

Texas Medical Board Press Release

FOR IMMEDIATE RELEASE

December 15, 2023

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TMB disciplines 18 physicians at December meeting

At its December 8, 2023 meeting, the Texas Medical Board disciplined 18 licensed physicians.

The disciplinary actions included: three orders related to unprofessional conduct, five orders related to quality of care, one voluntary surrender/revocation, two revocations, two orders related to nontherapeutic prescribing, one order related to peer review action, and four orders related to other states' actions. The Board also ratified two cease and desist orders.

The Board issued 198 physician licenses at the December meeting, bringing the total number of physician licenses issued in Fiscal Year 2024 to 1,850.

DISCIPLINARY ACTIONS

UNPROFESSIONAL CONDUCT

Almono, Juan Cartagena, M.D. Lic. No. BP10077177, El Paso

On December 8, 2023, the Board and Juan Cartagena Almono, M.D., entered into an Agreed Order publicly reprimanding Dr. Almono and placing him under the following terms: within one year and three attempts pass the Medical Jurisprudence Exam; within 30 days obtain a treating psychiatrist and follow all recommendations made for care and treatment; within one year complete at least 12 hours of CME in ethics; within one year pay an administrative penalty of \$2,000; 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. Almono forged signatures on multiple prescriptions with the purpose of avoiding paying parking ticket citations and resigned from his residency program in lieu of termination.

Gagadam, Dayaker R., M.D., Lic. No. K3195, Fort Worth

On December 8, 2023, the Board and Dayaker R. Gagadam, M.D., entered into an Agreed Order requiring him to 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 12 hours of CME, divided as follows: four hours in boundaries, four hours in patient communications and four hours in risk management. The Board found Dr. Gagadam performed an exam on sensitive areas based on the patient's complaints he had to palpate the patient's neck, chest and legs, and should have had a chaperone present.

Staebel, Craig Allen, M.D., Lic. No. L3142, Georgetown

On December 8, 2023, the Board and Craig Allen Staebel, M.D., entered into an Agreed Order publicly reprimanding Dr. Staebel and placing him under the following terms: shall have a chaperone present for patient examinations; 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. Staebel breached professional boundaries when he hugged a patient during a post-operative breast augmentation exam and made unprofessional comments.

QUALITY OF CARE

Campbell, Odette Louise, M.D., Lic. No. H9606, Houston

On December 8, 2023, the Board and Odette Louise Campbell, M.D., entered into a Mediated Agreed Order revoking Dr. Campbell's license; however, the revocation is stayed and she is placed on probation under the following terms: within 30 days obtain a pre-approved board certified physician to serve as her work-site monitor; shall not treat or otherwise serve as a physician for her immediate family, employees or close friends and shall not prescribe, dispense, administer, or authorize controlled substances or dangerous drugs with addictive potential to herself, immediate family, employees or close friends; within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete the TMB Remedial Coaching Program at the University of Texas at Dallas School of Management; have her practice monitored by another physician for 12 consecutive monitoring cycles; within one year complete at least 32 hours of CME, divided as follows: eight hours in communications, eight hours in ethics, eight hours in HIPAA and eight hours in boundaries; within 90 days pay an administrative penalty of \$5,000; and shall not be permitted to supervise or delegate prescriptive authority to physician assistants and advanced practice nurses or supervise surgical assistants. The Board found Dr. Campbell improperly diagnosed and treated a patient, an employee of Dr. Campbell's, for unspecified bipolar disorder without a proper history, examination or laboratory testing. Dr. Campbell did not properly utilize standard criteria to support the diagnosis. The order resolves a formal complaint filed at the State Office of Administrative Hearings.

Dubberly, Danny Lee, M.D., Lic. No. E8447, Corpus Christi

On December 8, 2023, the Board and Danny Lee Dubberly, 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 28 hours of CME, divided as follows: 12 hours in medical recordkeeping, 12 hours in prescribing controlled substances and four hours in risk management; and within 60 days pay an administrative penalty of \$2,000. The Board found Dr. Dubberly failed to properly monitor one patient by checking prescription monitoring before prescribing, prescribed controlled substances to his own advanced practice nurse without adequately documenting relevant history, physical exam findings, assessment, clinical impression or diagnoses in the absence of immediate need, and failed to keep adequate medical records for the patient.

Havins, Jeremiah Daniel, M.D., Lic. No. Q4425, Waco

On December 8, 2023, the Board and Jeremiah Daniel Havins, M.D., entered into an Agreed Order prohibiting him from practicing interventional cardiology medicine, but may practice general cardiology; and shall not be permitted to delegate prescriptive authority to physician assistants and advanced practice nurses or supervise surgical assistants. The Board found Dr. Havins failed to meet the standard of care in the surgical treatment of three patients on whom he performed cardiac interventions.

Ikeda, Marcos Hiroshi, M.D., Lic. No. N6375, Houston

On December 8, 2023, the Board and Marcos Hiroshi Ikeda, 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 and three attempts pass the Medical Jurisprudence Exam; within one year complete at least 48 hours of CME, divided as follows: 12 hours in supervision and delegation, 8 hours in ethics, 8 hours in risk management, 8 hours in medical recordkeeping, 8 hours in informed consent and four hours in large volume liposuction v. liposuction; and within 60 days pay an administrative penalty of \$3,000. The Board found Dr. Ikeda failed to meet the standard of care in the treatment of several patients when he failed to properly document his plan and assessment of patients for the procedures they were to undergo. Dr. Ikeda failed to properly follow-up and adequately address complications post-operatively. Additionally, Dr. Ikeda inappropriately delegated medical responsibility or acts by allowing foreign unlicensed medical graduates to present to his patients as doctors/physicians.

Karim, Azim Amin, M.D., Lic. No. Q2911, Houston

On December 8, 2023, the Board and Azim Amin Karim, M.D., entered into an Agreed Order publicly reprimanding Dr. Karim and placing him under the following terms: have his practice monitored by another physician for 12 consecutive monitoring cycles; within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete at least 24 hours of CME, divided as follows: eight hours in ethics, eight hours in billing and eight hours in medical recordkeeping; and within 90 days pay an administrative penalty of \$20,000. The Board found Dr. Karim's prescribing was inappropriate and medically unnecessary, as patients did not receive or request prescriptions for Ribavirin, which were sent to NextCare Pharmacy, which Dr. Karim owns and benefited from financially.

VOLUNTARY SURRENDER/REVOCATION

Rosenfeld, Bernard Lloyd, M.D., Lic. No. F7687, Houston

On December 8, 2023, the Board and Bernard Lloyd Rosenfeld, M.D. entered into an Agreed Order of Voluntary Surrender in which Dr. Rosenfeld agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. The Board found Dr. Rosenfeld is suffering from a mental and/or physical impairment that interferes with his ability to safely practice.

REVOCATION

Beard, Marianne, D.O., Lic. No. H0168, Arlington

On December 8, 2023, the Board entered a Default Order regarding Marianne Beard, D.O., which revoked her medical license. On August 15, 2023, the Board filed a Complaint with the State Office of Administrative Hearings (SOAH), alleging a violation of prior order. Dr. Beard failed to appear at the SOAH hearing and no responsive pleading was ever filed by Dr. Beard. The Board granted a Determination of Default and Dr. Beard's license was revoked by Default Order. The order resolves a formal complaint filed at SOAH. Dr. Beard has 25 days from the service of the order to file a motion for rehearing.

Mella, Cesar Francisco, M.D., Lic. No. P7160,

On December 8, 2023, the Board entered a Default Order regarding Cesar Francisco Mella, M.D., which revoked his medical license. On June 8, 2022, the Board filed a Complaint with the State Office of Administrative Hearings (SOAH), alleging a violation of prior order. Dr. Mella failed to appear at the SOAH hearing and no responsive pleading was ever filed by Dr. Mella. The Board granted a Determination of Default and Dr. Mella's license was revoked by Default Order. The order resolves a formal complaint filed at SOAH. Dr. Mella has 25 days from the service of the order to file a motion for rehearing.

NONTHERAPEUTIC PRESCRIBING

Harris, Canaan Lavelle, M.D., Lic. No. G1424, Fort Worth

On December 8, 2023, the Board and Canaan Lavelle Harris, M.D., entered into an Agreed Order requiring him to within seven days request modification of his DEA controlled substances registration certificate to eliminate Schedule II and III and shall not reregister or otherwise obtain registrations without prior authorization from the Board; have his practice monitored by another physician for 12 consecutive monitoring cycles; 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 60 days pay an administrative penalty of \$3,000; and shall not be permitted to supervise or delegate prescriptive authority to physician assistants and advanced practice nurses or supervise surgical assistants. The Board found Dr. Harris nontherapeutically prescribed to 15 patients, in the absence of a valid medical purpose, high volumes of controlled substances without individualized therapeutic regimen and the absence of other forms of treatment.

Young, James Luke, M.D., Lic. No. J4629, Sugar Land

On December 8, 2023, the Board and James Luke Young, M.D., entered into an Agreed Order publicly reprimanding Dr. Young and placing him under the following terms: within one year complete the prescribing course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; within one year complete at least 28 hours of CME, divided as follows: 12 hours in supervision and delegation, eight hours in medical recordkeeping and eight hours in ethics; within one year and three attempts pass the Medical Jurisprudence Exam; and within 60 days pay an administrative penalty of \$5,000. The Board found Dr. Young inappropriately prescribed high volumes of controlled substances without individualized therapeutic regimens and in the absence of a valid medical purpose to fifteen patients at a pain management clinic.

PEER REVIEW ACTION

Kurdi, Juan, M.D. Lic. No. L4027, Lubbock

On December 8, 2023, the Board and Juan Kurdi, M.D., entered into an Agreed Order publicly reprimanding Dr. Kurdi and placing him under the following terms: publicly referred to the Texas Physician Health Program; shall not possess, administer, distribute, or prescribe controlled substances in Texas; shall not treat or otherwise serve as a physician for his immediate family and shall not prescribe, dispense, administer, or authorize controlled substances or dangerous drugs with addictive potential to himself or his immediate family; within one year and three attempts pass the Medical Jurisprudence Exam; have his practice monitored by another physician for eight consecutive monitoring cycles; within one year complete at least 20 hours of CME, divided as follows: eight hours in medical recordkeeping, eight hours in risk management and four hours in ethics; and shall not be permitted to supervise or delegate prescriptive authority to physician assistants and advanced practice nurses or supervise surgical assistants. The Board found Dr. Kurdi was suspended from practice following an investigation by Caprock into his diversion of controlled substances and writing false or fictitious prescriptions for controlled substances for his own personal use.

OTHER STATES' ACTIONS

Alvarez, Sergio, M.D., Lic. No. N7206, Austin

On December 8, 2023, the Board and Sergio Alvarez, M.D., entered into an Agreed Order on Formal Filing publicly reprimanding Dr. Alvarez and requiring him to within 90 days pay an administrative penalty of \$12,500. The Board found Dr. Alvarez was subject to disciplinary action by the Florida Board of Medicine based on Dr. Alvarez injecting fat into one patient's gluteal musculature that resulted in cardiac arrest and the death of that patient. The order resolves a formal complaint filed at the State Office of Administrative Hearings.

Cruz, Andrew Stephen, M.D., Lic. No. U0097, Boston, MA

On December 8, 2023, the Board and Andrew Stephen Cruz, 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 in any jurisdiction until he requests in writing and appears before the Board to provide evidence that indicates he is physically, mentally, and otherwise competent to safely practice. The Board found Dr. Cruz had a disciplinary action entered in Arizona restricting him from practicing medicine.

Gucwa, Angela Leah, M.D., Lic. No. R2606, Lanham, MD

On December 8, 2023, the Board and Angela Leah Gucwa, M.D., entered into a Waiver Order prohibiting her from diagnosing, treating, or prescribing for patients in Texas or using her Texas license to practice in any jurisdiction until she requests in writing and appears before the Board to provide evidence that indicates she is physically, mentally, and otherwise competent to safely practice. The Board found Dr. Gucwa had a disciplinary action entered in Maryland immediately/temporarily suspending her license to practice medicine.

Milyani, Wael Hisham, M.D., Lic. No. T1152, Las Vegas, NV

On December 8, 2023, the Board and Wael Hisham Milyani, M.D., entered into a Waiver Order requiring him to within 90 days pay an administrative penalty of \$2,000 and comply with all terms of the settlement agreement entered on or around September 15, 2023 with the Nevada State Board of Medical Examiners. The Board found Dr. Milyani had a non-disciplinary action entered in North Carolina based on his failure to conform to minimal standards of acceptable medical practice and had a disciplinary action entered in Nevada based on a violation of statute or rule of the board.

CEASE & DESISTS

Barney, Javier Malcolm, No License, Edinburg

On December 8, 2023, the Board and Javier Malcolm Barney entered into an Agreed Cease and Desist Order prohibiting him from acting as, or holding himself out to be, a licensed physician in the state of Texas. The Board found Mr. Barney while working at Doctors Hospital Renaissance, held himself out as a physician by wearing a stethoscope around his neck and wearing scrubs with embroidered stitching stating "Javier Malcolm Barney, M.D." on them.

Canion, Phylis, No License, Cuero

On December 8, 2023, the Board and Phylis Canion entered into an Agreed Cease and Desist Order prohibiting her from acting as, or holding herself out to be, a licensed physician in the state of Texas. The Board found Ms. Canion identified herself in a YouTube series, and online materials as “Dr. Canion” without specifying she is not a medical doctor.

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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.