

**Action Item Agenda Item 2a2 Applicant #815
Licensure Committee Proposed Public Non-Disciplinary Order**

Applicant #815 appeared with counsel, before the Committee in executive session, on referral by the Executive Director. In open session, **Dr. Holliday moved to recommend to the full Board that the applicant be granted Physician in Training permit under a public, non-disciplinary order that includes the requirements specified in the Rehabilitation Checklist that has been distributed to the members of the committee.** This recommendation is due to disciplinary action taken by a health care entity; unprofessional conduct that is likely to deceive, defraud or injure the public; placement on deferred adjudication for a misdemeanor involving moral turpitude; and excessive use of drugs or alcohol that renders applicant unable to safely practice medicine with reasonable skill and safety. Factors contributing to this recommendation include a lengthy history of drug dependency; termination from residency training program due to drug dependency issues and failure to stay in treatment for condition; and placement on deferred adjudication for misdemeanor assault that included probation for 12 months. **In addition, Dr. Holliday moved to recommend to the full Board that the applicant be granted a Physician in Training permit, subject to an administrative penalty in the amount of \$4000.** This recommendation is due to submission of false statements on two applications for Physician in Training permits. Factors contributing to this recommendation include the committees determination that the falsification was intentional. Mitigating factors include sobriety since 2007, being offered a residency position with the program that had previously terminated applicant, and applicants compliance and successful completion of applicants two-year physician rehabilitation agreement with the Harris County Medical Society. **Mr. Turner seconded the motion. All voted in favor. The motion passed.**

TERMS AND CONDITIONS	815
LENGTH OF ORDER:	Duration of PIT Permit
DRUG/ALCOHOL:	
1. [ABSTAIN & DRUG SCREENS] Abstain from alcohol and drugs, except as prescribed; comply with TMB screening program; automatic revocation of permit for positive test [e01]	
5. [AA/NA] AA OR NA meeting at least 4 times each week OR month. [e16 or e17]	
PSYCHIATRIC:	

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8. [PSYCHIATRIC TREATMENT No IPE] Submit up to 3 names for treating psychiatrist for approval of ED; see at least ___1_ times each week OR month. Treating psychiatrist to report to Board or monitoring psychiatrist 4 times each year. [e05]	
9. [MONITOR FOR TREATMENT Required with either 7 or 8] Treating psychiatrist may agree to be monitoring psychiatrist or ED appoints a monitoring psychiatrist; monitoring psychiatrist to report to Board 2 times each year. [e06]	
MISC. PROVISIONS:	
11. Standard Requirements:	
[REPORTS] Reports by Applicant/Respondent regarding physical or mental condition on request [e11]	
[NO UNILATERAL WITHDRAWAL] Shall not withdraw from care, or treatment [e12]	
12. [PROGRAM DIRECTOR TO REPORT ON PIT HOLDER] Respondent must give copy of Order to Program Director and request quarterly reports [e___]	
PRESCRIBING AUTHORITY	
23. [ABILITY TO SUPERVISE] May May NOT supervise PAs [o02]	
PROBATION APPEARANCES	
28. [1 TIME 1st YEAR & THEN ON REQUEST] At least once 1 st year and on then request [l03]	
Positive urine screen will result in automatic revocation of physician in training permit	
Applicant will be required to appear before the Licensure Committee for permanent licensure application.	

Note: Others standard closing paragraphs will be included in the Order, including provisions for:

- Tolling (or extending the term of) the order
- Compliance with the law

- Cooperation with board staff or representatives
- Change of address notification
- Violation constitutes unprofessional conduct modification or termination request after one year