

## Texas Medical Board Press Release

### FOR IMMEDIATE RELEASE

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### TMB disciplines 14 physicians at October meeting, adopts rule changes

At its October 14, 2022 meeting, the Texas Medical Board disciplined 14 licensed physicians.

The disciplinary actions included: two orders related to unprofessional conduct, three voluntary surrenders/revocations, one suspension, one order related to nontherapeutic prescribing, one order related to violation of board rules, and six orders related to other states' actions. The Board also ratified four cease and desist orders.

The Board issued 255 physician licenses at the October meeting, bringing the total number of physician licenses issued in Fiscal Year 2023 to 960.

### RULE CHANGES ADOPTED

#### CHAPTER 195. PAIN MANAGEMENT CLINICS

The amendments to **§§195.1 - 195.4**, concerning Pain Management Clinics, repeal the existing rules and replace with new §§195.1 - 195.5. The amendments clarify which pain management clinics are subject to the application of Chapter 168 of the Texas Occupations Code and outlines eligibility requirements for a clinic to obtain a Gold Designated Practice status, and processes for Board audits, inspections, and investigations conducted to determine compliance with laws and rules related to pain management clinics.

### DISCIPLINARY ACTIONS

#### UNPROFESSIONAL CONDUCT

##### **Ali, Zahra Piyar, M.D., Lic. No. T2810, Spring**

On October 14, 2022, the Board and Zahra Piyar Ali, M.D., entered into an Agreed Order lifting Dr. Ali's temporary suspension and publicly refers her to the Texas Physician Health Program (TXPHP). The Board found Dr. Ali, who was previously temporarily suspended after an incident involving her consuming alcohol while at work, has entered into a TXPHP monitoring agreement and is adhering to the terms of the agreement. The order supersedes any prior Board order.

##### **Snook Murray Alan, M.D., Lic. No. H8419, Georgetown**

On October 14, 2022, the Board and Murray Alan Snook, 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 36 hours of CME, divided as follows: eight hours in medical recordkeeping, twelve hours in supervision or delegation, eight hours in medical ethics and eight hours in risk management; and within 60 days pay an administrative penalty of \$2,000. The Board found Dr. Snook enabled a non-physician, at a clinic in which he was the medical director, to make medical decisions under the guise of his license, namely performing B12 injections on patients with no prior physician-patient relationship or medical evaluation.

#### VOLUNTARY SURRENDER/REVOCATION

##### **Klein, Mervyn Joel, M.D., Lic. No. D4513, Houston**

On October 14, 2022, the Board and Mervyn Joel Klein, M.D., entered into an Agreed Voluntary Surrender Order in which Dr. Klein agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Klein's practice was temporarily restricted and he was under investigation for nontherapeutic prescribing of controlled substances. Dr. Klein indicated his desire to retire from practice.

**Osborne, Walter George, M.D., Lic. No. E4581, Arlington**

On October 14, 2022, the Board and Walter George Osborne, M.D., entered into an Agreed Order of Voluntary Surrender in which Dr. Osborne agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. The Board found that due to a diagnosis which interferes with Dr. Osborne's ability to practice medicine safely, he has indicated his desire to retire. The order resolves a formal complaint filed at the State Office of Administrative Hearings.

**Young, Mark, M.D., Lic. No. J0388, Denison**

On October 14, 2022, the Board and Mark Young, M.D., entered into an Agreed Order of Voluntary Surrender in which Dr. Young agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Young was under investigation for violating the terms of his June 2021 Order. He indicated that he has retired from practicing medicine.

**SUSPENSION**

**Gibson, Gerald Patrick, Jr., M.D., Lic. No. L6050, San Marcos**

On October 14, 2022, the Board and Gerald Patrick Gibson, Jr., M.D., entered into an Agreed Order of Voluntary Suspension in which Dr. Gibson agreed to the suspension of his Texas medical license until such time as he requests in writing to have the suspension stayed or lifted and appears before the Board to provide adequate evidence that he is physically, mentally, and otherwise competent to safely practice medicine. The Board found Dr. Gibson is in violation of his October 2019 Order after testing positive for a controlled substance and alcohol. The order remains in effect until superseded by a subsequent order.

**NONTHERAPEUTIC PRESCRIBING**

**Boatwright, Roger Wayne, M.D., Lic. No. R8708, York, PA**

On October 14, 2022, the Board and Roger Wayne Boatwright, M.D., entered into an Agreed Order on Formal Filing publicly reprimanding Dr. Boatwright and prohibiting him from prescribing, administering, possessing or dispensing controlled substances in Texas or to Texas patients and shall not reregister or otherwise obtain controlled substances registrations without prior authorization. Dr. Boatwright has chosen not to renew his license and it is therefore delinquent. Any practice of medicine under the authority of his Texas medical license after the date of entry of this order is a violation of the order. Dr. Boatwright agrees to cancel his license after the entry of this order. Further, Dr. Boatwright shall not use his Texas license in any jurisdiction to diagnose, treat or prescribe controlled substances to patients in Texas for pain as defined in the Board rules; within 30 days refer all current pain management patients to specialists and may prescribe dangerous drugs for the treatment of acute pain to a patient in Texas on a one-time basis only for no more than 72 hours with no refills; within one year complete the medical recordkeeping course offered by PACE; within one year and three attempts pass the Medical Jurisprudence Exam; within 60 days pay an administrative penalty of \$2,500; and shall not be permitted to supervise or delegate prescriptive authority to a physician assistant or advanced practice nurse or supervise a surgical assistant. The Board found Dr. Boatwright failed to meet the standard of care in his treatment of 15 chronic pain patients and nontherapeutically prescribed to several patients. The order resolves a formal complaint filed at the State Office of Administrative Hearings.

**VIOLATION OF BOARD RULES**

**Ramirez, Norman Michael, M.D., Lic. No. G1521, McAllen**

On October 14, 2022, the Board and Norman Michael Ramirez, M.D., entered into an Agreed Order requiring him to within one year complete at least 16 hours of CME, divided as follows: eight hours in medical recordkeeping and eight

hours in risk management. The Board found Dr. Ramirez failed to adequately discuss with a patient and her family, and adequately document this discussion, the high risk dissection associated with a TAVR procedure for patients with Turner syndrome.

## **OTHER STATES' ACTIONS**

### **Akers-White, La Tania, M.D., Lic. No. S7988, Richmond, VA**

On October 14, 2022, the Board and La Tania Akers-White, M.D., entered into a Waiver Order requiring her to within one year complete at least 10 hours of CME in ethics/risk management; within 90 days pay an administrative penalty of \$5,000; and comply with all terms of the Order entered by the Virginia Board of Medicine on or around September 8, 2021. The Board found Dr. Akers-White was disciplined by the Virginia Board for dispensing controlled substances with an expired license; dispensing controlled substances without documenting medical services; failed to create, maintain, and adequately protect drug logs, medical equipment, and medications as well as dispose of expired medications, medical supplies, and medical equipment; fraudulently obtained Vitamin B12 by writing a false prescription for a patient; and provided false credentials on social media platforms.

### **Doss, William, III, M.D., Lic. No. J4780, Portsmouth, VA**

On October 14, 2022, the Board and William Doss, III, M.D., entered into a Waiver Order publicly reprimanding Dr. Doss and requiring him to within one year complete at least 15 hours of CME in pain management; and comply with all terms of the agreement entered on or around July 8, 2022, with the Virginia Board of Medicine. The Board found that Dr. Doss had a disciplinary action entered with the Virginia Board based on improper prescribing of controlled substances to patients under Virginia law.

### **Fatteh, Parvez, M.D., Lic. No. M0069, San Francisco, CA**

On October 14, 2022, the Board and Parvez Fatteh, M.D., entered into a Waiver Order requiring him to comply with all terms of the agreement entered on or around March 26, 2021 with the Medical Board of California. The Board found that Dr. Fatteh was disciplined by the California Board based on a criminal conviction involving Dr. Fatteh receiving a payment to buy accounts receivable which, in effect was a rebate for referring a patient to a pharmacy.

### **Goffi, Adriano, M.D., Lic. No. Q5412, Tomball**

On October 14, 2022, the Board and Adriano Goffi, M.D., entered into a Waiver Order prohibiting him from supervising or delegating prescriptive authority to a physician assistant or advanced practice nurse or supervising a surgical assistant in Texas; and requiring him to comply with all terms of the agreement entered on or around March 15, 2022 with Utah's Division of Occupational & Professional Licensing of the Department of Commerce. The Board found that Dr. Goffi was disciplined by the Utah licensing department based on a failure to adequately supervise his Advanced Practice Registered Nurses at his clinics in Utah by allowing them to perform medical procedures without the supervision of a physician.

### **Maiteh, Mamon, M.D., Lic. No. T1145, Irving**

On October 14, 2022, the Board and Mamon Maiteh, M.D., entered into a Waiver Order prohibiting him from diagnosing, treating, or prescribing for patients in Texas or using his Texas license to practice medicine in any jurisdiction until he requests in writing and appears before the Board to provide evidence that he is physically, mentally, and otherwise competent to safely practice medicine. The Board found that Dr. Maiteh agreed to the permanent revocation of his license with the State Medical Board of Ohio on May 25, 2022, because of an illness.

### **McMillion, Virgil, D.O., Lic. No. T2680, Denver, CO**

On October 14, 2022, the Board and Virgil McMillion, D.O., entered into a Waiver Order prohibiting him from diagnosing, treating, or prescribing for patients in Texas, or using his Texas license to practice medicine in any other jurisdiction, until he requests in writing to resume practice in Texas and personally appears before the Board to provide evidence that he is physically, mentally, and otherwise competent to safely practice medicine. The Board found that Dr. McMillion voluntarily surrendered his license or his license was suspended in Maryland, Virginia, South Dakota, Idaho, New Hampshire, Kansas, Ohio, Illinois, Tennessee, Kentucky, Vermont and North Carolina based on unprofessional conduct in West Virginia.

## **CEASE & DESISTS**

### **Barboza, Luz Arlena, No License, Richland Hills**

On October 14, 2022, the Board and Luz Arlena Barboza entered into an Agreed Cease and Desist Order prohibiting her from practicing medicine in Texas without a license issued by the Texas Medical Board and from acting as, or holding herself out to be, a licensed physician in the state of Texas. The Board found Ms. Barboza saw a 22-month-old patient and purported to diagnose and treat him for fever, low energy, and loss of appetite by prescribing homeopathic drops for West Nile Fever and Yellow Fever Virus. The patient later died of streptococcus pneumoniae meningitis.

### **Flanary, Carolyn, D.D.S., No License, San Antonio**

On October 14, 2022, the Board and Carolyn Flanary, D.D.S., entered into an Agreed Cease and Desist Order prohibiting Ms. Flanary from practicing medicine in the state of Texas and from acting as, or holding herself out to be, a licensed physician in the state of Texas. The Board found Ms. Flanary, who is a licensed dentist, advertised, and she and her staff performed, Hyperbaric Oxygen Therapy without a licensed medical professional or without consulting a prescribing physician for treatment, and beyond the scope of FDA approval.

### **Hubbard, Jeffrey B., M.D., No License, Missouri City**

On October 14, 2022, the Board and Jeffrey B. Hubbard, M.D., entered into an Agreed Cease and Desist Order prohibiting him from practicing medicine in the state of Texas without a license issued by the Texas Medical Board and prohibiting him from acting as, or holding himself out to be, a licensed physician in the state of Texas. The Board found Dr. Hubbard advertised a clinic offering medical services, and engaged in the unlicensed practice of medicine by diagnosing and assessing medical conditions of patients, offering to treat such conditions, and by treating patients in Texas without first having applied for and obtaining a Texas medical license.

### **Lauria, Caulen, No License, Austin**

On October 14, 2022, the Board and Caulen Lauria entered into an Agreed Cease and Desist Order prohibiting him from practicing medicine in the state of Texas and from acting as, or holding himself out to be, a licensed physician in the state of Texas. The Board found Mr. Lauria provided medical care through Hyperbaric Oxygen Therapy without a licensed medical professional or without consulting a prescribing physician for treatment and beyond the scope of FDA approval.

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*To view disciplinary orders and Board action history, 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 "Current Board Action."*

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