

2002 Press Releases

Thursday, December 19, 2002

Board Orders Now On TMB Web Site

It is now possible to access board actions and orders on the agency web site at www.tsbme.state.tx.us. When a search is done through either the Physician Profile or TMB Public Web-based Verification, a link is provided to the document(s) if the licensee has board action. The links are available at <http://www.tsbme.state.tx.us/agency/ProfessionalInfo.htm>

55 Doctors Disciplined

During its December 12-13 Board meeting, the Texas State Board of Medical Examiners took disciplinary action against 55 licensed physicians, who received one or more of the following actions: 10 surrender/revocations, of which three were stayed and probated under various terms and conditions; 15 suspensions, of which nine were stayed and probated under various terms and conditions; 13 restrictions; and four public reprimands. Fifteen administrative penalties totaling \$71,000 were assessed. In addition, one temporary suspension was imposed since the October 3-4 Board meeting.

The Texas State Board of Physician Assistants took action against six physician assistants at its November 15 meeting.

New Licenses Issued

During its December 12-13 Board meeting, the Board approved the licensure applications of 454 physicians.

Rule Changes

The Board adopted the following proposed rule changes that were published in the Texas Register: Chapter 163, Licensure: Amendments to §§163.1 and 163.3-.5 regarding examinations accepted by the board, and general cleanup of the chapter. Chapter 171, Postgraduate Training Permits: Amendments to §171.2 regarding streamlining the process of issuing postgraduate training permits. Proposed amendment to §171.1 was withdrawn. Chapter 173, Physician Profiles: Amendments to §173.1 regarding board actions contained in the profile. Chapter 177, Certification of Non-Profit Health Organizations: Amendment to §177.16 regarding the complaint procedure notification. Chapter 183, Acupuncture: Amendment to §183.13 regarding the complaint procedure notification. Chapter 184, Surgical Assistants: Amendments to §§184.19 and 184.21 regarding the complaint procedure notification and correction of the name of a surgical assistant association. Chapter 187, Procedural Rules: Amendments to §§187.16, 187.27 and 187.28 regarding informal board proceedings, State Office of Administrative Hearings

proceedings, default judgments, and discovery. Proposed amendment to §187.18 was withdrawn.

Chapter 188, Complaint Procedure Notification: Rule review and amendment to §188.1 regarding the forms for complaint procedure notification. Chapter 197, Emergency Medical Services: Rule review and amendments to §§197.2 and 197.3 regarding definitions and responsibilities of the off-line medical director. Chapter 199, Public Information: Amendment to §199.2 regarding clarification of the deadline for members of the public to submit requests to speak to the Public Information Committee.

Proposed Rule Changes

The Board proposed the following rule changes for publication in the Texas Register and comment: Chapter 164, Physician Advertising: Rule review. Chapter 183, Acupuncture: Reorganization and general cleanup of the chapter. Chapter 184, Surgical Assistants: Proposed amendments to §§184.4, 184.6 and 184.8 regarding examinations, licensure documentation and licensure renewal. Chapter 190, Disciplinary Guidelines: Rule review. Chapter 191, District Review Committee: Proposed amendments for general cleanup and rule review. Chapter 193, Standing Delegation Orders, proposed change to §193.6(i)(2)(C) to include Physician Assistants in the language regarding supervision waiver requests.

Proposed amendments to Chapter 174, Telemedicine, were sent back to staff for changes. Proposed amendment to Chapter 175, Fees, Penalties and Applications, amendments to §§175.1 and 175.4 relating to fees and applications required for reissuance of a physician assistant license was sent back to the Texas State Board of Physician Assistant Examiners for reconsideration. Proposed amendment to §183.20 referring to continuing acupuncture education was sent back to the Texas State Board of Acupuncture Examiners with suggested amendments regarding continuing acupuncture education hours. Proposed rule change to Chapter 193, Standing Delegation Orders, new §§193.11 and 193.12 relating to the use of lasers, was deferred until the next board meeting and all interested parties meet to discuss and resolve the issues of site supervision and having the initial visit of the patient be done by a physician.

For copies of rule changes or proposed rules, write the Board at MC 901, P.O. Box 2018, Austin, TX 78768-2018, or e-mail pat.wood@tmb.state.tx.us

Disciplinary Actions

Aboloye, Pius A., M.D., Flower Mound, TX, Lic. #BP-10002194

A Board Order was entered on 12-13-02 suspending the physician's Texas Postgraduate Resident Permit. Action due to his incarceration in a state penitentiary. Dr. Aboloye may file a Motion for Rehearing within 20 days of the Order. If a Motion for Rehearing is filed and the Board denies the motion, the Order is final. If a Motion for Rehearing is filed and the Board grants the motion, the Order is not final and a hearing will be scheduled.

Alsop, Ernest C., M.D., Rockport, TX, Lic. #J6300

An Agreed Order was entered on 12-13-02 suspending the physician's license; however, the suspension was stayed and the physician was placed on probation for 10 years under certain terms and conditions. Action due to unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public; inability to practice medicine with reasonable skill and safety to patients because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or another substance, or as a result of any mental or physical condition; and failure to practice medicine in an acceptable professional manner consistent with public health and welfare.

Arauzo, Arturo C., M.D., Plano, TX, Lic. #G2896

An Agreed Order was entered on 12-13-02 assessing an administrative penalty in the amount of \$1,000. Action due to violation of Board rules.

Aziz, Youssef, M.D., The Woodlands, TX, Lic. #F5144

An Agreed Order was entered on 12-13-02 restricting the physician's license. Action due to failure to practice medicine in an acceptable professional manner consistent with public health and welfare.

Baribeau, Alan D., M.D., San Antonio, TX, Lic. #D9352

An Agreed Order was entered on 12-13-02 assessing an administrative penalty in the amount of \$5,000. Action due to violation of Board rules.

Barnett, Stephen E., M.D., Austin, TX, Lic. #D3147

An Agreed Order was entered on 12-13-02 assessing an administrative penalty in the amount of \$5,000. Action due to violation of Board rules.

Beyer, David M., D.O., Fort Worth, TX, Lic. #D5350

An Agreed Order was entered on 12-13-02 placing the physician under certain terms and conditions for one year. Action due to violation of Board rules.

Blanchard, David E., D.O., Corpus Christi, TX, Lic. #J3743

An agreed order was entered on 10-4-02 publicly reprimanding the physician. Action due to disciplinary action by another state.

Brown, Michael G., M.D., Houston, TX, Lic. #G3190

A Temporary Suspension Order was entered on 11-6-02 temporarily suspending the physician's license due to evidence and information that the physician's continuation in the practice of medicine would constitute a continuing threat to public welfare. An agreed order was entered on 12-18-02 revoking the physician's license; however, the physician was placed on probation for 10 years under certain terms and conditions. In addition, an administrative penalty in the amount of \$25,000 was assessed. Action due to unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public; and violation of a previous order of the board.

Clark, Cordell, M.D., Dallas, TX, Lic. #F8827

On 12-13-02 the Board voted to revoke the physician's license. Action due to unprofessional or dishonorable conduct likely to deceive or defraud the public due to the physician's practicing medicine while his license was suspended. This order is final and effective 12-13-02.

Corley, Ronald G., M.D., Lufkin, TX, Lic. #D8519

An Agreed Order was entered on 12-13-02 restricting the physician's license for three years under certain terms and conditions. Action due to 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.

Green, Casey, M.D., Galveston, TX, Lic. #BP3-0007741

An Agreed Order was entered on 12-13-02 suspending the physician's Texas Postgraduate Resident Permit.. Action due to inability to practice medicine with reasonable skill and safety to patients because illness, drunkenness, excessive use of drugs, narcotics, chemicals, or another substance, or as a result of any mental or physical condition; and using alcohol or drugs in an intemperate manner that, in the Board's opinion could endanger a patient's life.

Guilliams, Stephen E., M.D., Houston, TX, Lic. #E2591

An Agreed Order was entered on 12-13-02 suspending the physician's license; however, the suspension was stayed and the physician was placed on probation for five years under certain terms and conditions. Action due to unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public; and prescribing or administering a drug or treatment that is nontherapeutic in nature or nontherapeutic in the manner the drug or treatment is prescribed.

Hemeyer, Mark M., M.D., Little Rock, AR, Lic. #G0725

An Agreed Order was entered on 12-13-02 in which the physician voluntarily surrendered his license. Action due to disciplinary action taken in another state.

Hernandez, Arthur, M.D., San Antonio, TX, Lic. #G1674

An Agreed Order was entered on 12-13-02 restricting the physician's license for five years under certain terms and conditions. Action due to writing prescriptions for or dispensing to a person who is known to be an abuser of narcotic drugs, controlled substances, or dangerous drugs or to a person who the physician should have known was an abuser of the narcotic drugs, controlled substances, or dangerous drugs.

Hubner, Richard T., D.O., Throckmorton, TX, Lic. #H0471

An Agreed Order was entered on 12-13-02 suspending the physician's license; however, the suspension was stayed and the physician was placed on probation for five years under certain terms and conditions. Action due to failure to practice medicine in an acceptable professional manner consistent with public health and welfare; use of alcohol or drugs in an intemperate manner that, in the Board's opinion, could endanger a patient's life; unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public; and administering dangerous or controlled drugs in an improper manner.

January, Bruce E., M.D., Lawrenceville, GA, Lic. #K7561

An Agreed Order was entered on 12-13-02 assessing an administrative

penalty in the amount of \$5,000. Action due to writing false or fictitious prescriptions.

Johnson, Danny R., M.D., Houston, TX, Lic. #H0499

On 12-13-02 the Board voted to order the revocation of the physician's Texas medical license. Action based on unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public; prescribing or dispensing to habitual user; and administering dangerous or controlled drugs in an improper manner. Dr. Johnson may file a Motion for Rehearing within 20 days of the Order. If a Motion for Rehearing is filed and the Board denies the motion, the Order is final. If a Motion for Rehearing is filed and the Board grants the motion, the Order is not final and a hearing will be scheduled.

Johnson, Gerald W., M.D., Houston, TX, Lic. #D6462

An Agreed Order was entered on 12-13-02 revoking the physician's license; however, the revocation was stayed and the physician was placed on probation for five years under certain terms and conditions. Action due to failure to practice medicine in an acceptable professional manner consistent with public health.

King, Constancio, M.D., Amarillo, TX, Lic. #E0515

An Agreed Order was entered on 12-13-02 publicly reprimanding the physician. Action due to failure to practice medicine in an acceptable professional manner consistent with public health and welfare, and disciplinary action by another state.

Lee, Nam K., M.D., Pampa, TX, Lic. #E6471

An Agreed Order was entered on 12-13-02 assessing an administrative penalty in the amount of \$1,000. Action due to failure to practice medicine in an acceptable professional manner consistent with public health and welfare; and disciplinary action by peers.

Leath, Robert M., M.D., Houston, TX, Lic. #H4480

An Agreed Order was entered on 12-13-02 suspending the physician's license effective 1-17-03. Action due to inability to practice medicine with reasonable skill and safety to patients because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or another substance; and intemperate use of alcohol or drugs.

Levine, Marc M., M.D., Manalapan, NJ, Lic. #H5131

An Agreed Order was entered on 12-13-02 restricting the physician's license under certain terms and conditions. Action due to unprofessional conduct; violation of laws connected with the practice of medicine; and disciplinary action taken by another state.

Light, Kevin D., D.O., Granbury, TX, Lic. #J9162

An Agreed Order was entered on 12-13-02 suspending the physician's license; however, the suspension was stayed and the physician was placed on probation for seven years under certain terms and conditions. Action due to inability to practice medicine with reasonable skill and safety to patients because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or another substance, or as a result of any mental or physical condition; using

alcohol or drugs in an intemperate manner that, in the Board's opinion, could endanger a patient's life; 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; and failure to keep complete and accurate drug records.

Mailman, Douglas, M.D., Lubbock, TX, Lic. #J7350

An Agreed Order was entered on 11-20-02 revoking the physician's license; however, the revocation was stayed and the physician was placed on probation for 10 years under certain terms and conditions. Action due to inability to practice medicine with reasonable skill and safety because of illness or substance abuse; use of alcohol or drugs in an intemperate manner that, in the Board's opinion, could endanger a patient's life; and writing false or fictitious prescriptions for dangerous drugs.

Mangapuram, B. R., M.D., The Woodlands, TX, Lic. #J9189

An Agreed Order was entered on 12-13-02 assessing an administrative penalty in the amount of \$3,500. Action due to false, misleading, or deceptive advertising.

Martinez, Jorge A., M.D., Edinburg, TX, Lic. #H1801

An Agreed Order was entered on 12-13-02 suspending the physician's license; however, the suspension was stayed and the physician was placed on probation for 10 years under certain terms and conditions. Action due to using alcohol or drugs in an intemperate manner that, in the Board's opinion, could endanger a patient's life; and unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public.

McCaleb, William, M.D., Austin, TX, Lic. #D3333

An Agreed Order was entered on 12-13-02 restricting the physician's license under certain terms and conditions. Action due to disciplinary action by peers.

McNally, Lawrence, M.D., Dallas, TX, Lic. #G2780

An Agreed Order was entered on 12-13-02 assessing an administrative penalty in the amount of \$5,000. Action due to delegating medical responsibilities to unqualified persons.

Meshel, William, M.D., El Paso, TX, Lic. #E9306

An Agreed Order was entered on 12-13-02 suspending the physician's license; however, the suspension was stayed and the physician was placed on probation for five years under certain terms and conditions. Action due to using alcohol or drugs in an intemperate manner that, in the Board's opinion, could endanger a patient's life.

Miller, Brian, M.D., Ennis, TX, Lic. #H8259

An Agreed Order was entered on 12-13-02 suspending the physician's license. Action due to failure to practice medicine in an acceptable professional manner consistent with public health and welfare.

Morris, Milinda M., M.D., Denton, TX, Lic. #G8050

An Agreed Order was entered on 12-13-02 assessing an administrative penalty in the amount of \$500. Action due to violation of Board rules.

Morrow, Lynn, M.D., Tyler, TX, Lic. #H3125

An Agreed Order was entered on 12-13-02 assessing an administrative penalty in the amount of \$5,000. Action due to 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.

Nuila-Crouse, Richard F., M.D., Houston, TX, Lic. #G9634

An Agreed Order was entered on 12-13-02 assessing an administrative penalty in the amount of \$1,000. Action due to failure to practice medicine in an acceptable professional manner consistent with public health and welfare.

O'Bryant, Timothy J., M.D., Texas City, TX, Lic. #H2649

An Agreed Order was entered on 12-13-02 in which the physician voluntarily surrendered his license. Action due to unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public.

Ogin, Gary A., M.D., Englewood, CO, Lic. #G9176

An Agreed Order was entered on 12-13-02 restricting the physician's license under certain terms and conditions. Action due to inability to practice medicine with reasonable skill and safety due to illness or a mental or physical condition, and disciplinary action by another state.

Patel, Chetankumar C., M.D., Sierra Vista, AZ, Lic. #K4184

An Agreed Order was entered on 12-13-02 restricting the physician's license under certain terms and conditions. Action due to disciplinary action by another state.

Perez, Willard O., M.D., Big Lake, TX, Lic. #K3390

An Agreed Order was entered on 12-13-02 assessing an administrative penalty in the amount of \$1,000. Action due to unprofessional or dishonorable conduct that is likely to injure the public.

Pinaroc, Ambrosio F., M.D., Sulphur, OK, Lic. #E9335

An Agreed Order was entered on 12-13-02 suspending the physician's license. Action due to disciplinary action by another state.

Powell, Burrell E., M.D., Conroe, TX, Lic. #C3175

An Agreed Order was entered on 12-13-02 restricting the physician's license for five years under certain terms and conditions. Action due to failure to practice medicine consistent with public health and welfare.

Quaicoe, Sannichie, M.D., Mission, TX, Lic. #K1904

An Agreed Order was entered on 12-13-02 assessing an administrative penalty in the amount of \$500. Action due to violation of Board rules.

Ringer, B. R., Jr., D.O., Houston, TX, Lic. #G0011

An Agreed Order was entered on 12-13-02 revoking the physician's license. Action due to failure to practice medicine in an acceptable manner.

Sebring, Lane, M.D., Wimberley, TX, Lic. #J7661

An Agreed Order was entered on 12-13-02 assessing an administrative

penalty in the amount of \$5,000. Action due to failure to maintain adequate medical records and failure to document compliance with the stated practice guidelines for integrative and complementary medicine.

Seid, Norman, M.D., White Oak, TX, Lic. #F8664

An Order was entered on 12-13-02 suspending the physician's license. Action due to the physician serving a prison term in a state or federal penitentiary. Dr. Seid may file a Motion for Rehearing within 20 days of the Order. If a Motion for Rehearing is filed and the Board denies the motion, the Order is final. If a Motion for Rehearing is filed and the Board grants the motion, the Order is not final and a hearing will be scheduled.

Sertich, Christopher M., M.D., San Antonio, TX, Lic. #H4695

An Agreed Order was entered on 12-13-02 suspending the physician's license; however, the suspension was stayed and the physician was placed on probation for 10 years under certain terms and conditions. Action due to unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public; failure to practice medicine in an acceptable professional manner consistent with public health and welfare; and delegation to an unqualified person.

Tobin, Christopher G., M.D., Wilmington, NC, Lic. #K5414

An Agreed Order was entered on 12-13-02 publicly reprimanding the physician and restricting his license for three years under certain terms and conditions. Action due to failure to practice medicine in an acceptable professional manner consistent with public health and welfare; 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; and unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public.

Vadala, Richard M., M.D., The Woodlands, TX, Lic. #E3790

An Agreed Order was entered on 12-13-02 publicly reprimanding the physician and assessing an administrative penalty in the amount of \$2,500. Action due to failure to practice medicine in an acceptable professional manner consistent with public health and welfare.

Walker, Randall D., M.D., Magnolia, TX, Lic. #G5744

An Agreed Order was entered on 12-13-02 in which the physician was placed on probation for five years under certain terms and conditions. Action due to intemperate use of alcohol.

Walters, George R., M.D., Lubbock, TX, Lic. #E4749

An Agreed Order was entered on 12-13-02 suspending the physician's license; however, the suspension was stayed and the physician was placed on probation for 10 years under certain terms and conditions. Action due to using alcohol or drugs in an intemperate manner that, in the Board's opinion, could endanger a patient's life; unprofessional or dishonorable conduct that is likely to deceive or defraud the public, or injure the public; inability to practice medicine with reasonable skill and safety to patients because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or another substance, or as a result of any mental or physical condition.

Ward, Gordon P., D.O., Ingleside, TX, Lic. #F2096

An Agreed Order was entered on 12-13-02 in which the physician will voluntarily and permanently surrender his license effective 12-31-02. Action due to failure to practice medicine in an acceptable professional manner consistent with public health and welfare.

Webb, John Q. A., M.D., Houston, TX, Lic. #E3137

An Agreed Order was entered on 12-13-02 assessing an administrative penalty in the amount of \$5,000 and restricting the physician's license under certain terms and conditions. Action due to unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public.

Weldon, Lloyd, D.O., Fort Worth, TX, Lic. #E6947

An Agreed Order was entered on 12-13-02 suspending the physician's license; however, the suspension was stayed and the physician was placed on probation for 10 years under certain terms and conditions. Action due to failure to practice medicine in an acceptable professional manner consistent with public health and welfare; intemperate use of alcohol or drugs; unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public; and administering dangerous or controlled drugs in an improper manner.

Wilson, Charles T., D.O., Groves, TX, Lic. #G1582

An Agreed Order was entered on 12-13-02 in which the physician voluntarily and permanently surrendered his Texas medical license. Action due to violation of a previous order.

Winters, Charles E. Jr., D.O., Granbury, TX, Lic. #E2106

An Agreed Order was entered on 12-13-02 restricting the physician's license for five years under certain terms and conditions. Action due to unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public; writing prescriptions for or dispensing to a person who is known to be an abuser of narcotic drugs, controlled substances, or dangerous drugs or to a person who the physician should have known was an abuser of the narcotic drugs, controlled substances, or dangerous drugs; 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; and prescribing, administering dangerous drugs or controlled drugs in an improper manner.

Zingery, Lewis W., M.D., Austin, TX, Lic. #F4724

An Agreed Order was entered on 12-13-02 restricting the physician's license under certain terms and conditions. Action due to failure to practice medicine in an acceptable professional manner consistent with public health and welfare.

Physician Assistant Board

Culbertson, Don G., P.A., New York, NY, Lic. #PA02637

An Agreed Order was entered on 11-15-02 assessing an administrative penalty in the amount of \$500. Action due to failure to practice as a physician assistant in an acceptable manner consistent with public health and welfare.

Dial, Rocky D., P.A., Dallas, TX, Lic. #PA00784

An Order was entered on 11-6-02 revoking the physician assistant's license. Action due to violation of previous order.

Franklin, Lee, P.A., Shepherd, TX, Lic. #PA02279

An Agreed Order was entered on 11-15-02 assessing an administrative penalty in the amount of \$500. Action due to failure to practice as a physician assistant in an acceptable manner consistent with public health and welfare.

Hickman, James M., P.A., Mount Gilead, OH, Lic. #PA01922

An Agreed Order was entered on 11-15-02 restricting the physician assistant's license under certain terms and conditions. Action due to disciplinary action taken by another state.

Johnstone, Jerry A., P.A., Lake Jackson, TX, Lic. #PA01624

An Agreed Order was entered on 11-15-02 suspending the physician assistant's license. Action due to 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; and for receiving deferred adjudication of guilt for commission of a felony offense.

Morgan, Kevin D., P.A., San Antonio, TX, Lic. #PA00930

An Agreed Order was entered on 11-15-02 assessing an administrative penalty in the amount of \$500. Action due to violation of Board rules.

The Texas State Board of Medical Examiners, the state agency that regulates physicians, physician assistants, surgical assistants and acupuncturists, provides consumer protection through licensure, investigation and disciplinary action. The Board, under President Lee S. Anderson, M.D., and Executive Director Donald W. Patrick, M.D., J.D., is strengthening and accelerating the disciplinary process for licensees who fail to meet the required standards of professional competency and behavior. The agency is seeking new legislation to expand current statutory authority to better fulfill its mission to ensure only competent licensees are providing medical care.

For more information, call Jill Wiggins, Public Information Director, at

(512) 305-7018 or write to:

Texas State Board of Medical Examiners
MC 251
P.O. Box 2018
Austin, TX 78768-2018

To receive press releases by e-mail: jill.wiggins@tmb.state.tx.us