165.6, Medical Records Regarding an Abortion on an Unemancipated Minor were withdrawn for staff to incorporate certain changes in the form and present it at the next board meeting.

Proposed Rule Change

The following rule changes will be published in the *Texas Register* for comment:

Chapter 175, Fees, Penalties, and Applications: proposed amendment to §175.2 Renewal Fees, regarding increase in Physician Assistant renewal fee.

Chapter 183, Acupuncture: proposed amendment regarding the purpose of the Texas State Board of Acupuncture Examiners; passage of the Biomedicine Module of the National Certification Commission for Acupuncture and Oriental Medicine examination by applicants; the duties of Licensure Committee; passage of the Jurisprudence Examination by applicants, including Distinguished Professor Temporary License applicants; the authority of the Texas State Board of Acupuncture Examiners to license and discipline acupuncturist applicants and licensees; and, advice from the Texas State Board of Acupuncture Examiners regarding training programs for acudetox specialists.

Disciplinary Actions

The following are summaries of the Board actions. The full text of the Board orders will be available on the Board's web site at www.tmb.state.tx.us about 10 days after the Board meeting. The orders provide all information that is public regarding the facts of the case and violations of the law.

Open records requests for orders may be made to openrecords@tmb.state.tx.us; media contact Jill Wiggins at (512) 305-7018 or jill.wiggins@tmb.state.tx.us.

ACTIONS BASED ON QUALITY OF CARE VIOLATIONS:

- **BORRELL, LEO JAMES, M.D., HOUSTON, TX, Lic. #D8507**

On February 3, 2006, the Board and Dr. Borrell entered into an Agreed Order requiring Dr. Borrell to complete 10 hours of continuing medical education in the area of boundary violations and 20 hours in ethics, to pass the Medical Jurisprudence Examination within one year; and to pay an administrative penalty of \$5,500. The action was based on allegations that Dr. Borrell created a medical record implying that he had examined a patient in person when he had not; that he had violated the physician-

patient boundary by rendering a formal opinion to an employee regarding mental health and family relationships; and that as a "medical consultant" to a clinic that performed photofacial pulsed light treatments to the skin he had established a physician-patient relationship with a person who had an adverse reaction and whom he failed to examine before or after the treatments.

- **KRAM, MARTIN, M.D., GRAND PRAIRIE, TX, Lic. #K5593**

On February 3, 2006, the Board and Dr. Kram entered into an Agreed Order requiring the following: that his practice to be monitored by another physician for two years; that he obtain an additional 25 hours of continuing medical education in medical record keeping, risk management and/or treating patients with psycho-pharmaceuticals each year for two years; and that he complete a course of at least 16 hours in treating, prescribing and managing difficult patients within one year. The order was based on allegations that Dr. Kram failed to appropriately manage the treatment of two psychiatric patients, including inappropriate prescribing of amphetamines.

- **LILAND, DAVID LYNN, M.D., DALLAS, TX, Lic. #G5300**

On February 3, 2006, the Board and Dr. Liland entered into a two-year Agreed Order requiring that his practice be monitored by another physician; that he prepare and implement a peer review program similar to the one set out in the Accreditation Association for Ambulatory Health Care Accreditation Guidebook for Office Based Surgery; and that he pay an administrative penalty of \$5,000. The action was based on allegations that Dr. Liland left a sponge in one patient following surgery in 1998 and that another patient suffered a burn as a result of the use of a faulty grounding pad during surgery in 2001.

- **MARTIN, DOROTHY VICTORIA BILLS, M.D., RICHARDSON, TX, Lic. #H2565**

On February 3, 2006, the Board and Dr. Martin entered into an Agreed Order publicly reprimanding Dr. Martin, requiring her practice to be monitored by another physician for one year and requiring her to obtain an additional 15 hours of continuing medical education in record-keeping. Additionally, Dr. Martin is not permitted to supervise or delegate prescriptive authority to a physician assistant or advanced nurse practitioner during the one-year term of the order. The action was based on allegations that Dr. Martin failed to adequately manage and document treatment for a patient for whom she was prescribing Cylert, including a failure to obtain baseline and biweekly liver function tests.

- **MORENO, FRANCISCO E., M.D., KATY, TX, Lic. #F1838**

On January 10, 2006, the Board and Dr. Moreno entered into an Agreed Order requiring Dr. Moreno to complete 10 hours of ethics courses; complete within one year the Physician Assessment and Clinical Education (PACE) course in medical records offered by the University of California, San Diego, School of Medicine; and refrain from treating his immediate family while subject to the order, which terminates on completion of the other requirements. The action was based on allegations that Dr. Moreno violated the standard of care in that he prescribed medication to close family members with scant documentation and no evidence of follow-up and review of the medications.

- **SANFORD, DAVID BRUCE, M.D., HOUSTON, TX, Lic. #H6575**

On February 3, 2006, the Board and Dr. Sanford entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Sanford, in 2001 and 2002, continued a patient on Procrit after the patient's hemoglobin level was above 12, and it should have been discontinued, though it did not cause harm to the patient.

- **WILLIAMS, MICHAEL DAVID, D.O., CEDAR HILL, TX, Lic. #H2907**

On February 3, 2006, the Board and Dr. Williams entered into an Agreed Order limiting Dr. Williams to performing only those procedures in his office or on an outpatient basis that require only local anesthesia, stating that he may not perform any cosmetic office surgical procedures until he has completed a surgical resident training program. In addition, the order requires him to attend 10 hours of continuing medical education in record-keeping or risk management and requires that his practice be monitored by another physician for 24 months. The action was based on allegations concerning Dr. Williams' performing a breast augmentation in his office, and his use of office-based narcotic and sedative medication anesthesia during the procedure.

ACTIONS BASED ON IMPAIRMENT INVOLVING DRUGS OR ALCOHOL:

- **CIGARROA, JOSIE ANN, M.D., SAN ANTONIO, TX, Lic. #F0317**

On February 3, 2006, the Board and Dr. Cigarroa entered into a seven-year Agreed Order limiting Dr. Cigarroa's practice to a group or institutional setting and requiring that she do the following: abstain from the consumption of alcohol or drugs not prescribed by another physician; submit to screening for alcohol and drugs; obtain a complete forensic evaluation from a board-approved psychiatrist and follow any treatment recommendations; continue to participate in the activities of the Bexar County Physicians Rehabilitation Committee; continue to attend two Alcoholics Anonymous meetings and one Caduceus meeting per week; not treat her immediate family; and complete 20 hours of continuing medical education in ethics. The action was based on allegations that Dr. Cigarroa, from January, 2001, to October, 2003, prescribed Adderall, Dexedrine and Concerta to her children and husband, who is also a physician, for treatment of attention deficit disorder, and that during this time period Dr. Cigarroa prescribed the same drugs to herself under alias names of other family members. She voluntarily sought inpatient treatment in November, 2003.

- **JOHNSON, GAIL IRENE, M.D., WICHITA FALLS, TX, Lic. #G1444**

On February 3, 2006, the Board and Dr. Johnson entered into a three-year Agreed Order publicly reprimanding Dr. Johnson, and requiring that she do the following: obtain a complete forensic evaluation from a board-approved psychiatrist and comply with any recommended treatment; abstain from the consumption of alcohol and drugs not prescribed for a legitimate purpose; submit to drug and alcohol screening; and pay an administrative penalty of \$3,000. The action was based on allegations that Dr. Johnson took a call and went to the hospital after having consumed alcohol and that her speech and behavior at the hospital exhibited signs of intoxication.

- **WARR, ROBERT B., M.D., TEXARKANA, TX, Lic. #H6977**

On December 22, 2005, the Board and Dr. Warr entered into an Agreed Order suspending Dr. Warr's license until such time as he demonstrates to the Board that he is competent to safely practice medicine. The action was based on allegations that Dr. Warr has a mental or physical impairment that is affecting his ability to practice medicine.

ACTIONS BASED ON INAPPROPRIATE CONDUCT INVOLVING PHYSICIAN-PATIENT RELATIONSHIP:

- **KUHNE, ROBERT CHRISTOPHER, M.D., RICHARDSON, TX, Lic. #H2519**

On February 3, 2006, the Board issued a Final Order publicly reprimanding Dr. Kuhne and requiring him to write a letter of apology to a patient acknowledging that his conduct was improper, and to complete within one year "A Continuing Education Course for Physicians Who Cross Sexual Boundaries" presented by the Center for Professional Health at the Vanderbilt Medical Center. The action was based on a finding by an Administrative Law Judge of the Texas State Office of Administrative Hearings that Dr. Kuhne, while examining a patient seeking treatment of FSD (female sexual dysfunction) made a comment relating to oral sex that was unprofessional and dishonorable. Dr. Kuhne may file a Motion for Rehearing within 20 days of the Order. If a Motion for Rehearing 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.

- **XIQUES, PABLO L., M.D., GRAND PRAIRIE, TX, Lic. #E3823**

On February 3, 2006, the Board and Dr. Xiques entered into an Agreed Order publicly reprimanding Dr. Xiques and assessing an administrative penalty of \$3,000. The action was based on allegations on unprofessional conduct by Dr. Xiques during the course of his treatment of one patient.

ACTIONS BASED ON UNPROFESSIONAL CONDUCT:

- **FERRUZZI, GIANCARLO ROBERTO, M.D., SAN ANTONIO, TX, Lic. #H9924**
On February 3, 2006, the Board and Dr. Ferruzzi entered into an Agreed Order requiring Dr. Ferruzzi to obtain an additional 20 hours of courses in ethics and risk management and assessing an administrative penalty of \$2,000. The action was based on allegations that Dr. Ferruzzi read the file of a person with whom a physician-patient relationship no longer existed.
- **FLORES, DENNIS R., M.D., NEW BOSTON, TX, Lic. #F3124**
On February 3, 2006, the Board entered a Final Order assessing an administrative penalty of \$1,200. The action was based on Dr. Flores' conviction of a federal misdemeanor for failing to file federal income tax returns, which is a violation of the Medical Practice Act. Dr. Flores may file a Motion for Rehearing within 20 days of the Order. If a Motion for Rehearing 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.
- **GHRAOWI, MOHAMAD AYMAN, M.D., CORPUS CHRISTI, TX, Lic. #J6958**
On February 3, 2006, the Board and Dr. Ghraowi entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that an advertisement for Dr. Ghraowi's practice incorrectly showed that his institute was affiliated with M.D. Anderson.
- **HEIN, ROBERT MATHEW, M.D., BURLESON, TX, Lic. #BP20011780**
On February 3, 2006, the Board and Dr. Hein entered into an Agreed Order requiring Dr. Hein to perform 10 hours of community service work for a non-profit charitable organization. The action was based on his arrest and conviction for driving while intoxicated.
- **LEWIS, PERRY CARTER, M.D., LONGVIEW, TX, Lic. #H8210**
On February 3, 2006, the Board and Dr. Lewis entered into an Agreed Order publicly reprimanding Dr. Lewis, requiring the following for one year: that he continue to receive care from his therapist at least once a week; that he continue to receive care from his treating psychiatrist at least once a month; that he complete an anger management course of at least 16 hours; and that he pay an administrative penalty of \$2,500. The action was based on allegations that Dr. Lewis was arrested and charged with the Class A misdemeanor offense of assault with injury for hitting his wife and was sentenced to 15 months of deferred adjudication. In addition, action was based on Dr. Lewis' admission that he had engaged in verbal and physical abuse toward his wife and had sometimes engaged in verbal abuse in his workplace.
- **QUINTANA, JOSEPH ANTHONY JR., M.D., EL PASO, TX, Lic. #H3733**
On February 3, 2006, the Board and Dr. Quintana entered into an Agreed Order publicly reprimanding Dr. Quintana and requiring the following: that he complete 25 hours of continuing medical education in ethics, medical records and conscious sedation; that he pass the Medical Jurisprudence Examination within one year; that he complete an Advanced Cardiac Life Support Course and obtain ACLS certification within three months; and that he pay an administrative penalty of \$5,000. The action was based on allegations that an interventional cardiac procedure was completed on one of Dr. Quintana's patients by unlicensed hospital personnel without Dr. Quintana being present.

ACTION BASED ON PEER REVIEW ACTIONS:

- **LORENTZ, RICK GENE, M.D., SPRING, TX, Lic. #J2169**
On February 3, 2006, the Board entered a Final Order suspending Dr. Lorentz's license, immediately staying the suspension and placing him on probation for three years under the following terms and conditions: that Dr. Lorentz shall demonstrate strict compliance with all staff bylaws and regulations at all facilities at which he has or obtains clinical privileges; that he obtain a complete forensic evaluation from a Board-approved psychiatrist and follow recommendations for treatment; that he have his practice monitored by another physician; that he obtain 10 hours of ethics courses and 20 hours of risk management courses; that he complete the course in the area of medical malpractice, risk

management and communication sponsored by the Oregon Medical Association; and that he pay an administrative penalty of \$40,000. The action was based on findings by an Administrative Law Judge of the Texas State Office of Administrative Hearings that two hospitals had disciplined Dr. Lorentz as the result of formal peer review actions. Dr. Lorentz may file a Motion for Rehearing within 20 days of the Order. If a Motion for Rehearing 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.

ACTIONS BASED ON INADEQUATE MEDICAL RECORDS:

- **DOTT, KENNETH WAYNE, D.O., IRVING, TX, Lic. #H8008**

On February 3, 2006, the Board and Dr. Dott entered into an Agreed Order publicly reprimanding Dr. Dott, assessing an administrative penalty of \$1,000, requiring that Dr. Dott obtain 10 hours of continuing medical education in each of the areas of record keeping/documentation, practice management and the use of controlled substances/pain management; requiring that his practice be monitored by another physician for up to one year; and requiring him to pass the Medical Jurisprudence Examination. The action was based on allegations that, for eight patients, Dr. Dott failed to maintain adequate medical records and/or appropriate documentation of treating for intractable pain.

- **MASSINGILL, GEORGE SEALY, M.D., FORT WORTH, TX, Lic. #H0609**

On February 3, 2006, the Board and Dr. Massingill entered into an Agreed Order requiring Dr. Massingill to complete a course of at least 10 hours in record-keeping and assessing an administrative penalty of \$5,000. The action was based on allegations that Dr. Massingill failed to appropriately document and/or ensure that his resident physician documented the occurrences of the delivery of an infant.

ACTIONS BASED ON VIOLATIONS OF PROBATION OR PRIOR ORDERS:

- **BUI, TONY TRUONG, M.D., DALLAS, TX, Lic. #K2314**

On February 3, 2006, the Board and Dr. Bui entered into a Mediated Agreed Order publicly reprimanding Dr. Bui and assessing an administrative penalty of \$5,000. The action was based on allegations that Dr. Bui violated his prior board order by late reporting of unintentional ingestion of alcohol.

- **YILMAZ, SALIH MEHMET, M.D., NAVASOTA, TX, Lic. #E8237**

On January 31, 2006, pursuant to an Order entered by its Executive Director, the Board suspended the medical license of Dr. Yilmaz until such time as he passes the Special Purpose Examination (SPEX) and appears before the Board to demonstrate that he is competent to safely practice in Texas. The action was based on Dr. Yilmaz's failure of to pass SPEX as required by his board order dated October 8, 2004.

VOLUNTARY SURRENDERS:

- **CORONEOS, EMMANUEL, M.D., PITTSBURGH, PA, Lic. #J9649**

On February 3, 2006, the Board and Dr. Coroneos entered into an Agreed Order accepting the voluntary surrender of Dr. Coroneos' license. The action was based on Dr. Coroneos' desire to not respond in Texas to an action taken by the West Virginia Board of Medicine relating to medical record documentation issues, as he does not intend to return to Texas to practice.

- **PATE, ROBERT JOYCE, M.D., MISSION, TX, Lic. #D5585**

On February 3, 2006, the Board and Dr. Pate entered into an Agreed Order whereby the Board accepted the voluntary and permanent surrender of Dr. Pate's medical license. The action was based on Dr. Pate's desire to surrender his license due to medical conditions that leave him unable to continue in the practice of medicine.

ACTION BASED ON OTHER STATE BOARD ACTIONS:

- **KEH, MILAGROS SY, M.D., AMERICUS, GA, Lic. #E9735**

On February 3, 2006, the Board and Dr. Keh entered into an Agreed Order requiring her to comply with the terms of a Public Consent Order with the Composite State Board of Medical Examiners of Georgia and subjecting her to the same terms and conditions as required by the Georgia Board if she returns to practice in Texas before the termination of that order. The action was based on the action of the Georgia Board in placing Dr. Keh on probation for three years under terms and conditions for not properly documenting reasons for prescribing narcotics and inappropriately prescribing narcotics.

ADMINISTRATIVE VIOLATIONS:

- **ADAMS, PHILLIP REESE, M.D., HOUSTON, TX, Lic. #E6201**

On February 3, 2006, the Board and Dr. Adams entered into an Agreed Order assessing an administrative penalty of \$2,500. The action was based on allegations that Dr. Adams delayed in providing records subpoenaed by the Board.

- **AL-SHALCHI, NAJAH MUHAMAD, M.D., SAN ANTONIO, TX, Lic. #G1809**

On February 3, 2006, the Board and Dr. Al-Salchi entered into an Agreed Order assessing an administrative penalty of \$250. The action was based on allegations that Dr. Al-Salchi failed to provide properly requested medical records within 15 business days.

- **ALEXANDER, BILL, M.D., EAGLE PASS, TX, Lic. #D4009**

On February 3, 2006, the Board and Dr. Alexander entered into an Agreed Order assessing an administrative penalty of \$500. The action was based on allegations that Dr. Alexander failed to provide properly requested medical records within 15 business days.

- **CABANSAG, REMEDIOS ROSARIO, M.D., FORT WORTH, TX, Lic. #D9958**

On February 3, 2006, the Board and Dr. Cabansag entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Cabansag failed to provide properly requested medical records within 15 business days.

- **CHAVEZ, ARMANDO, M.D., HOUSTON, TX, Lic. #J8487**

On February 3, 2006, the Board and Dr. Chavez entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Chavez failed to maintain the medical records of one patient following his purchase of a practice from another physician.

- **CROSS, CARTRELL JAMES, M.D., HOUSTON, TX, Lic. #E0869**

On February 3, 2006, the Board and Dr. Cross entered into an Agreed Order assessing an administrative penalty of \$500. The action was based on allegations that Dr. Cross failed to complete the required twelve hours of formal continuing medical education in 2003-2004.

- **ROEFER, GLENDA SUE, D.O., CORPUS CHRISTI, TX, Lic. #L6606**

On February 3, 2006, the Board and Dr. Roefer entered into an Agreed Order assessing an administrative penalty of \$2,000. The action was based on allegations that Dr. Roefer inadvertently failed to complete continuing medical education requirements for February 2004 to February 2005.

- **ROSE, DENNIS ERIC, M.D., PORT ARTHUR, TX, Lic. #G8966**

On February 3, 2006, the Board and Dr. Rose entered into an Agreed Order assessing an administrative penalty of \$1,000. The action was based on allegations that Dr. Rose failed to provide proper notice to his patients when he relocated.

- **TARKENTON, TOM ALLEN, D.O., MINERAL WELLS, TX, Lic. #J4552**

On February 3, 2006, the Board and Dr. Tarkenton entered into an Agreed Order assessing an administrative penalty of \$2,000. The action was based on allegations that Dr. Tarkenton failed to provide requested information to the Board in a timely fashion.

- **ZAKS, ALEXANDER, M.D., SHERMAN OAKS, CA, Lic. #L9969**

On February 3, 2006, the Board and Dr. Zaks entered into an Agreed Order assessing an administrative penalty of \$250. The action was based on action taken by the Florida Board of Medicine requiring Dr. Zaks to pay an administrative penalty for failing to correctly answer a question on the licensure application with regard to repeated medical education.

-30-

The Texas Medical Board, the state agency that regulates physicians, physician assistants, surgical assistants and acupuncturists, provides consumer protection through licensure, investigation and disciplinary action. The Board, under President Roberta M. Kalafut, D.O., and Executive Director Donald W. Patrick, M.D., J.D., and mandated by Senate Bill 104 of the 78th Legislature and S.B. 419 of the 79th Legislature, is strengthening and accelerating the disciplinary process for licensees who fail to meet the required standards of professional proficiency and behavior. Information on filing a complaint is on the agency web site at www.tmb.state.tx.us or by calling (800) 201-9353.