



# Texas Medical Board

BOARD MEETING

October 18, 2024

The meeting was called to order on Friday, October 18, 2024 at 8:08 a.m. by Board President Sherif Zaafran, M.D. Board members present were: Kandace B. Farmer, D.O.; Michael Cokinos; Sharon Barnes; Devinder S. Bhatia, M.D.; Garry Crain; George L. DeLoach, D.O.; Luisa del Rosal; James Distefano, D.O.; Zachary S. Jones, M.D.; Robert Martinez, M.D.; LuAnn R. Morgan; Jayaram B. Naidu, M.D.; Manuel Quinones, Jr., M.D.; Jason Tibbels, M.D.; Linda C. Troncoso; and David Vanderweide, M.D. Tomeka Herod and Satish Nayak, M.D. did not attend. Staff members present were: Brint Carlton, J.D., Executive Director; Christopher Palazola, J.D., Deputy Director of Operations; Scott Freshour, J.D., General Counsel; Robert Breidt, M.D., Medical Director; and various other staff.

**Agenda Item # 1, Mission Statement.** Dr. Zaafran read the board's mission statement into the minutes. *Our Mission is to protect and enhance the public's health, safety and welfare by establishing and maintaining standards of excellence used in regulating the practice of medicine and ensuring quality health care for the citizens of Texas through licensure, discipline, and education.*

**Agenda Item #2, Board Member Report.**

- a. **Presentation for Robert Gracia** Dr. Zaafran announced that a Board Resolution would be sent to Robert Gracia in honor of his service on the Texas Medical Board.
- b. **Introduction of new members** Dr. Zaafran introduced new members Garry Crain, Luisa del Rosal, Zachary S. Jones, M.D., and Linda C. Troncoso.
- c. **Legislative Update** Dr. Zaafran updated the board on his testimony before the Senate Health & Human Services Committee in mid-September regarding access to healthcare. He also updated the board on the agency's preparation for the upcoming legislative session. Dr. Zaafran explained the role of TMB during the legislative session to the new board members.
- d. **Enforcement process review** Dr. Zaafran provided a review of the enforcement process.
- e. **Board meeting process review** Dr. Zaafran provided a review of the board meeting process.
- f. **Committee membership** Dr. Zaafran gave members the option to switch from DPRC to Licensure or vice versa.

**Agenda Item #3, Consideration and possible action for dispositions below minimum guidelines.** After consideration, Ms. Barnes moved, Dr. Farmer seconded, and the motion passed to approve the disposition below minimum guidelines for Robert Lewis Levy, MD.

**Agenda Item #4, Consideration and approval of Mediated Settlement Agreed Orders.** After consideration, Dr. Quinones moved, Dr. Vanderweide seconded, seconded, and the motion passed to approve the Mediated Settlement Agreed Order for Jaime Ramirez, MD; Ronald Stephen Stogryn, MD; Jon Peter Ver Halen, MD; James Robles, MD; and Stanton Packard, MD.

**Agenda Item #5, Consideration and possible action for Remedial Plans.** After consideration, Ms. Morgan moved, Dr. Tibbels seconded, and the motion passed to approve the Remedial Plans for Baldemar Covarrubias, Jr., MD; Chris Gerald Ferguson, MD; Sharad Bindu Kulkarni, MD; Eribeth Penaranda, MD; Joseph Perkinson, III, MD; Ester Bernice Pollard, MD; Yousef Hussein Fatima, MD; Aminatu Akande, MD; Joshua Dewayne Allen, DO; John William Antonetti, MD;

Ray Friedman Aronowitz, MD; Leslee Ione Ball-Scovel, MD; Aaron Patrick Best, MD; Lora Plumlee Boone, MD; David Crumpacker, MD; Michael Louis Eisemann, MD; Yanick Ayuk Ekortarh, MD (*Dr. Martinez recused*); Karen Hasty, MD; Stephen Allen Hutto, MD; Muhammad Khurshid, MD; Aaron King, MD (*Dr. Quinones recused*); Srikanth Kurapati, MD; Grzegorz Piotr Kurzydlo, MD; Omar Isaac Madriz, MD; Douglas Martin, MD; Antonio Martinez, MD; Stephen Neumann, MD; Nosakhare Okoro, MD; Olusola Francisca Onoviran, MD; Anvi Patel, MD; Colbert Rick Perez, MD; Teofilo Ramos, Jr. MD; Peter I. Ramzy, MD; Alan Rechter, MD (*Dr. Bhatia recused*); Likith Vootukuru Reddy, MD; Jorge Saldivar, MD; Tracy Elaine Sambo, MD; Samie Pradeep Shirodkar, MD; Jeffrey Smith, MD; Rahman Uddin, MD; Rita Villaneuva, MD; William Gormley, MD; Brian James Haseloff, MD; Aamr Arif Herekar MD; Alberto Lira, MD; and Lauren Phillips, MD.

**Agenda Item #6, Consideration and possible action for Agreed Orders.** After consideration, Dr. Vanderweide moved, Ms. Barnes seconded, and the motion passed to approve the Agreed Orders for Deno Baltazar Barroga, MD; Desi Elpidio, MD; Htut Kyaw Win, MD; Harold Bafitis, DO; Akash Bajaj, MD; Dane Floberg, MD; John Daniel Horton, MD; Dhruvil Shah, MD; Manuel Estrada, MD; Robert Jakubowski, MD (*Dr. Quinones recused*); and David Baghdassarian, MD.

**Agenda Item #7, Consideration and approval of Modification Request/Termination Request Orders.** After consideration, Dr. Quinones moved, Dr. Farmer seconded, and the motion passed to approve the Modification Requests/Termination Requests Orders for Hiep Andrew Cao, MD; Donnie Evans, MD; Priscilla Gutierrez, MD; Gregory Krynski, MD; Sadeghi Payman, MD; Joe Travis, MD; Enyibuaku Uzoaga, MD; and Clarence Wolinski, MD.

**Agenda Item #8, Consideration and approval of Modification Request/Termination Request of Non-Public Rehabilitation Orders.** There were none.

**Agenda Item #9, Consideration and approval of Cease and Desist Orders.** After consideration, Dr. Bhatia moved, Dr. Distefano seconded, and the motion passed to approve the Cease and Desist Orders for Bryce Calvillo and Tatyana Williams.

**Agenda Item #10, Consideration and approval of Nunc Pro Tunc Orders.** There were none.

**Agenda Item #11, Consideration and approval of Agreed Resolution Orders.** There were none.

**Agenda Item #12, Consideration and approval of Consent Orders.** There were none.

**Agenda Item #13, Consideration and approval of Determination of Default.** There were none.

**Agenda Item #14, Consideration and approval of Proposal for Decision.**

**a. Rambod Charepoo, MD SOAH #503-21-3464.MD**

Ms. Amy Swanholm, Litigation Director, provided an overview of the case. Louis Lector, JD was present on behalf of Dr. Charepoo.

**At 9:18 am, Dr. Zaafran moved, Ms. Barnes seconded, and the motion passed to go into Executive Session for the purposes of deliberations concerning disciplinary action, investigative information, peer review information, and possible rehabilitation orders under the authority of The Medical Practice Act Sections 152.009, 160.006-160.008, 164.007(c), and 165.202-165.203, Occupations Code.**

**Open Session resumed at 10:30 am.**

After consideration, **Dr. Tibbels moved, and Ms. Barnes seconded to adopt the Findings of Fact and Conclusions of Law as recommended by the ALJ in the Proposal for Decision and approve the Final Order filed in this matter with the following sanctions:**

- 1. 2 years of proctoring, 20 cases per quarter representative of these complaints, specifically Brazilian Buttlifts and Mommy Makeovers,**
  - 2. Completion of the PACE Course in medical record keeping (plus coaching),**
  - 3. 8 hours of risk management CMEs,**
  - 4. \$4000 administrative fine, and**
  - 5. Completion of the jurisprudence exam,**
- Ms. Morgan opposed. The motion passed.**

**Agenda Item #15, Executive Director Report.**

**Budget Update.** Mr. Joey Estrada, CFO, gave an update on the agency's budget ending FY 2024 and the upcoming Legislative Appropriations Request.

**Complaints Against the Agency.**

**Legislative Update.** Mr. Carlton gave an update on the Legislative Appropriations Request.

**Rule Update.** Mr. Carlton gave a brief update on the rule review.

**Agenda Item #16, Medical Director Report.** Dr. Bredt reported that DPRC approved 14 new expert panelist and the current need for oncologist, and pediatric subspecialty experts.

**Agenda Item #17, Public Information Update.** Ms. Taurie Sloan introduced herself to the new members and gave them a brief overview the role of her department in the agency.

**Agenda Item #18, Report Physician Assistant Liaison.** Melinda Gottschalk, PA-C, was present.

**Agenda Item #19, Consideration and possible action regarding pending litigation.** Mr. Freshour provided an update on pending litigation.

**Agenda Item #20, Report on Temporary Suspension Hearings.** A report on Temporary Suspension Hearings was provided.

**Agenda Item #21, Report on Suspensions by Operation of Law.** There were none.

**Agenda Item #22, Report on Motions for Rehearing Requests.** There were none.

**Agenda Item #23, Report on Cease-and-Desist Orders Approved by Executive Director.** A report on Cease-and-Desist Orders Approved by the Executive Director was provided.

**Agenda Item #24, Report on Automatic Orders.** A report on Automatic Orders was provided.

There were no items for Agenda Items #25-27.

**Agenda Item #28, Discussion, recommendation, and possible action on the Final Annual Internal Audit FY2024 and Audit Plan for 2025.** Kim Lopez Gonzales, Garza/Gonzales and Associates, LLC, presented the Internal Audit Annual Report for FY 2024 and Audit Plan 2025. After discussion, **Ms. Barnes moved, Dr. Naidu seconded, and the motion passed to approve the Internal Audit Annual Report for FY 2024 and accept the recommendations for FY 2025 compliance.**

**Agenda Item #29, Discussion, recommendation, and possible action regarding proposed rule amendments to 22 T.A.C.** Mr. Carlton gave an update on the rule review and comment period.

There were no Agenda Items for #30-35.

**Agenda Item #36, Open Forum for Public Comment.** Carl Bonnett, MD, and Sandhya Prashad, MD, provided public comments.

**Agenda Item #37, Discussion, recommendation, and possible action relating to personnel matters.** There were none.

**Consent Agenda, Discussion/Action Items – to be considered and any time the full board is in session:**

- 1. Consideration and approval of the August 16, 2024, Medical Board Meeting Minutes and actions items.**
- 2. Committee reports and the consideration and approval of minutes and action items committees meeting during the board meeting.**

After discussion, **Dr. Quinones moved, Ms. Barnes seconded, and the motion passed to approve the DPRC minutes with one modification - an amendment to the motion for case 24-0556, the motion should be to dismiss only.**

After discussion, **Dr. Quinones moved, Dr. Naidu seconded, and the motion passed to approve the August 16, 2024, Medical Board Meeting Minutes and action items and the minutes and action items of committees meeting during the board meeting.**

**Agenda Item #37, Adjourn.** There being no further items, **Dr. Vanderweide moved, Dr. Bhatia seconded, and the motion passed to adjourn the meeting at 12:22 pm.**