

## Texas Medical Board Press Release

### FOR IMMEDIATE RELEASE

September 8, 2017

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### **TMB disciplines 38 physicians at August meeting**

At its August 25, 2017 meeting, the Texas Medical Board disciplined 38 licensed physicians and issued five cease and desist orders.

The disciplinary actions included: six orders related to quality of care violations, nine orders related to unprofessional conduct, one revocation, five voluntary surrenders/revocations, three restrictions, three orders related to peer review action, two orders related to violation of Board rules, two orders related to improper prescribing, one order related to improper supervision or delegation, one order related to violation of prior Board order, one order related to other states' actions, two orders related to inadequate medical records, and two orders related to impairment.

The Board issued 159 physician licenses at the August meeting, bringing the total number of physician licenses issued in FY17 to 4,719.

No rules were adopted at the August meeting.

### **DISCIPLINARY ACTIONS**

#### **QUALITY OF CARE**

##### **Atallah, George Michel, D.O., Lic. No. P1162, Houston**

On August 25, 2017, the Board and George Michel Atallah, D.O., entered into an Agreed Order requiring him to have his practice monitored by another physician for eight consecutive monitoring cycles; within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete the prescribing course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; and within one year complete at least 8 hours of CME in risk management. The Board found Dr. Atallah failed to meet the standard of care for several patients receiving chronic opioid therapy, failed to adequately document his care and comply with Board rules relating to the treatment of chronic pain, and should have been more diligent in performing adequate physical exams and monitoring.

##### **Binur, Nir Shamaï, M.D., Lic. No. J1621, Port Arthur**

On August 25, 2017, the Board and Nir Shamaï Binur, M.D., entered into an Agreed Order requiring him to have his practice monitored by another physician for eight consecutive monitoring cycles; within 30 days submit evidence that his surgical center continues to be accredited by the American Association for Accreditation of Ambulatory Surgical Facilities (AAAASF), and if not, submit to an in-person audit by the Board to provide evidence of accreditation as well as written protocols regarding patient emergencies; and within one year complete at least 20 hours of CME, divided as follows: four hours in preoperative screening, four hours in risk management, eight hours in medical recordkeeping, and four hours in performing conscious sedation. The Board found Dr. Binur failed to meet the standard of care in the performance of a liposuction procedure and the patient subsequently expired.

##### **Brickey, David Allen, D.O., Lic. No. J2931, Lorena**

On August 25, 2017, the Board and David Allen Brickey, D.O., entered into an Agreed Order requiring him to within one year complete at least 16 hours of CME, divided as follows: eight hours in recognizing high risk patients and eight hours in risk management; and within one year complete the physician assessment program offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program. The Board found Dr. Brickey did not

meet the standard of care for three patients.

**Emslie, Graham J., M.D., Lic. No. G0999, Dallas**

On August 25, 2017, the Board and Graham J. Emslie, M.D., entered into an Agreed Order publicly reprimanding Dr. Emslie and requiring him to have his practice monitored by another physician for eight consecutive monitoring cycles; within one year complete at least 24 hours of CME, divided as follows: eight hours in drug-seeking behavior, eight hours in risk management and eight hours in medical recordkeeping; and within 60 days pay an administrative penalty of \$3,000. The Board found Dr. Emslie failed to meet the standard of care in the treatment of one patient to whom he prescribed benzodiazepines and amphetamines. Dr. Emslie did not properly examine the patient, failed to identify drug-seeking behavior, and continued prescribing to the patient who later committed suicide.

**Escobedo, Michael Scott, M.D., Lic. No. K0463, Austin**

On August 25, 2017, the Board and Michael Scott Escobedo, M.D., entered into a Mediated Agreed Order requiring him to within 45 days schedule an assessment with the Texas A&M Health Science Center Rural and Community Health Institute (K-STAR) and comply with any and all recommendations; and adopt informed consent forms which meet the minimum standards of the Texas Medical Disclosure Panel. The Board found Dr. Escobedo failed to perform adequate perioperative management of a patient, failed to adequately document medical records at preoperative visits and Dr. Escobedo's informed consent forms lacked required disclosures. This order resolves a formal complaint filed at the State Office of Administrative Hearings

**Martinez, Agustin, M.D., Lic. No. J6167, Edinburg**

On August 25, 2017, the Board and Agustin Martinez, M.D., entered into an Agreed Order requiring him to within one year complete at least 16 hours of CME, divided as follows: four hours in communication, four hours in ethics, four hours in risk management, and four hours in medical recordkeeping; and within 60 days pay an administrative penalty of \$1,000. The Board found Dr. Martinez failed to document an operative note for a patient's biopsy and failed to timely communicate the result to the patient.

**UNPROFESSIONAL CONDUCT**

**Baca, Americo Miguel, M.D., Lic. No. H9597, San Juan**

On August 25, 2017, the Board and Americo Miguel Baca, M.D., entered into an Agreed Order requiring him to pay an administrative penalty of \$1,500 within 60 days. The Board found Dr. Baca failed to timely certify the death certificate for one patient.

**Baird, Kenneth Ewell, M.D., Lic. No. H5658, Carrollton**

On August 25, 2017, the Board and Kenneth Ewell Baird, M.D., entered into an Agreed Order requiring him to within one year and three attempts pass the Medical Jurisprudence Exam; and within one year complete at least eight hours of CME, divided as follows: four hours in ethics and four hours in risk management. The Board found Dr. Baird failed to properly notify patients regarding the closure of his practice; resulting in a missed appointment and inability to access medical records for one patient.

**Chiang, Eric Ping, M.D., Lic. No. Q2116, Corpus Christi**

On August 25, 2017, the Board and Eric Ping Chiang, M.D., entered into an Agreed Order requiring him to within 30 days obtain an independent medical evaluation from a Board-approved psychiatrist and follow all recommendations made for care and treatment; within 60 days complete the professional boundaries course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; have a chaperone present anytime he performs a physician examination on a female patient; and within one year complete at least eight hours of CME, divided as follows: four hours in risk management and four hours in ethics. The Board found Dr. Chiang inappropriately lifted a patient's shirt and examined a patient's breasts.

**Elwell, Daniel Mark, D.O., Lic. No. N6282, Waco**

On August 25, 2017, the Board and Daniel Mark Elwell, D.O., entered into an Agreed Order requiring him to comply with all terms of his community supervision as outlined in his plea agreement; within one year complete the anger

management course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; and within one year complete at least eight hours of CME in professional responsibility. The Board found Dr. Elwell pleaded guilty to a crime of moral turpitude, specifically, assault family violation, a Class A misdemeanor offense.

**Lim, Jose Audie Eduarte, M.D., Lic. No. K4486, Wichita Falls**

On August 25, 2017, the Board and Jose Audie Eduarte Lim, M.D., entered into an Agreed Order on Formal Filing requiring him to offer female patients the option of having a chaperone anytime he performs a physical examination; within one year complete the boundaries course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; and within one year complete at least eight hours of CME in medical recordkeeping. The Board found Dr. Lim made unprofessional comments to a patient and did not document that he terminated the physician-patient relationship until after a complaint was filed with the Board. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

**Nawaz, Mohammad, M.D., Lic. No. L2497, Frisco**

On August 25, 2017, the Board and Mohammad Nawaz, M.D., entered into an Agreed Order requiring him to have his billing practice monitored for 8 consecutive monitoring cycles; within one year complete at least 16 hours of CME, divided as follows: eight hours in ethics and eight hours in billing and coding; and shall comply with any and all terms of his Pre-Trial Diversion Agreement. The Board found that on February 20, 2015, Dr. Nawaz signed a Pre-Trial Diversion Agreement in U.S. District Court related to allegations of false billing claims.

**Patel, Vivek-Sagar, M.D., Lic. No. Q7945, Houston**

On August 25, 2017, the Board and Vivek-Sagar Patel, M.D., entered into an Agreed Order requiring him to comply with and complete the terms of his criminal probation; and within one year complete at least eight hours of CME in professionalism. The Board found Dr. Patel was convicted in the state of Michigan of a misdemeanor crime of disorderly conduct related to an underlying arrest for assault of his then domestic partner, and was sentenced to 24 months of probation requiring drug testing, abstinence, and community service.

**Waxali, Anisha Vakil, M.D., Lic. No. K2133, Sugar Land**

On August 25, 2017, the Board and Anisha Vakil Waxali, M.D., entered into an Agreed Order publicly reprimanding Dr. Waxali and requiring her to within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete the professional boundaries course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; and within one year complete at least eight hours of CME in ethics. The Board found Dr. Waxali engaged in a sexual relationship with a patient. Dr. Waxali had a friendship with the individual before the person became a patient, however, the sexual relationship started after the physician-patient relationship had been established.

**Zepeda, Luis Ernesto, M.D., Lic. No. K1739, Houston**

On August 25, 2017, the Board and Luis Ernesto Zepeda, M.D., entered into an Agreed Order requiring him to within one year complete at least eight hours of CME, divided as follows: four hours in risk management and four hours in ethics. The Board found Dr. Zepeda failed to release copies of medical records upon request.

**REVOCATION**

**Somerville, Judson Jeffrey, M.D., Lic. No. H6622, Laredo**

On August 25, 2017, the Board entered a Final Order regarding Judson Jeffrey Somerville, M.D., revoking his Texas medical license. The Board found Dr. Somerville operated unlicensed pain management clinics, improperly supervised and delegated to unlicensed medical staff, violated state law by pre-signing prescription forms, and did not meet the standard of care in his treatment of multiple patients for chronic pain. The action was based on the findings of an administrative law judge at the State Office of Administrative Hearings (SOAH). This order resolves a formal complaint filed at SOAH. Dr. Somerville has 20 days from the service of the order to file a motion for rehearing.

## **VOLUNTARY SURRENDER/REVOCAION**

### **Ahmed, Faiz, M.D., Lic. No. J4683, Houston**

On August 25, 2017, the Board and Faiz Ahmed, M.D., entered into an Agreed Order of Voluntary Surrender After Formal Filing in which Dr. Ahmed agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. The Board found Dr. Ahmed is currently awaiting sentencing after a jury returned a verdict finding him guilty of health care fraud charges. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

### **Benson, Leslie Wayne, M.D., Lic. No. H2243, Temple**

On August 25, 2017, the Board and Leslie Wayne Benson, M.D., entered into an Agreed Voluntary Surrender Order in which Dr. Benson agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Benson was under investigation by the Board, however, he reported to the Board that he suffers from a medical condition that precludes him from practicing medicine at this time.

### **Floyd, William Forrest, M.D., Lic. No. C5668, Gatesville**

On August 25, 2017, the Board and William Forrest Floyd, M.D., entered into an Agreed Order of Voluntary Surrender in which Dr. Floyd agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. The Board found Dr. Floyd has self-reported that he has a medical/physical condition that precludes him from practicing medicine at this time.

### **Sandoval, Jaime, M.D., Lic. No. K1921, Corpus Christi**

On August 25, 2017, the Board and Jaime Sandoval, M.D., entered into an Agreed Order of Voluntary and Permanent Surrender in which Dr. Sandoval agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Sandoval's license was previously under temporary suspension based on inappropriate conduct with multiple female patients in which he violated sexual boundaries through inappropriate touching, actions and comments, which were offensive and of a sexual nature.

### **Windsor, Robert E., M.D., Lic. No. H0953, Marietta, GA**

On August 25, 2017, the Board and Robert E. Windsor, M.D., entered into an Agreed Order of Voluntary Surrender in which Dr. Windsor agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. The Board found Dr. Windsor is incarcerated in the United States Bureau of Prisons after he pleaded guilty to two felony health care fraud charges in Georgia. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

## **RESTRICTION**

### **Huff, William Kenneth, M.D., Lic. No. F9597, Quitman**

On August 25, 2017, the Board and William Kenneth Huff, M.D., entered into an Agreed Order on Formal Filing, terminating the suspension of his license, publicly reprimanding him, and placing him under the following terms: limit his practice to a group or institutional setting approved by the Board; shall not care for or treat females under the age of 21; have a chaperone present during physical exams of female patients; within one year complete the professional boundaries course offered by the California San Diego Physician Assessment and Clinical Education (PACE) program; within 30 days receive care and treatment from Board approved psychiatrist no less than once a month and follow all recommendations for care and treatment; and pay an administrative penalty of \$10,000. The Board found Dr. Huff pleaded guilty to a Class A misdemeanor of selling, distributing, and displaying harmful material to a minor and was sentenced to two years' probation. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

### **Mardock, Julian King, M.D., Lic. No. E6492, New Braunfels**

On August 25, 2017, the Board and Julian King Mardock, M.D., entered into an Agreed Order prohibiting him from practicing until he requests permission and personally appears before the Board to provide evidence he is physically, mentally, and otherwise competent to safely practice medicine; and lifting the restriction for the sole purpose of permitting Dr. Mardock to enroll in and successfully complete the Clinical Competence Course offered by the Center for

Personalized Education for Physicians (CPEP) program and comply with all recommendations made by CPEP. The Board determined that prior to being permitted to return to practice in Texas, Dr. Mardock's competency must be further evaluated. The order supersedes all previous orders entered by the Board.

**Vittimberga, Frank John, Jr., M.D., Lic. No. M2857, Fort Lauderdale, FL**

On August 25, 2017, the Board and Frank John Vittimberga, Jr., M.D., entered into an Agreed Order restricting his practice in that he shall not perform surgery of any kind to the head or neck of any Texas patient until he petitions the Board and personally appears before the Board to provide evidence that he is physically, mentally, and otherwise competent to perform said procedures and surgeries and satisfies all other terms of the order; within one year complete at least eight hours of CME in general tissue resections in the head the neck region; and within 90 days pay an administrative penalty of \$5,000. The Board found Dr. Vittimberga violated the standard of care by mistakenly incising a patient's carotid artery while attempting a biopsy which ultimately led to the patient's death. Dr. Vittimberga relied on previous providers' assessments and radiology finding of the patient's mass to be an enlarged lymph node rather than his independent assessment.

**PEER REVIEW ACTION**

**Aarons, Scott Paul, M.D., Lic. No. G9050, Baytown**

On August 25, 2017, the Board and Scott Paul Aarons, M.D., entered into an Agreed Order requiring him to within 30 days submit to an evaluation by the Texas Physician Health Program (PHP) and comply with any and all recommendations made by PHP; within one year complete the TMB Remedial Coaching Program at the University of Texas at Dallas School of Management; and within one year complete at least 8 hours of CME, divided as follows: four hours in ethics and four hours in physician communication. The Board found Dr. Aarons resigned his hospital privileges while under investigation for disruptive behavior.

**Herrera, Larry, M.D., Lic. No. J2075, Temple**

On August 25, 2017, the Board and Larry Herrera, M.D., entered into an Agreed Order requiring him to within one year complete at least 20 hours of CME, divided as follows: eight hours in medical recordkeeping, eight hours in professional communication, and four hours in risk management; and within 60 days pay an administrative penalty of \$2,000. The Board found Dr. Herrera's hospital privileges were suspended and Dr. Herrera later resigned due to delinquent medical records.

**Kuhne, Robert Christopher, M.D., Lic. No. H2519, Frisco**

On August 25, 2017, the Board and Robert Christopher Kuhne, M.D., entered into an Agreed Order publicly referring him to the Texas Physician Health Program. The Board found Dr. Kuhne's hospital privileges were suspended after testing positive for hydrocodone and hydromorphone.

**VIOLATION OF BOARD RULES**

**Malone, Mark Thomas, M.D., Lic. No. G3580, Round Rock**

On August 25, 2017, the Board and Mark Thomas Malone, M.D., entered into an Agreed Order requiring him to have his practice monitored by another physician for eight consecutive monitoring cycles; within one year complete at least eight hours of CME, divided as follows: four hours in identifying drug-seeking behavior and four hours in drug testing and laboratory analysis; and within 60 days pay an administrative penalty of \$3,000. The Board found Dr. Malone failed to exercise proper diligence in documenting and addressing, through counseling or other action, certain aberrant drug screening results obtained from patients being treated for pain.

**Tomaszek, David Edward, M.D., Lic. No. K9191, Spring**

On August 25, 2017, the Board and David Edward Tomaszek, M.D., entered into an Agreed Order requiring him to within 30 days submit the pain management contract he will be using in his practice to the Board; within one year complete the physician prescribing course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; within one year and three attempts pass the Medical Jurisprudence Exam; within one year

complete at least 12 hours of CME, divided as follows: four hours in risk management and eight hours in medical recordkeeping; and within 60 days pay an administrative penalty of \$5,000. The Board found Dr. Tomaszek's documentation of a patient's history, physical examination and progress lack substantive detail to support the laminectomy and other treatments performed, and he failed to adequately monitor or follow up to assess the patient's compliance with the treatment plan and any indications of abuse or diversion.

#### **IMPROPER PRESCRIBING**

##### **Fierro-Stevens, Rodolfo, M.D., Lic. No. J4111, El Paso**

On August 25, 2017, the Board and Rodolfo Fierro-Stevens, M.D., entered into an Agreed Order requiring him to within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete at least eight hours of CME in risk management; and within 60 days pay an administrative penalty of \$3,000. The Board found Dr. Fierro-Stevens inappropriately prescribed to three people with whom he had a personal and/or familial relationship beyond the 72-hour period of immediate need for their pre-existing conditions, failed to perform physical examinations, and failed to maintain medical records for the patients.

##### **Punzi, Henry Anthony, M.D., Lic. No. G1520, Carrollton**

On August 25, 2017, the Board and Henry Anthony Punzi, M.D., entered into an Agreed Order requiring him to within one year and three attempts pass the Medical Jurisprudence Exam; and within one year complete at least 16 hours of CME, divided as follows: eight hours in risk management and eight hours in appropriate prescribing of controlled substances. The Board found Dr. Punzi inappropriately prescribed controlled substances to a close family member beyond the period of immediate need.

#### **IMPROPER SUPERVISION OR DELEGATION**

##### **Bruce, Lena Rochelle, M.D., Lic. No. H6081, Santa Fe**

On August 25, 2017, the Board and Lena Rochelle Bruce, M.D., entered into an Agreed Order publicly reprimanding Dr. Bruce and requiring her to within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete at least 12 hours of CME, divided as follows: six hours in risk management and six hours in supervision; and within 60 days pay an administrative penalty of \$4,500. The Board found Dr. Bruce failed to assess or examine three patients prior to ordering prescriptions for colonic irrigation performed by a registered nurse, failed to maintain any medical records for the patients and failed to adequately supervise the delegate.

#### **VIOLATION OF PRIOR BOARD ORDER**

##### **Durairaj, Vikram, M.D., Lic. No. Q4391, San Antonio**

On August 25, 2017, the Board and Vikram Durairaj, M.D., entered into an Agreed Order Modifying Prior Order, modifying his August 2016 Order. The modification requires Dr. Durairaj to within one year complete the TMB Remedial Coaching Program at the University of Texas at Dallas School of Management. The Board found Dr. Durairaj violated his August order by failing to submit to alcohol testing on time. All other terms of the order, as modified, remain in full effect.

#### **OTHER STATES' ACTIONS**

##### **Struven, Christian Paul, III, M.D., Lic. No. N5418, Plainfield, IL**

On August 25, 2017, the Board and Christian Paul Struven, III, M.D., entered into an Agreed Order Upon Formal Filing publicly reprimanding Dr. Struven and requiring him to pay an administrative penalty of \$1,500 within 60 days; and shall not reregister a DEA controlled substances certificate without authorization from the Board. The Board found that Dr. Struven was disciplined by the Illinois Department of Financial and Professional Regulation for surrendering his DEA certificate of registration while under investigation and failing to report the surrender. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

## **INADEQUATE MEDICAL RECORDS**

### **Benavides, Richard Alex, M.D., Lic. No. F9189, Dallas**

On August 25, 2017, the Board and Richard Alex Benavides, M.D., entered into a Mediated Agreed Order requiring him to within 60 days pay an administrative penalty of \$4,000. The Board found Dr. Benavides did not document the necessary components to justify billing codes for five patients. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

### **Varughese, Annie Thomas, M.D., Lic. No. J8408, Houston**

On August 25, 2017, the Board and Annie Thomas Varughese, M.D., entered into a Mediated Agreed Order Upon Formal Filing requiring her to within 30 days submit all informed consent forms regarding the use of Enhanced External Counter Pulsation (EECP) in use at her clinic to the Board for review; within 180 days complete the medical recordkeeping course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; and have her practice monitored by another physician for six consecutive monitoring cycles, specifically as it relates to medical record documentation for patients receiving EECP treatments and related billing. The Board found Dr. Varughese routinely treated patients with EECP but did not fully document medical indications or her medical rationale for EECP. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

## **IMPAIRMENT**

### **Hamilton, Kyle Lloyd, M.D., Lic. No. F4043, Corsicana**

On August 25, 2017, the Board and Kyle Lloyd Hamilton, M.D., entered into an Agreed Order requiring him to limit his practice to a group or institutional setting approved in advance by the Board; shall not practice more than 40 hours per week; and within 30 days submit to an evaluation by the Physician Health Program (PHP) and comply with any and all recommendations made by PHP. The Board found Dr. Hamilton was terminated from his employment for job performance which was affected by an underlying mental health condition. Dr. Hamilton has sought assistance from PHP and is currently under a Cease Practice Agreement.

### **Wilson, Ellen, D.O., Lic. No. Q9090, Lubbock**

On August 25, 2017, the Board and Ellen Wilson, D.O., entered into an Agreed Order publicly referring her to the Texas Physician Health Program (PHP) and requiring her to within 30 days submit to an evaluation by PHP and comply with any recommendations. The Board found Dr. Wilson did not comply with the terms after voluntarily entering into a monitoring agreement with PHP in an effort to cope and manage her care to prevent future alcohol abuse, which has affected her ability to practice medicine. Dr. Wilson is not currently practicing.

## **CEASE AND DESIST**

### **Hunter, Catharina/AKA Katinca Lindeque/AKA Katherine, No License, San Antonio**

On August 25, 2017, the Board and Catharina Hunter entered into an Agreed Cease and Desist Order prohibiting Ms. Hunter from practicing medicine in the state of Texas without a license issued by the Texas Medical Board. The Board found Ms. Hunter is the owner of Love Life and Sugarberry's Wellness Spa which advertises that the business combined "medical expertise with an authentic spa care experience to make the largest health benefit impact possible." The website showed that Ms. Hunter offered spa treatments that referred to aiding the treatment of certain medical conditions. She has since revised the website to remove all reference to "medical expertise" or the appearance of the treatment of any medical conditions.

### **Masri, Amjed Ismail, No License, Houston**

On August 25, 2017, the Board and Amjed Ismail Masri entered into an Agreed Cease and Desist Order prohibiting Mr. Masri from practicing medicine in the state of Texas without a license issued by the Texas Medical Board and shall not treat patients outside the scope of practice for a medical assistant. The Board found Mr. Masri was employed as a medical assistant at a clinic where the physician allegedly delegated medical duties to Mr. Masri, specifically, the in-office administration of controlled substances.

**Painter, Tesina, No License, Frisco**

On August 25, 2017, the Board and Tesina Painter entered into an Agreed Cease and Desist Order prohibiting Ms. Painter from practicing medicine in the state of Texas without a license issued by the Texas Medical Board and shall immediately cease and desist from advertising, offering to treat, treating, partnering, or assisting another in treating anyone in the state of Texas with stem cells. The Board found Ms. Painter sent a marketing email to an unknown number of recipients advertising umbilical stem cell treatment for testosterone deficiency, vaginal rejuvenation, and anti-aging at an alleged clinic outside of Mexico City.

**Randall, Mark, No License, Conroe**

On August 25, 2017, the Board and Mark Randall entered into an Agreed Cease and Desist Order prohibiting Mr. Randall from practicing medicine in the state of Texas without a license issued by the Texas Medical Board; shall cease and desist any unlicensed practice of medicine; and shall cease and desist from identifying himself as a doctor. The Board found Mr. Randall operates a business under the name Simple Wellness and a website and Facebook page where he claims to offer various health services, including "Frequency Specific Microcurrent (FSM) which can be used to treat the following: scar reduction, pain, injuries, fat loss, performance and recovery, energy mood, brain-injury, nerve issues, stress trauma, emotions, anxiety, sleep, addiction, ADHD/Focus, autism, depression and PTSD." Mr. Randall also advertises these services in publications such as Psychology Today where he refers to himself as Dr. Mark Randall, and states on his website and other promotional materials that he is licensed by the Pastoral Medical Association, an entity that does not confer any authority upon Mr. Randall to practice medicine in the state of Texas under the Medical Practice Act.

**Wilson, Kimberly M., No License, Fort Worth**

On August 25, 2017, the Board and Kimberly M. Wilson entered into an Agreed Cease and Desist Order prohibiting Ms. Wilson from practicing medicine in the state of Texas without a license issued by the Texas Medical Board and ordering her to cease and desist any unlicensed practice of medicine. The Board found Ms. Wilson owns and operates Innovations Wellness Centers using the same address as Innovations Medical, a cosmetic surgery facility owned by Bill Johnson, M.D., and Innovations Facial Plastic Surgery, owned by Daniel Joseph Verret, M.D. Innovations Wellness Center is unaffiliated with both Innovations Medical and Innovations Facial Plastic Surgery. Ms. Wilson advertises Innovations Wellness Center as an award winning medical center with state of the art exams and procedure rooms. This is a medical facility used by multiple physician providers. Ms. Wilson, uses the title Dr. and states that she is a Board Certified Naturopathic Medical Doctor (NMD) on her website. She is depicted on her website wearing a lab coat and stethoscope and claims that her primary areas of health coaching is on aging well through the development of a personal wellness plan for each patient, stress management, addictions, detoxification programs, nutrition and weight loss, women and children's health, and chronic conditions, including cancer, candidiasis, hormone imbalance, hypertension, diabetes, autoimmune disease, pain and fatigue.

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*To view disciplinary orders, visit the TMB website, click on "Look Up A License," accept the usage terms, then type in a licensee's name. Click on the name shown in the search results to view the licensee's full profile. Within that profile is a button that says "View Board Actions."*

*All releases and bulletins are also available on the TMB website under the "Newsroom" heading.*