

## 2000 Press Releases

### December 20, 2000

#### 14 Doctors Disciplined

During its December 7-8 Board meeting, the Texas State Board of Medical Examiners disciplined 14 licensed physicians, who received one or more of the following actions: two surrender/revocations; six suspensions, of which four were stayed and probated under various terms and conditions; three restrictions; three public reprimands; in addition, one administrative penalty totaling \$2,500 was assessed.

#### Governor Appoints Board Member to Replace Dr. Meyer

Governor George W. Bush has appointed Lubbock physician Elvira Pascua-Lim, M.D., to the unexpired term of Paul G. Meyer, M.D., who resigned from the Board.

Dr. Pascua-Lim, a native of the Philippines and a graduate of the University of the Philippines, College of Medicine, is the medical director of the Lubbock Regional Division of the Texas Department of Mental Health and Mental Retardation.

Her term will expire April 13, 2001.

#### Board Elects Officers

At its December 7-8 Board meeting, the Board elected Janet Tomelli-Mitchell, M.D., as Vice President and Ed Hicks Sr. as Secretary-Treasurer. Larry Price, D.O., was also appointed to the Executive Committee. Dr. Tomelli-Mitchell is a staff physician who specializes in internal medicine at the Cooper Clinic in Dallas. She earned her medical degree from the University of Texas Medical Branch at Galveston. Mr. Hicks is owner of Ed Hicks Imports in Corpus Christi. He has served on the president's council at Corpus Christi A&M University and Del Mar College. Dr. Price is an assistant professor at the Texas A&M University Health Science Center College of Medicine and senior staff cardiologist at Scott and White Clinic in Temple. He earned his medical degree from the University of North Texas Health Science Center at Fort Worth.

#### Rule Changes

The Board adopted the following proposed rule changes that were published in the *Texas Register*: Chapter 161, General Provisions: proposed 161.5 regarding compliance with Americans with Disabilities Act requirements. Chapter 173, Physician Profiles: amendments to 173.1 regarding information to be released on the physician profiles. Chapter 199, Public Information: rule review and amendments to 199.1-.4 to correct the name of the Public Information Committee to the Public Information/Profile Committee and make other miscellaneous administrative corrections.

#### Proposed Rules

The Board proposed the following rule changes for publication in the *Texas Register* and comment: Chapter 164, Physician Advertising, proposed new section 164.4 regarding advertising

board certification, which was withdrawn, has been modified and is being republished for comment. Also proposed for public comment are amendments to Chapter 175 and 177 regarding certification of non-profit health organizations. The proposals will update new cites to the Occupations Code, address administrative procedures regarding late filing of biennial applications and insufficient reports, and clarify fees.

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).

#### **14 Doctors Disciplined**

##### **Burgess, David B., MD., San Augustine, TX, Lic. #F6489**

A Temporary Suspension Order was entered on 12-8-00 temporarily suspending Dr. Burgess's license due to evidence and information that his continuation in the practice of medicine would constitute a continuing threat to 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 the Medical Practice Act.

##### **Cantu, Ernesto A., MD., San Antonio, TX, Lic. #F7416**

A Mediated Agreed Order was entered on 12-8-00 publicly reprimanding the physician and limiting his practice for three years under certain terms and conditions. Action due to violation of Board rules.

##### **Fuchs, Carl J., MD., Texas City, TX, Lic. #C2464**

An Agreed Order was entered on 12-8-00 in which the Board accepted Dr. Fuchs's surrender of his medical license. Action due to unprofessional conduct and violation of laws connected with the practice of medicine.

##### **Galewaler, John E., D.O., Whitesboro, TX, Lic. #D8532**

An Agreed Order was entered on 12-8-00 assessing an administrative penalty in the amount of \$2,500. Action due to failure to supervise delegates.

##### **Imperial, Arturo D., MD., Lake Jackson, TX, Lic. #E3316**

An Agreed Order was entered on 12-8-00 publicly reprimanding the physician and restricting his license for two years under certain terms and conditions. Action due to failure to practice medicine in an acceptable manner consistent with public health and welfare.

##### **Jaikaran, Jacques S., MD., Humble, TX, Lic. #F2731**

A Proposal for Decision was reheard on 12-7-00. The Board voted to enter an order on 12-7-00 suspending the physician's license, staying the suspension and placing the physician on probation for five years under certain terms and conditions. Action based on conviction of a misdemeanor involving moral turpitude. Dr. Jaikaran 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 is filed and the Board grants the motion, the order is not final and a hearing will be scheduled.

**Kim, Young S., M.D., Houston, TX, Lic. #E2653**

An Agreed Order was entered on 12-8-00 restricting the physician's license under certain terms and conditions. Action due to failure to practice medicine in an acceptable manner consistent with public health and welfare.

**Levin, Ira M., M.D., Austin, TX, Lic. #J3142**

An Agreed Order was entered on 12-8-00 publicly reprimanding the physician. Action due to violation of Board rules.

**Madiedo, Eduardo Jr., M.D., San Antonio, TX, Lic. #D5091**

A Temporary Suspension Order was entered on 11-16-00 temporarily suspending Dr. Madiedo's license due to evidence and information that his continuation in the practice of medicine would constitute a continuing threat to public welfare. An Agreed Order was entered on 12-8-00 staying the suspension of Dr. Madiedo's license and restricting his license for 10 years under certain terms and conditions. Action due to intemperate use of alcohol or drugs and unprofessional conduct.

**Mosby, Richard Allen, M.D., Houston, TX, Lic. #D7201**

An Mediated Agreed Order was entered on 12-8-00 restricting the physician's license for three years under certain terms and conditions. Action due to submitting bills for medical treatment which were unreasonable, improper or medically or clinically unnecessary.

**Rogers, Booker T. Jr., M.D., Flower Mound, TX, Lic. #G3741**

An Agreed Order was entered on 12-8-00 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 failure to keep complete and accurate drug records, and his felony conviction.

**Rogers, Mark R., M.D., Houston, TX, Lic. #H0770**

An Agreed Order was entered on 12-8-00 suspending the physician's license, staying the suspension, and placing the physician on probation for seven years under certain terms and conditions. Action due to intemperate use of alcohol and inability to practice medicine with reasonable skill and safety to patients because of drunkenness, and unprofessional conduct.

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

A Temporary Suspension Order was entered on 10-27-00 temporarily suspending Dr. Stephen C. Thomas's license due to evidence and information that his continuation in the practice of medicine would constitute a continuing threat to public welfare.

**Wright, Timothy J., D.O., Mexia, TX, Lic. #J2422**

A Proposal for Decision was heard on 12-7-00. The Board voted to order the revocation of Dr. Wright's Texas medical license. Action based on dishonorable or unprofessional conduct. Dr. Wright 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 is filed and the Board grants the motion, the order is not final and a hearing will be scheduled.

-30-

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

Texas State Board of Medical Examiners  
MC 251  
P.O. Box 2018  
Austin, TX 78768-2018

To receive press releases by e-mail: [jill.wiggins@tmb.state.tx.us](mailto:jill.wiggins@tmb.state.tx.us)