

1997 Press Releases

August 19, 1997

61 doctors disciplined

During its Aug. 7-9 board meeting, the Texas State Board of Medical Examiners disciplined 62 licensed physicians, who received one or more of the following actions: 16 suspensions, with eight of those suspensions stayed and probated under various terms and conditions; two revocations, one of which was stayed and probated under various terms and conditions; six voluntary and permanent surrenders of license; 14 restrictions with various terms and conditions; and 14 public reprimands. In addition, 19 administrative penalties were assessed, totalling \$49,900.

Board votes fee increase

At its Aug. 7-9 meeting, the Board voted to implement an increase of \$10 for physicians' annual fees to offset the costs of carrying out Telemedicine and Physicians in Training regulation.

Board adopts new rules

The Board adopted amendments to Chapter 163: Licensure, implementing statutory changes relating to licensure for the Fifth Pathway. In addition, it adopted Section 163.14, relating to the temporary license of primary care physicians for practice in rural counties or medically underserved areas. It adopted amendments to Chapter 176: Reinstatement, adding new section 167.2, relating to informal disposition, and renumbering section 167.3. The board adopted an amendment to section 175.1 to include processing and renewal fees for non-certified radiologic technicians and fees for acupuncture temporary license and acupuncture distinguished professor license. It adopted changes to Chapter 177: Certification of Non-Profit Health Organizations, to amend section 177.11, relating to undue influence by non-physician members.

The Board also adopted changes to Chapter 183: Acupuncture, to amend sections 183.2, 183.7, 183.20 and 183.22 concerning disciplinary guidelines, passage of herbology portion of the National Commission for the Certification of Acupuncturists (NCCA) examination, issuance of degrees and continuing acupuncture education. It adopted changes to Chapter 185: Physician Assistants, to amend 185.4, 185.6, 185.7, 185.14, 185.19, 185.20, and 185.24, relating to licensure documentation, carryover of continuing medical education hours, temporary licenses, discipline and hearing procedures.

Proposed Rule Changes

The Board also proposed the following rule changes for public comment:

Chapter 179: Investigations, relating to reporting by physician assistants and acupuncturists; Chapter 183: Acupuncture, Sections 183.17 and 183.22, relating to the registration of acudetox specialists and continuing medical education for acudetox specialists; Chapter 185: Physician Assistants, relating to licensure procedure, documentation and renewal requirements; Chapter 193: Standing Delegation Orders, implementing physician assistant licensure and supervision requirements.

Disciplinary Actions

Abrantes, Anthony Clark, M.D., Sherman, TX, Lic. #F6375 An agreed order was entered on 8-9-97 suspending Dr. Abrantes' license; however, the suspension was stayed and he was placed on probation for five years under various terms and conditions. Action due to unprofessional conduct that is likely to deceive or defraud the public or injure the public, and administering a drug or treatment that is nontherapeutic in nature or nontherapeutic in the manner the drug or treatment is administered or prescribed.

Baker, Jack L., M.D., Friendswood, TX, Lic. #J2489 An agreed order was entered on 8-9-97 suspending Dr. Baker's license; however, the suspension was stayed and he was placed on probation for seven years under various terms and conditions. Action due to intemperate use of alcohol or drugs.

Barrada, M. Ismail, M.D., Houston, TX, Lic. #G6898 An agreed order was entered on 8-9-97 publicly reprimanding and restricting his license under certain terms and conditions as outlined in order. Also, Dr. Barrada was assessed an administrative penalty in the amount of \$10,000. Action due to violation of laws connected with practice of medicine and violation of board rules.

Berry, Shellie, M.D., Canton, TX, Lic. #H5222 An agreed order was entered on 8-9-97 suspending her license until such time as Dr. Berry appears before the board and provides sufficient evidence to show that she is physically, mentally and otherwise competent to safely practice medicine. Action due to failing to keep complete and accurate records and 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.

Blair, Donald Levester, Jr., M.D., Fort Worth, TX, Lic. #H4171 An agreed order was entered on 8-9-97 publicly reprimanding Dr. Blair. Action due to failure to practice medicine in an acceptable manner consistent with public health and welfare.

Boland, Gregory Harold, M.D., Pueblo, CO, Lic. #H7045 An agreed order was entered on 8-9-97 wherein Dr. Boland voluntarily surrendered his license. Action due to a conviction of a crime of the grade of a felony or a crime of a lesser degree that involves moral turpitude, inability to practice medicine due to impairment by reason of illness or chemical abuse, and disciplinary action by another state.

Bowles, Theodore A., Jr., D.O., San Antonio, TX, Lic. #H7392 An agreed order was entered on 8-9-97 suspending his license until such time as Dr. Bowles appears before the board and provides sufficient evidence to show that he is physically, mentally, and otherwise competent to safely practice medicine. Action due to intemperate use of alcohol or drugs.

Brenner, John Frederick, D.O., Fort Worth, TX, Lic. #F6476 An agreed order was entered on 8-9-97 restricting his license for three years under various terms and conditions and assessing an administrative penalty in the amount of \$2,500. Action due to unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public.

Byrnes, Robert J., D.O., Jacksonville, TX, Lic. #J1904 An agreed order was entered on 8-9-97 assessing an administrative penalty in the amount of \$2,000. Action due to unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public.

Castaneda, Jose Luis, M.D., Brownsville, TX, Lic. #F3818 An agreed order was entered on 8-9-97 publicly reprimanding Dr. Castaneda and assessing an administrative penalty in the amount of \$5,000. Action due to failure to supervise delegates and abetting the unlicensed practice of medicine.

Cole, George Martin, D.O., Amarillo, TX, Lic. #F5175 An agreed order was entered on 8-9-97 requiring the physician not to perform any "invasive surgical procedure" as that term is defined under the agreed order until the physician appears before the board and receives permission to perform such procedures. Action due to failure to practice medicine in an acceptable manner consistent with public health and welfare.

Costa, Felix Augusto, M.D., Houston, TX, Lic. #D9972 An agreed order was entered on 8-9-97 restricting his license for five years under various terms and conditions. Action due to disciplinary action by peers.

Demetri, Leslie R., Sr., M.D., Dallas, TX, Lic. #D9417 An agreed order was entered on 8-9-97 restricting his license for five years under various terms and conditions. Action due to failure to keep complete and accurate drug records.

Du, Liem Chi, M.D., San Antonio, TX, Lic. #H9892 An agreed order was entered on 8-9-97 assessing an administrative penalty in the amount of \$1,000. Action due to unprofessional and dishonorable conduct likely to deceive or defraud the public or injure the public.

Foreman, Adolphus, M.D., Houston, TX, Lic. #D4997 An agreed order was entered on 8-9-97 restricting his license for three years under various terms and conditions. Action due to failure to practice medicine in an acceptable manner consistent with public health and welfare.

Fowler, James H., M.D., Dallas, TX, Lic. #F7755 An agreed order was entered on 8-9-97 publicly reprimanding Dr. Fowler. Action due to

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

Freiberger, John Jacob, M.D., Chapel Hill, NC, Lic. #F3968 An agreed order was entered on 8-9-97 wherein Dr. Freiberger voluntarily surrendered his license in order to avoid the expense of litigation.

Fustok, Abdel Kader, M.D., Houston, TX, Lic. #F4727 An agreed order was entered on 8-9-97 assessing an administrative penalty in the amount of \$5,000. Action due to unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public.

Glidden, Weldon Edward, D.O., Quanah, TX, Lic. #G3397 An agreed order was entered on 8-9-97 suspending Dr. Glidden's license; however, the suspension was stayed and he was placed on probation for five years under various terms and conditions. Action due to intemperate use of alcohol or drugs and unprofessional conduct.

Goh, Ewe Ghee, M.D., Dallas, TX, Lic. #F4842 An agreed order was entered on 8-9-97 assessing an administrative penalty in the amount of \$1,200. Action due to failure to practice medicine in an acceptable manner consistent with public health and welfare.

Hargett, John M., M.D., McKinney, TX, Lic. #G3430 An agreed order was entered on 8-9-97 suspending his license until such time as Dr. Hargett appears before the board and provides sufficient evidence to show that he is physically, mentally, and otherwise competent to safely practice medicine. Action due to intemperate use of alcohol or drugs.

Harmon, David, D.O., Grand Junction, CO, Lic. #E9684 An agreed order was entered on 8-9-97 indefinitely suspending his license until such time as Dr. Harmon appears before the board and provides sufficient evidence to show that he is physically, mentally, and otherwise competent to safely practice medicine. Action due to intemperate use of alcohol or drugs, impairment due to illness or chemical abuse, and disciplinary action by another state.

Harrison, Mark L., M.D., Key Biscayne, FL, Lic. #G4598 An agreed order was entered on 8-9-97 publicly reprimanding Dr. Harrison and assessing an administrative penalty in the amount of \$1,000. Action due to failure to supervise adequately the activities of those acting under supervision, delegating responsibilities to unqualified persons, and abetting the unlicensed to practice medicine.

Jakubowicz, Isaac E., M.D., Los Angeles, CA, Lic. #F5962 An agreed order was entered on 8-9-97 publicly reprimanding Dr. Jakubowicz. Action due to conviction of felony or crime involving moral turpitude and disciplinary action by another state.

Kauffman, Robert P., M.D., Dallas, TX, Lic. #F4147 An agreed order was entered on 8-9-97 suspending his license until such time as Dr. Kauffman

appears before the board and provides sufficient evidence to show that he is physically, mentally, and otherwise competent to safely practice medicine. Action due to intemperate use of alcohol or drugs, unprofessional conduct, and disciplinary action by peers.

Koval, Robert John, M.D., Dallas, TX, Lic. #G1694 An agreed order was entered on 8-9-97 requiring the physician to adhere to certain terms and conditions for five years and assessing an administrative penalty in the amount of \$2,500. Action due to unprofessional conduct, prescribing or administering a treatment that is nontherapeutic in nature or nontherapeutic in the manner the treatment is administered or prescribed, and failure to practice medicine in an acceptable manner consistent with public health and welfare.

Levie, Charles A., M.D., Jonesboro, IL, Lic. #H7455 An agreed order was entered on 8-9-97 wherein Dr. Levie voluntarily and permanently surrender his license. Action due to disciplinary action by another state.

Lewy, Robert Ira, M.D., Houston, TX, Lic. #F4931 An agreed order was entered on 8-9-97 publicly reprimanding Dr. Lewy and assessing an administrative penalty in the amount of \$2,000. Action due to failure to practice medicine in an acceptable manner consistent with public health and welfare and disciplinary action by peers.

Lockwood, Richard L., M.D., Houston, TX, Lic. #G7083 An agreed order was entered on 8-9-97 suspending his license until such time as Dr. Lockwood appears before the board and provides sufficient evidence to show that he is physically, mentally, and otherwise competent to safely practice medicine. Action due to unprofessional conduct.

Marasigan, Freddie P., M.D., Amarillo, TX Lic. #F6021 An agreed order was entered on 8-9-97 assessing an administrative penalty in the amount of \$1,000. Action due to failure to practice medicine in an acceptable manner consistent with public health and welfare.

McCallum, Michael H., M.D., Spring, TX, Lic. #G6128 An agreed order was entered on 8-9-97 suspending Dr. McCallum's license; however, the suspension was stayed and he was placed on probation for 10 years under various terms and conditions. Action due to intemperate use of alcohol or drugs and unprofessional conduct.

McCoig, Edward Lloyd, M.D., Houston, TX, Lic. #F4258 An agreed order was entered on 8-9-97 assessing an administrative penalty in the amount of \$500. Action due to violation of board rules.

McDonald, Herbert B., M.D., Coupeville, WA, Lic. #E5843 An agreed order was entered on 8-9-97 assessing an administrative penalty in the amount of \$500. Action due to violation of board rules relating to mandatory completion and reporting continuing medical education.

McFarland, Bruce Robin, M.D., Corpus Christi, TX, Lic. #H3353 An agreed order was entered on 8-9-97 restricting his license for five years under various terms and conditions. Action due to intemperate use of alcohol or drugs.

McGonagle, Martin E., M.D., Brownwood, TX, Lic. #G6563 An agreed order was entered on 8-9-97 assessing an administrative penalty in the amount of \$10,000. Action due to unprofessional conduct, failing to keep complete and accurate drug records, and failure to practice medicine in an acceptable manner consistent with public health and welfare.

Mehdi, Muzaffar, M.D., Dallas, TX, Lic. #E8071 An agreed order was entered on 8-9-97 publicly reprimanding Dr. Mehdi. Action due to unprofessional conduct, persistently and flagrantly overcharging or overtreating patients, failure to practice medicine in an acceptable manner consistent with public health and welfare, and disciplinary action by peers.

Moran, Wilmer, Jr., M.D., Houston, TX, Lic. #E1684 An agreed order was entered on 8-9-97 publicly reprimanding Dr. Moran and assessing an administrative penalty in the amount of \$100. Action due to violation of board rules relating to mandatory completion and reporting continuing medical education.

Morris, Dareld Ray, D.O., Amarillo, TX, Lic. #C8589 An agreed order was entered on 8-9-97 publicly reprimanding Dr. Morris. Action due to abetting the unlicensed practice of medicine.

Nessman, Lawrence, D.O., Wayne, NJ, Lic. #D1244 An agreed order was entered on 8-9-97 restricting Dr. Nessman from practicing medicine in Texas until such time as he appears before the board and provides sufficient evidence and information that he is physically, mentally, and otherwise competent to safely practice medicine. Action due to disciplinary action by another state and unprofessional conduct.

Norrid, Henry, D.O., Amarillo, TX, Lic. #E3077 An agreed order was entered on 8-9-97 publicly reprimanding Dr. Norrid. Action due to failure to practice medicine in an acceptable manner consistent with public health and welfare.

Pence, Ronald M., M.D., Bedford, TX, Lic. #H2677 An agreed order was entered on 8-9-97 suspending Dr. Pence's license; however, the suspension was stayed and he was placed on probation for four years under various terms and conditions. Action due to unprofessional conduct and failure to practice medicine in an acceptable manner consistent with public health and welfare.

Raymond, Dennis Michael, M.D., Dallas, TX, Lic. #G8362 An agreed order was entered on 8-9-97 restricting his license for five years under various terms and conditions. Action due to unprofessional conduct that is likely to deceive or defraud the public or injure the public and failure to practice medicine in an acceptable manner consistent with public health and welfare.

Rose, Mark Richard, M.D., San Antonio, TX, Lic. #J8112 An agreed order was entered on 8-9-97 suspending Dr. Rose's license; however, the suspension was stayed and he was placed on probation for 10 years under various terms and conditions. Action due to intemperate use of alcohol or drugs and unprofessional conduct.

Samuels, Michael G., D.O., Dallas, TX, Lic. #G3944 An agreed order was entered 8-9-97 wherein the physician voluntarily and permanently surrendered his license to avoid the expense of litigation.

Schmidt, John X., D.O., Mansfield, TX, Lic. #G5580 An agreed order was entered 8-9-97 publicly reprimanding Dr. Schmidt and requiring him to abide by certain terms and conditions for three years as outlined in order. Action due to failure to keep complete and accurate drug records and prescribing, administering, or dispensing dangerous drugs in an improper manner.

Sconzert, Alan C., M.D., Pasco, WA, Lic. #J3214 An agreed order was entered 8-9-97 publicly reprimanding Dr. Sconzert and assessing an administrative penalty in the amount of \$500. Action due to failure to practice medicine in an acceptable manner consistent with public health and welfare and disciplinary action by another state.

Shaughnessy, Dennis M., M.D., Midland, TX, Lic. #F7913 An agreed order was entered on 8-9-97 suspending his license until such time as Dr. Shaughnessy appears before the board and provides sufficient evidence to show that he is physically, mentally, and otherwise competent to safely practice medicine. Action due to intemperate use of alcohol or drugs and unprofessional conduct.

Silva, Marcelino S., M.D., Lockhart, TX, Lic. #E6173 An agreed order was entered on 8-9-97 publicly reprimanding Dr. Silva. Also, his license was suspended; however, the suspension was stayed and he was placed on probation for five years under various terms and conditions. Action due to unprofessional conduct that is likely to deceive or defraud the public and failure to practice medicine in an acceptable manner consistent with public health and welfare.

Steward, Robert H., M.D., Sanger, TX, Lic. #H3946 An agreed order was entered on 8-9-97 suspending Dr. Steward's license; however, the suspension was stayed and he was placed on probation for seven years under various terms and conditions. Action due to unprofessional conduct, intemperate use of alcohol or drugs, and disciplinary action by peers.

Talmadge, John Mills, Jr., M.D., Dallas, TX, Lic. #E1948 An agreed order was entered on 8-9-97 requiring the physician to comply with certain terms and conditions for five years. Dr. Talmadge was also assessed an administrative penalty in the amount of \$2,500. Action due to prescribing or dispensing to habitual user and failure to practice medicine in an acceptable manner consistent with public health and welfare.

Talmage, Edward Arthur, M.D., Houston, TX, Lic. #D2722 An agreed order was entered on 8-9-97 publicly reprimanding Dr. Talmage. Action due

to prescribing or dispensing to habitual user and non-therapeutic prescribing or treatment.

Tannerya, Richard Goan, M.D., Houston, TX, Lic. #F5388 An agreed order was entered on 8-9-97 publicly reprimanding Dr. Tannerya. Action due to failing to supervise adequately the activities of those acting under supervision and delegating professional medical responsibilities to unqualified persons.

Theagene, Samuel M., M.D., San Antonio, TX, Lic. #J7690 An agreed order was entered on 8-9-97 restricting his license for two years under various terms and conditions. Action due to unprofessional conduct.

Thomson, Mary E., M.D., Wake Village, TX, Lic. #J2374 An agreed order was entered on 8-9-97 revoking Dr. Thomson's license; however, the revocation was stayed and the physician was placed on probation for 10 years under various terms and conditions. Action due to conviction of a crime of the grade of felony or a crime of a lesser degree that involves moral turpitude, intemperate use of alcohol or drugs, impairment due to illness or chemical abuse, and violation of the laws connected with practice of medicine, and writing false or fictitious prescriptions.

Tyson, Samuel Tilden II, M.D., Dallas, TX, Lic. #H2185 An agreed order was entered on 8-9-97 publicly reprimanding Dr. Tyson. Action due to failure to practice medicine in an acceptable manner consistent with public health and welfare.

Ussery, Fred M. III, M.D., Houston, TX, Lic. #E2908 An agreed order was entered on 8-9-97 indefinitely suspending his license until such time as Dr. Ussery appears before the board and provides sufficient evidence to show that he is physically, mentally, and otherwise competent to safely practice medicine. Action due to illness.

Waddingham, Rand E., M.D., Crane, TX, Lic. #H5214 An agreed order was entered on 8-9-97 requiring the physician to adhere to certain terms and conditions for two years. Action due to violations of board rules relating to acceptable medical practice.

Ware, Steven Alan, M.D., Houston, TX, Lic. #F4652 An agreed order was entered on 8-9-97 assessing an administrative penalty in the amount of \$2,500. Action due to professional failure to practice medicine in an acceptable manner consistent with public health and welfare, and disciplinary action taken by his peers.

Whitaker, John Fredric, M.D., Dallas, TX, Lic. #D0347 An agreed order was entered on 8-9-97 wherein the physician voluntarily and permanently retired his license in order to avoid the expense of litigation.

Whitelock, Paul, M.D., Durango, CO, Lic. #D7364 An agreed order was entered on 8-9-97 publicly reprimanding Dr. Whitelock and assessing an administrative penalty in the amount of \$100. Action due to violation of board

rules relating to mandatory completion and reporting of continuing medical education.

Winterowd, Keith Gene, D.O., DeSoto, TX, Lic. #D1174 An agreed order was entered on 8-9-97 wherein Dr. Winterowd voluntarily surrendered his license. Action due to conviction of felony or crime of the grade of felony or a crime of a lesser degree that involves moral turpitude, unprofessional conduct, violation of the laws of the state of Texas if the act is connected with practice of medicine, and failure to practice medicine in an acceptable manner consistent with public health and welfare.

Yentis, Richard David, M.D., Fort Worth, TX, Lic. #D5333 An agreed order was entered on 8-9-97 revoking Dr. Yentis' license. Action due to conviction of felony or crime involving moral turpitude and unprofessional conduct.

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

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MC251
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