

Texas Medical Board Press Release

FOR IMMEDIATE RELEASE

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TMB disciplines 80 physicians at June meeting, adopts rules changes

At its June 15, 2018 meeting, the Texas Medical Board disciplined 80 licensed physicians and issued one cease and desist order.

The disciplinary actions included: ten orders related to quality of care violations, eight orders related to unprofessional conduct, five revocations, fourteen voluntary surrenders/revocations, two suspensions, three orders related to nontherapeutic prescribing, five orders related to improper prescribing, three orders related to violation of Board rule, three orders related to peer review action, eight orders related to violation of prior Board order, ten orders related to other states' actions, five orders related to inadequate medical records, two orders related to impairment, and two orders related to Texas Physician Health Program violation.

The Board issued 308 physician licenses at the June meeting, bringing the total number of physician licenses issued in FY18 to 3,562.

RULE CHANGES ADOPTED

CHAPTER 170. PAIN MANAGEMENT

The adoption of new Subchapter B, **§§170.4 - 170.8**, concerning Utilization of Opioid Antagonists. With this new Subchapter B, comes the creation of Subchapter A, Pain Management, which will be the subchapter for existing §§170.1 - 170.3

New **§170.4**, concerning Purpose, describes the legislature's recognition of the importance of preventing opioid overdose death through the use of opioid antagonists. This section further describes the purposes of Subchapter B as establishing guidelines for the prescription of opioid antagonists, identifying individuals at risk of opioids, and clarifying liability issues for physicians who prescribe opioid antagonists with good faith and reasonable care.

New **§170.5**, concerning Definitions, sets the definitions for "Prescriber," "Opioid antagonist," and "Opioid-related drug overdose."

New **§170.6**, concerning Opioid Antagonist Prescription Guidelines, sets out the guidelines describing the individuals to whom opioid antagonists may be prescribed, as well as additional guidelines identifying individuals at risk of an opioid overdose.

New **§170.7**, concerning Liability for Act or Omission with Respect to Prescribing an Opioid Antagonist, makes clear prescribers acting in good faith and in accordance with the standard of care will not be subject to civil or criminal liability, or licensure disciplinary action for prescribing or failing to prescribe an opioid antagonist, or an outcome resulting from the eventual administration of a prescription of an opioid antagonist.

New **§170.8**, concerning Documentation, sets forth the requirement that prescribers prescribing opioid antagonists shall document the prescription in the medical record of the person at risk of an opioid overdose.

CHAPTER 172. TEMPORARY AND LIMITED LICENSE

The adoption of new **§172.19**, concerning Sports Team Physician Limited License, applies to out-of-state, non-Texas licensed physicians who are designated or employed as a physician for visiting athletes, athletic teams, sporting-event-related individuals participating in sporting events in Texas, and family members of such individuals. The new rule creates an exemption from Texas medical licensure requirements for visiting team physicians who are licensed to practice medicine in the team's home state and who limit care to the team's members, coaches, staff, and family members of such individuals during sporting events held in Texas that last no longer than 21 consecutive days. The new rule also requires a limited license for sporting events that last longer than 21 consecutive days. The rule is adopted in accordance with the Sunset Advisory Commission's management direction (Staff Report, Final Results, August 2017).

CHAPTER 185. PHYSICIAN ASSISTANT

The amendments to **§185.4**, concerning Procedural Rules for Licensure Applicants, eliminates the requirement for applicants to have good moral character and adds language requiring applicants to submit to a criminal background check. These changes are based on the passage of SB 1625 (85th Regular Session), which amended §204.153 and §204.1525 of the Physician Assistant Licensing Act. The amendment also eliminates obsolete language referring to "surgeon assistants."

The amendment to **§185.6**, concerning Annual Renewal of License, changes registration of physician assistants to biennial instead of annual. The change also adds language to require applicants to submit to a criminal background check and includes new language providing that the Board may refuse to renew a license if the licensee is not in compliance with a Board Order. These changes are based on the passage of SB 1625 (85th Regular Session), which amended §§204.1525, 204.156 and 204.158 of the Physician Assistant Licensing Act.

The amendment to **§185.8**, concerning Inactive License, changes the reference to "annual" registration to "biennial" registration. This change is based on the passage of SB 1625(85th Regular Session), which amended §204.156 of the Physician Assistant Licensing Act.

The amendment to **§185.14**, concerning Physician Supervision, changes the reference to "annual" registration to "biennial" registration. This change is based on the passage of SB 1625 (85th Regular Session), which amended §204.156 of the Physician Assistant Licensing Act.

The amendment to **§185.17**, concerning Grounds for Denial of Licensure and for Disciplinary Action, adds language that provides the Board may refuse to renew a license if the licensee is not in compliance with a Board Order. This change is based on the passage of SB 1625 (85th Regular Session), which amended §204.158 of the Physician Assistant Licensing Act.

The amendment to **§185.31**, concerning Prescriptive Authority Agreements: Minimum Requirements, deletes language requiring face to face meetings as part of quality assurance and improvement plans. These changes are based on the passage of SB 1625 (85th Regular Session), which amended §157.0512 of the Medical Practice Act.

CHAPTER 187. PROCEDURAL RULES

The amendment to **§187.78**, concerning Written Response, removes the undefined term "informal meeting" and replaces it with "ISC," which is defined in §187.2 of this chapter (relating to Definitions).

CHAPTER 190. DISCIPLINARY GUIDELINES

The amendments to **§190.8(6)(B)**, concerning Violation Guidelines, amends the rule to clarify that the Board will consider a misdemeanor to be a misdemeanor of moral turpitude if that type of misdemeanor has been found by a Texas Court to be a misdemeanor of moral turpitude. The rule also eliminates the word "deliberate" from the phrase "deliberate violence."

The amendments to **§190.14**, concerning Disciplinary Sanction Guidelines, revises the chart to ensure that references to violations under Texas Occupation Code §164.053(a)(6) are referenced in the same section with violations under §164.053(a)(5).

CHAPTER 198. STANDARDS FOR USE OF INVESTIGATIONAL AGENTS

The adoption of amendments to §§198.1 - 198.4 and new §198.5 and §198.6, concerning Standards for Use of Investigational Agents, amends Chapter 198 by dividing Chapter 198 into two separate subchapters, and adding Subchapter A, "Standards for Use of Investigational Drugs, Biological Products, or Devices" in an effort to distinguish the applicability of the provisions contained in Subchapter A and those provisions contained in new Subchapter B. Subchapter A contains amendments to §§198.1 - 198.4.

The amendment to §198.1, concerning Purpose, removes the word "agents" and replaces it with the terms "drugs, biological products, or devices" in order to align with statutory language contained in Health and Safety Code Chapter 489. It also includes new language to distinguish the applicability of Subchapter A and to differentiate Subchapter B.

The amendment to §198.2, concerning Definitions, removes the definition of "investigational agent" and defines the terms "drugs, biological products, or devices" and "terminal illness." These changes are consistent with the definitions and terms used in the Texas Health and Safety Code Chapter 489. The changes also include limiting language to clarify that such definitions are not applicable to Subchapter B.

The amendments to §198.3, concerning Practice Guidelines for the Use of Investigational Agents, removes the term "agent" throughout the section and includes the terms "drugs, biological products, or devices" in line with statutory language contained in Health and Safety Code, Chapter 489.

The amendments to §198.4, concerning Use of Investigational Agents for Patients with Terminal Illnesses, changes the title of this section by removing the term "agent" and replacing it with the terms "drugs, biological products, or devices" in order to correspond with statutory terms in Chapter 489 of the Texas Health and Safety Code. The remainder of this section is deleted, as it is contained in Chapter 489 of the Health and Safety Code.

New Subchapter B, "Investigational Stem Cell Treatments for Patients With Certain Severe Chronic Diseases or Terminal Illnesses" to distinguish the provisions contained therein with those provisions contained in Subchapter A. Subchapter B, contains new §198.5 and §198.6.

New §198.5, concerning Use of Investigational Stem Cell Treatments for Patients with Certain Severe Chronic Diseases or Terminal Illnesses, implements the requirements of House Bill 810, 85th Leg. R.S. (2017) which establishes the regulation of investigational stem cell treatments in Texas as set forth in Chapter 1003 of the Texas Health and Safety Code.

New §198.6, concerning Process and Procedures for IRBs Engaged in the Use of Investigational Stem Cell Treatments for Patients with Certain Severe Chronic Diseases or Terminal Illnesses, implements the requirements of House Bill 810, 85th Leg. R.S. (2017) which establishes the regulation of investigational stem cell treatments in Texas through statutory changes in Chapter 1003 of the Texas Health and Safety Code.

DISCIPLINARY ACTIONS

QUALITY OF CARE

Alsop, George Yerby, Jr., M.D., Lic. No. N8366, North Richland Hills

On June 15, 2018, the Board and George Yerby Alsop, Jr., M.D., entered into an Agreed Order requiring him to within 30 days contact the Texas A&M Health Science Center Knowledge, Skills, Training, Assessment, and Research (KSTAR) program to schedule an assessment and complete any recommendations made; have his practice monitored by another physician for 12 consecutive monitoring cycles; within three months complete certification in Advanced Cardiovascular Life Support (ACLS); within one year complete at least 16 hours of in-person CME, divided as follows: eight hours in EKG proficiency and eight hours in cardiac diagnostic testing; and within 60 days pay an administrative penalty of \$3,000. The Board found Dr. Alsop failed to properly assess and treat a patient for acute coronary syndrome through the improper use of myocardial biomarkers.

Dunn, David Todd, M.D., Lic. No. M0709, Crowley

On June 15, 2018, the Board and David Todd Dunn, M.D., entered into an Agreed Order requiring him to have his practice monitored for eight consecutive monitoring cycles; and within six months complete the prescribing course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program. The Board found Dr. Dunn continued to prescribe controlled substances that included opioids and benzodiazepines after the family of one patient reported that the patient had experienced a drug overdose.

Faiz, Fayaz Ahmed, M.D., Lic. No. F3455, Houston

On June 15, 2018, the Board and Fayaz Ahmed Faiz, 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 risk management and eight hours in managing high risk patients. The Board found Dr. Faiz did not order a sufficient number of electroencephalograms (EEG) to evaluate whether and to what extent a patient's seizures were under control pending transfer to a higher level of care.

Hirsch, John Brian, M.D., Lic. No. Q4430, Lubbock

On June 15, 2018, the Board and John Brian Hirsch, 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 eight hours of CME, divided as follows: four hours in ethics and four hours in physician-patient communication; and within 60 days pay an administrative penalty of \$3,000. The Board found Dr. Hirsch failed to follow up and communicate with a patient experiencing pain after a procedure and failed to provide reasonable notice before terminating the patient.

Lyn, Ian Thomas, M.D., Lic. No. J8651, El Paso

On June 15, 2018, the Board and Ian Thomas Lyn, M.D., entered into an Agreed Order requiring him to complete at least 20 hours of CME, divided as follows: eight hours in risk management, eight hours in medical recordkeeping and four hours in patient communication. The Board found Dr. Lyn failed to use proper diligence and failed to safeguard against potential complications in that he did not adequately document his communications with the surgical team and the patient's family regarding the patient's previous surgical complication and/or his medical justification for the use of Protamine during the instant surgery.

Marks, Latoia M., M.D., Lic. No. P3648, Baytown

On June 15, 2018, the Board and Latoia M. Marks, M.D., entered into an Agreed Order requiring her to within one year complete at least 16 hours of CME, divided as follows: four hours in risk management, four hours in medical recordkeeping and eight hours in high-risk pregnancies. The Board found Dr. Marks failed to meet the standard of care for one patient and failed to keep adequate medical records. Specifically, Dr. Marks failed to perform and/or document a history and physical other than a pelvic examination when the patient was admitted to the hospital and failed to perform and/or document an estimated fetal weight prior to ordering Pitocin to be administered on the high risk patient.

Pacheco-Serrant, Helson, M.D., Lic. No. K6208, El Paso

On June 15, 2018, the Board and Helson Pacheco-Serrant, M.D., entered into an Agreed Order requiring him to within 10 days schedule an assessment with the Texas A&M Health Science Center Knowledge, Skills, Training, Assessment and Research (KSTAR) program; and have his practice monitored by another physician for eight consecutive monitoring cycles. The Board found Dr. Pacheco-Serrant violated the standard of care by failing to adequately evaluate a patient, failing to correctly diagnose the patient's condition and performing unnecessary spinal surgical procedures; and failing to maintain adequate medical records.

Roland, Cynthia R., M.D., Lic. No. P1689, Baytown

On June 15, 2018, the Board and Cynthia R. Roland, M.D., entered into an Agreed Order requiring her to within one year complete at least 16 hours of CME, divided as follows: four hours in risk management, four hours in medical recordkeeping and eight hours in high-risk pregnancies. The Board found Dr. Roland failed to meet the standard of care for one patient by delaying initial treatment for the patient's gestational diabetes, failing to evaluate the patient's glucosuria encountered during multiple prenatal visits, and by failing to adequately assess and document the patient's fetal growth.

Shiwach, Rajinder S., M.D., Lic. No. K2288, DeSoto

On June 15, 2018, the Board and Rajinder S. Shiwach, M.D., entered into an Agreed Order Upon Formal Filing requiring him to within 180 days 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 one year complete at least 24 hours of CME, divided as follows: eight hours in medical recordkeeping, eight hours in supervision and delegation and eight hours in risk management; and within 60 days pay an administrative penalty of \$3,000. The Board found Dr. Shiwach and his midlevels routinely failed to adequately document evaluations of out-patients, the medical rationale underlying treatment plans, therapeutic goals, and his monitoring of the patients for the therapeutic effects or risks of the treatments prescribed. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Williams, David Russell, M.D., Lic. No. L0699, Austin

On June 15, 2018, the Board and David Russell Williams, M.D., entered into a Mediated Agreed Order that requires him to within one year complete at least eight hours of CME in anesthesia management of pediatric patients. The Board found a patient suffered a complication during a dental procedure that was first noticed and reported to Dr. Williams by the treating dentist. Dr. Williams was not sufficiently close to the patient at the moment the complication was first noticed to allow him an opportunity to potentially identify the complication as soon as it occurred. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

UNPROFESSIONAL CONDUCT

Cantu, Robert Edward, M.D., Lic. No. H4211, Austin

On June 15, 2018, the Board and Robert Edward Cantu, M.D., entered into an Agreed Order requiring him to within 30 days obtain an independent medical evaluation by a Board-approved psychiatrist and follow any and all recommendations for care and treatment; and within one year complete the professional boundaries course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program. The Board found Dr. Cantu reinitiated the physician-patient relationship by visiting a former patient in her home while she was engaged in apparent alcohol relapse behavior. This visit constituted unprofessional conduct, as it is inappropriate to become personally involved with a patient. Dr. Cantu's behavior and actions were not consistent with the appropriate assessment and evaluation of a patient in alcohol relapse.

Horton, Kenneth Craig, M.D., Lic. No. K7768, Plainview

On June 15, 2018, the Board and Kenneth Craig Horton, M.D., entered into an Agreed Order publicly reprimanding him. The Board found Dr. Horton defaulted on a student loan guaranteed by Texas Guaranteed Student Loan Corporation.

Klein, Michael Philip, M.D., Lic. No. H7022, Cuero

On June 15, 2018, the Board and Michael Philip Klein, M.D., entered into an Agreed Order requiring him to within one year and three attempts pass the Medical Jurisprudence Exam; and within one year complete at least 20 hours of CME, divided as follows: eight hours in risk management, eight hours in ethics and four hours in appropriate prescribing of controlled substances. The Board found Dr. Klein worked in an urgent care clinic for twenty years and, in that capacity, did not control which patients he treated. During that time, Dr. Klein treated three patients with whom he had romantic relationships with outside the office. Dr. Klein prescribed controlled substances to these patients in absence of immediate need.

Legall, Michelle Evette, M.D., Lic. No. M6723, Humble

On June 15, 2018, the Board and Michelle Evette Legall, M.D., entered into an Agreed Order on Formal Filing publicly reprimanding Dr. Legall and requiring her to within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete at least eight hours of CME in ethics; and within 90 days pay an administrative penalty of \$1,500. The Board found Dr. Legall failed to cooperate with Board staff and comply with a Board subpoena or multiple requests for information. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Neeley, Jesse Wade, D.O., Lic. No. N3935, San Antonio

On June 15, 2018, the Board and Jesse Wade Neeley, D.O., entered into an Agreed Order requiring him to comply with all terms of his deferred adjudication ordered in Bexar County, Texas on August 29, 2017; within one year complete at least 12 hours of CME, divided as follows: four hours in ethics and eight hours in anger management; and within 60 days pay an administrative penalty of \$1,000. The Board found Dr. Neeley did not report his arrest for assault bodily injury-married in his license renewal with the Board. Dr. Neeley's assault charge was reduced from a felony to a misdemeanor after his completion of anger management and fine that was required by the deferred adjudication program.

Newsome, Reginald, M.D., Lic. No. M8869, Keller

On June 15, 2018, the Board and Reginald Newsome, M.D., entered into an Agreed Order requiring him to have a chaperone present anytime he performs a physical examination on a female patient; and within 30 days obtain an independent medical evaluation from a Board-approved psychiatrist and follow all recommendations for care and treatment. The Board found Dr. Newsome was arrested for indecent exposure, a misdemeanor offense. Dr. Newsome has not seen a psychiatrist and there has been no criminal conviction in this matter.

Schneider, Mark William, M.D., Lic. No. F4491, Poolville

On June 15, 2018, the Board and Mark William Schneider, M.D., entered into an Agreed Order publicly reprimanding Dr. Schneider and requiring him to have a chaperone present anytime he performs a physical examination on a female patient; within one year complete the professional boundaries course offered by Vanderbilt University or 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 one year complete at least eight hours of CME in ethics; and within 30 days undergo an independent medical evaluation by a Board-approved psychiatrist and follow all recommendations for care and treatment. The Board found Dr. Schneider engaged in an inappropriate relationship with a patient who he was treating for chronic pain and failed to meet the applicable standard of care in his treatment of the patient by allowing the patient to repeatedly violate the pain management contract.

Sozer, Sadri Ozan, M.D., Lic. No. J8782, El Paso

On June 15, 2018, the Board and Sadri Ozan Sozer, 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 16 hours of CME, divided as follows: eight hours in ethics and eight hours in risk management. The Board found Dr. Sozer lacked diligence in allowing the dissemination of false, misleading, or deceptive advertising on the website of his clinic, through the website of the International Society of Aesthetic Plastic Surgery and through a press release related to Dr. Sozer's unapproved surgical fellowship program.

REVOCATION

Charles, Ronald Alan, M.D., Lic. No. J0811, Houston

On June 15, 2018, the Board entered a Default Order regarding Ronald Alan Charles, M.D., which revoked his Texas medical license. On August 17, 2016, the Board filed a Complaint with the State Office of Administrative Hearings (SOAH), alleging failure to supervise midlevels and nontherapeutic prescribing. Dr. Charles replaced his counsel of record and filed a motion to continue the SOAH hearing. Dr. Charles was served notice of the re-set hearing at SOAH. Dr. Charles failed to appear at the SOAH hearing and no responsive pleading was filed by Dr. Charles. On February 12, 2018, the court issued Order No. 8, Conditional Order of Default Dismissal and Remand. The Board granted a Determination of Default and Dr. Charles' license was revoked by Default Order. This order resolves a formal complaint filed at SOAH. Dr. Charles has 25 days from the service of the order to file a motion for rehearing.

Friday, Albert Delloyd, Jr., M.D., Lic. No. E6029, Trenton

On June 15, 2018, the Board entered a Default Order regarding Albert Delloyd Friday, Jr., M.D., which revoked his Texas medical license. On January 17, 2018, the Board filed a Complaint with the State Office of Administrative Hearings (SOAH), alleging unprofessional conduct. Dr. Friday was served notice of the Complaint and subsequent hearing at SOAH. Dr. Friday failed to appear at the SOAH hearing and no responsive pleading was ever filed by Dr. Friday. The Board granted a Determination of Default and Dr. Friday's license was revoked by Default Order. This order resolves a formal complaint filed at SOAH. Dr. Friday has 25 days from the service of the order to file a motion for rehearing.

Kahn, Ronald F., M.D., Lic. No. L5000, Bryan

On June 15, 2018, the Board entered a Final Order against Ronald F. Kahn, M.D., revoking his Texas medical license. The Board found Dr. Kahn was sentenced to 60 months in federal prison following felony convictions related to health care fraud. The action was based on the findings of an administrative law judge at the State Office of Administrative Hearings (SOAH). The order resolves a formal complaint filed at SOAH. Dr. Kahn has 25 days from the service of the order to file a motion for rehearing.

Kibert, Leonard George, M.D., Lic. No. J2639, Houston

On June 15, 2018, the Board entered a Final Order against Leonard George Kibert, M.D., revoking his Texas medical license. The Board found Dr. Kibert was sentenced to 63 months in prison following felony convictions related to health care fraud. The action was based on the findings of an administrative law judge at the State Office of Administrative Hearings (SOAH). The order resolves a formal complaint filed at SOAH. Dr. Kibert has 25 days from the service of the order to file a motion for rehearing.

Leonard, Philip J., M.D., Lic. No. E8662, Austin

On June 15, 2018, the Board entered a Final Order against Philip J. Leonard, M.D., revoking his Texas medical license. The Board found Dr. Leonard nontherapeutically prescribed controlled substances and failed to meet the standard of care for the treatment of chronic pain with respect to one patient and engaged in sexually inappropriate behavior by inappropriately touching the patient during at least one office visit. The action was based on the findings of an administrative law judge at the State Office of Administrative Hearings (SOAH). The order resolves a formal complaint filed at SOAH. Dr. Leonard has 25 days from the service of the order to file a motion for rehearing.

VOLUNTARY SURRENDER/REVOCATION

Clayton, Victoria Louise, M.D., Lic. No. F1454, Tomball

On June 15, 2018, the Board and Victoria Louise Clayton, M.D., entered into an Agreed Voluntary Surrender Order in which Dr. Clayton agreed to voluntarily surrender her Texas medical license in lieu of further disciplinary proceedings. Dr. Clayton acknowledged suffering from an illness which currently prohibits her ability to practice medicine with reasonable skill and safety to patients.

Concors, Eric Mark, D.O., Lic. No. D9766, Paris

On June 15, 2018, the Board and Eric Mark Concors, D.O., entered into an Agreed Order of Voluntary Surrender in which Dr. Concors agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Concors was under investigation for allegations that he prescribed psychiatric dangerous drugs and/or controlled substances to a close family member, for several years, beyond immediate need.

Fischer, Charles Henry, M.D., Lic. No. G6438, Austin

On June 15, 2018, the Board and Charles Henry Fischer, M.D., entered into an Agreed Order of Voluntary Surrender on Formal Filing in which Dr. Fischer agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Fischer is currently incarcerated at the Holliday Unit with the Texas Department of Criminal Justice following his conviction for criminal charges of sexual assault of a child, second degree felony; and for indecency with a child, third degree felony. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Ingram, Jack Austin, M.D., Permit No. BP10055948, Fort Worth

On June 15, 2018, the Board and Jack Austin Ingram, M.D., entered into an Agreed Order of Voluntary Surrender in which Dr. Ingram agreed to voluntarily surrender his Texas Physician in Training Permit in lieu of further disciplinary proceedings. Dr. Ingram was under investigation by the Board for allegations of impairment and unprofessional conduct.

Johnson, James D., M.D., Lic. No. E1206, Fort Worth

On June 15, 2018, the Board and James D. Johnson, M.D., entered into an Agreed Voluntary Surrender Order in which Dr. Johnson agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr.

Johnson was under investigation for allegations of inappropriate behavior with a patient connected to his medical practice.

Kuhne, Robert Christopher, M.D., Lic. No. H2519, Frisco

On June 15, 2018, the Board and Robert Christopher Kuhne, M.D., entered into an Agreed Order of Voluntary Surrender on Formal Filing in which Dr. Kuhne agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Kuhne had been the subject of a Board investigation alleging violations of the standard of care with respect to one patient. Dr. Kuhne retired from the practice of medicine in March 2018 as a result of a medical condition. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Lankford, Daniel Burgess, M.D., Lic. No. N2617, Galveston

On June 15, 2018, the Board and Daniel Burgess Lankford, M.D., entered into an Agreed Voluntary Surrender Order in which Dr. Lankford agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Lankford acknowledged suffering from an illness which currently prohibits his ability to practice medicine with reasonable skill and safety to patients.

Leach, Charles Raymond, M.D., Lic. No. F4922, Arlington

On June 15, 2018, the Board and Charles Raymond Leach, M.D., entered into an Agreed Order of Voluntary Surrender in which Dr. Leach agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Leach was under investigation for failing to maintain a patient's medical records and failing to provide notice of his termination of the patient's care.

Okose, Peter Chukwuemeka, M.D., Lic. No. J2714, Spring

On June 15, 2018, the Board and Peter Chukwuemeka Okose, M.D., entered into an Agreed Voluntary Surrender Order in which Dr. Okose agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Okose was under investigation by the Board for alleged violations related to his guilty plea to one count of conspiracy to distribute and dispense, outside the course of professional practice and not for a legitimate medical purpose, various amounts of a mixture and substance known as hydrocodone and hydrocodone products, and various other drugs and substances.

Rogers, Jerry Eugene, M.D., Lic. No. E2334, McKinney

On June 15, 2018, the Board and Jerry Eugene Rogers, M.D., entered into an Agreed Order of Voluntary Surrender in which Dr. Rogers agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Rogers was under investigation by the Board for allegations of failure to meet the standard of care in diagnosing prostate cancer for one patient.

Svensson, Travis Knight, M.D., Lic. No. Q2211, Houston

On June 15, 2018, the Board and Travis Knight Svensson, M.D., entered into an Agreed Voluntary Surrender Order in which Dr. Svensson agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Svensson was under investigation by the Board after his California medical license was revoked and probated for five years based on charges of gross negligence, prescribing without examination or evaluation, failure to maintain adequate medical records, and abetting the unlicensed practice of medicine.

Teamer, Jelani Arnes, M.D., Lic. No. Q0707, Humble

On June 15, 2018, the Board and Jelani Arnes Teamer, M.D., entered an Agreed Order of Voluntary Surrender in which Dr. Teamer agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Teamer was under investigation for allegations of nontherapeutic prescribing. Dr. Teamer signed a plea agreement with the U.S. Department of Justice in which he agrees to plead guilty to a charge of obtaining a controlled substance by fraud.

Webb, Amy Lynn, M.D., Lic. No. L4164, San Antonio

On June 15, 2018, the Board and Amy Lynn Webb, M.D., entered into an Agreed Order of Voluntary Revocation in which Dr. Webb agreed to the voluntary revocation of her Texas medical license in lieu of further disciplinary proceedings. Dr. Webb was under investigation for alleged physical impairment.

Wonnacott, James Brian, M.D., Lic. No. F1313, Houston

On June 15, 2018, the Board and James Brian Wonnacott, M.D., entered into an Agreed Order of Voluntary and Permanent Surrender in which Dr. Wonnacott agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Wonnacott's license was temporarily suspended on May 11, 2018 after a Board panel found he was operating an unregistered pain management clinic.

SUSPENSION

Hooper, Lisa Diane, M.D., Lic. No. J9511, Plano

On June 15, 2018, the Board and Lisa Diane Hooper, M.D., entered into an Agreed Order of Voluntary Suspension in which Dr. Hooper's license is suspended until she requests in writing to have the suspension stayed or lifted and personally appears before the Board to provide clear evidence that she is physically, mentally, and otherwise competent to safely practice medicine which shall include, at a minimum, objective evidence of at least six months of sustained sobriety. Dr. Hooper shall not be permitted to supervise or delegate prescriptive authority to a physician or advanced practice nurse or supervise a surgical assistant. Dr. Hooper's license had been temporarily suspended for impairment related to drug and/or alcohol abuse, which resulted in her being intoxicated while on duty at a hospital. The order shall remain in effect until superseded by an order of the Board.

Rodriguez, Stephen Sebastian, M.D., Lic. No. K3434, Dallas

On June 15, 2018, the Board and Stephen Sebastian Rodriguez, M.D., entered into an Agreed Order of Voluntary Suspension in which Dr. Rodriguez agreed to voluntarily suspend his Texas medical license in lieu of further disciplinary proceedings. Dr. Rodriguez' license was temporarily suspended on March 9, 2018, after a Board panel determined that he suffers from an impairment.

NONTHERAPEUTIC PRESCRIBING

D'Agastino, Carl Joseph, M.D., Lic. No. J7460, Midland

On June 15, 2018, the Board and Carl Joseph D'Agastino, M.D., entered into an Agreed Order requiring him to within one year complete the medical recordkeeping course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; within one year complete at custom program in the topic of pain management offered by the PACE program; have his practice monitored by another physician for eight consecutive monitoring cycles; within one year and three attempts pass the Medical Jurisprudence Exam; and within one year pay an administrative penalty of \$5,000. The Board found Dr. D'Agastino violated the standard of care with respect to several patients he treated with controlled substances for chronic pain, and failed to adequately document findings of patient monitoring techniques.

Spurlock, William Marcus, M.D., Lic. No. J7209, Dallas

On June 15, 2018, the Board and William Marcus Spurlock, M.D., entered into a Mediated Agreed Order requiring him to within 60 days modify his DEA controlled substances registration certificate to eliminate Schedule II and shall be prohibited from specifically prescribing Benzodiazepines and Soma; Dr. Spurlock shall not reregister controlled substances certificates for Schedule II without written authorization from the Board; shall have his practice monitored by another physician for 12 consecutive monitoring cycles; and within one year complete at least 24 hours of CME, divided as follows: eight hours in risk management, eight hours in medical recordkeeping and eight hours in controlled substances. The Board found Dr. Spurlock failed to meet the standard of care and prescribed medications in a nontherapeutic manner for one patient. Dr. Spurlock's medical records were inadequate to support the treatments rendered and medications prescribed to comply with Rule 200 and he also self-prescribed a controlled substance for longer than 72-hours. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Surapaneni, Veena, M.D., Lic. No. K6938, Cedar Park

On June 15, 2018, the Board and Veena Surapaneni, M.D., entered into an Agreed Order publicly reprimanding Dr. Surapaneni and requiring her to within 30 days schedule an assessment with the Texas A&M Health Science Center Knowledge, Skills, Training, Assessment, and Research (KSTAR) program and complete any recommendations made within a year; within seven days surrender her DEA controlled substances registration certificates with the exception of Schedule 2N controlled substances and shall not reregister without prior Board approval; and shall not petition for authorization to reapply for her controlled substances certificates without completing the prescribing course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program. The Board found Dr. Surapaneni failed to meet the standard of care in her treatment of multiple patients for chronic pain by nontherapeutically prescribing large amounts of narcotics and muscle relaxants for long periods of time without adhering to the Board's guidelines for the treatment of chronic pain.

IMPROPER PRESCRIBING

Biddix, Jerry Wayne, M.D., Lic. No. E3855, Winters

On June 15, 2018, the Board and Jerry Wayne Biddix, M.D., entered into an Agreed Order prohibiting Dr. Biddix from prescribing to or otherwise serving as a physician for his immediate family, himself, and close acquaintances to include his medical staff; requiring him to within one year and three attempts pass the Special Purpose Exam (SPEX); have his practice monitored by another physician for 12 consecutive monitoring cycles; and within one year complete at least 14 hours of CME, divided as follows: four hours in risk management, four hours in prescribing controlled substances and six hours in medical recordkeeping. The Board found Dr. Biddix prescribed controlled substances to his office staff over a period of six months which included many instances where Dr. Biddix failed to provide adequate clinical exam documents justifying his prescribing. Dr. Biddix also permitted a member of his office staff to order prescriptions on his behalf using an e-prescribing system but did not take steps to ensure that the employee would be unable to issue prescriptions for controlled substances without his authority or monitor the number of controlled substances issued under his name per month.

Hamlin, Denise Renee, M.D., Lic. No. M6172, San Antonio

On June 15, 2018, the Board and Denise Renee Hamlin, M.D., entered into an Agreed Order requiring her to within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete at least 21 hours of CME, divided as follows: six hours in maintaining proper boundaries, six hours in supervising and delegating to midlevel providers, six hours in medical recordkeeping and three hours in risk management; and within 60 days pay an administrative penalty of \$2,000. The Board found Dr. Hamlin prescribed non-opioid controlled substance medications to herself and her family member in absence of immediate need and without maintaining adequate medical records.

Hysa, Viola Qafalijaj, M.D., Lic. No. P8679, Houston

On June 15, 2018, the Board and Viola Qafalijaj Hysa, M.D., entered into an Agreed Order requiring her to within one year complete at least 16 hours of CME, divided as follows: eight hours in risk management and eight hours in inappropriate prescribing of controlled substances; and within one year and three attempts pass the Medical Jurisprudence Exam. The Board found Dr. Hysa admitted to prescribing controlled substances beyond the 72-hour period of immediate need to close family members.

Johnson, Jeffrey Dale, M.D., Lic. No. J8607, Corpus Christi

On June 15, 2018, the Board and Jeffrey Dale Johnson, M.D., entered into an Agreed Order requiring him to within one year and three attempts pass the Medical Jurisprudence Exam; and within one year complete at least 16 hours of CME, divided as follows: eight hours in risk management and eight hours in appropriate prescribing of controlled substances. The Board found Dr. Johnson inappropriately self-prescribed controlled substances in amounts beyond the allowable 72-hour period of immediate need and failed to maintain medical records for this self-treatment.

Vazquez, Gerardo, M.D., Lic. No. G6036, San Antonio

On June 15, 2018, the Board and Garardo Vazquez, M.D., entered into an Agreed Order requiring him to within one year complete at least 12 hours of CME, divided as follows: four hours in appropriate prescribing, four hours in risk management and four hours in medical recordkeeping; and within 60 days pay an administrative penalty of \$2,000. The

Board found Dr. Vazquez prescribed dangerous drugs and controlled substances to someone with whom he had a close personal relationship and failed to keep adequate medical records related to this prescribing.

VIOLATION OF BOARD RULE

Edwards, Ted Leroy, M.D., Lic. No. C8269, West Lake Hills

On June 15, 2018, the Board and Ted Leroy Edwards, M.D., entered into an Agreed Order on Formal Filing requiring him to within 30 days provide a copy of any and all consent forms utilized in his practice to the Board for review and approval; within one year and three attempts pass the Medical Jurisprudence Exam; and within one year complete at least 16 hours of in-person CME, divided as follows: 8 hours in risk management and 8 hours in medical recordkeeping. The Board found Dr. Edwards failed to adequately maintain records for the provision of complementary and alternative medicine during the treatment of one patient. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Gemas, Terry Keith, M.D., Lic. No. L2276, Dallas

On June 15, 2018, the Board and Terry Keith Gemas, M.D., entered into an Agreed Order requiring him to complete at least 16 hours of CME, divided as follows: eight hours in billing and eight hours in medical ethics; and within 60 days pay an administrative penalty of \$1,000. The Board found Dr. Gemas ordered unnecessary pre-operative DNA testing for one patient and admitted to pre-signing a lab order form for the test and allowing an employee of the testing company to fill in three diagnoses codes, none of which were correct.

Spangler, Gary Wayne, Jr., M.D., Lic. No. L4728, Texas City

On June 15, 2018, the Board and Gary Wayne Spangler, Jr., M.D., entered into an Agreed Order requiring him to within one year complete at least eight hours of CME in risk management; and within one year and three attempts pass the Medical Jurisprudence Exam. The Board found Dr. Spangler pre-signed triplicate prescriptions for controlled substances for use at sites serving medically underserved populations. Dr. Spangler was unaware of a statutory change in 2013, which now prohibits this practice.

PEER REVIEW ACTION

Akhtar, Adeeba, M.D., Lic. No. M0999, Houston

On June 15, 2018, the Board and Adeeba Akhtar, M.D., entered into an Agreed Order on Formal Filing requiring her to within one year complete the TMB Remedial Coaching Program at the University of Texas at Dallas School of Management (Physician Coaching). The Board found Dr. Akhtar was denied reappointment of her clinical privileges by Memorial Hermann Memorial City Medical Center based on a history and uncorrected pattern of disruptive and inappropriate behavior. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

De Sola, Sylvia, M.D., Lic. No. BP10047219, Hewitt

On June 15, 2018, the Board and Sylvia De Sola, M.D., entered into an Agreed Order publicly reprimanding Dr. De Sola. The Board found that on June 14, 2016, Dr. De Sola was terminated from her residency program for unprofessional conduct due to falsifying a United States Medical Licensing Exam report. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Nasser, George Alan, M.D., Lic. No. J7601, The Woodlands

On June 15, 2018, the Board and George Alan Nasser, M.D., entered into an Agreed Order requiring him to within one year complete at least 12 hours of CME, divided as follows: four hours in anger management, four hours in physician-patient communication and four hours in professional conduct and/or professionalism. The Board found Dr. Nasser was subject of peer review discipline based on a pattern of disruptive and unprofessional behavior.

VIOLATION OF PRIOR BOARD ORDER

Anderson, Timothy W., M.D., Lic. No. F5819, Houston

On June 15, 2018, the Board and Timothy W. Anderson, M.D., entered into an Agreed Order requiring him to within 30 days obtain an independent medical evaluation from a Board-approved psychiatrist and follow all recommendations for care and treatment; and within 60 days pay an administrative penalty of \$5,000. The Board found Dr. Anderson violated his 2017 Agreed Order by failing to give a copy of the order to all health care entities where he was privileged or practicing and provide proof of delivery within 30 days to his compliance officer. Dr. Anderson also failed to cooperate with Board staff.

Durairaj, Vikram, M.D., Lic. No. Q4391, San Antonio

On June 15, 2018, the Board and Vikram Durairaj, M.D., entered into a Modification Order modifying his 2016 Order, as modified by the 2017 Order. The modification requires him to tender his work schedule to the Board's Compliance Department three weeks prior to that work schedule beginning. On days he works, Dr. Durairaj shall test via Soberlink one hour before his work shift begins and one hour after his work shift ends. Days on which he is not working he shall be subject to random testing according to standard protocols. The Board found Dr. Durairaj violated terms of his 2016 Order, as modified by the 2017 Order, by failing to comply with the Board's drug testing program as required. All other terms of the 2016 order, as modified, remain in effect.

Ferguson, Donald W., II, M.D., Lic. No. L6039, Arlington

On June 15, 2018, the Board and Donald W. Ferguson, II, M.D., entered into an Agreed Order on Formal Filing under the following terms: temporarily restricting his license to the practice of Administrative Medicine for six months; until the restriction is lifted he shall not engage in the clinical practice of medicine or in any capacity that involves direct or indirect patient contact; shall not possess, prescribe or administer controlled substances until appearing before a panel of the Board; abstain from the consumption of prohibited substances as defined in the Order; participate in the Board's drug testing program; and shall participate in the activities of Alcoholics Anonymous no less than two times per week. The Board found Dr. Ferguson violated his 2015 order by testing positive for alcohol. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Hernandez, Arthur, M.D., Lic. No. G1674, San Antonio

On June 15, 2018, the Board and Arthur Hernandez, M.D., entered into an Agreed Order publicly reprimanding him and requiring him to within one year complete the Texas-specific CME prescribing course recommended by the Texas A&M Health Science Center Knowledge, Skills, Training, Assessment, and Research (KSTAR) program; and within 90 days pay an administrative penalty of \$1,000. The Board found Dr. Hernandez violated his 2016 Order by failing to comply with the KSTAR requirement that he complete a Texas-specific CME course.

Nelson, Garrett Steven, M.D., Lic. No. M0195, Dallas

On June 15, 2018, the Board and Garrett Steven Nelson, M.D., entered into an Agreed Order requiring him to within three months complete the eight hours of in-person CME as required by his 2016 Remedial Plan; and within 30 days pay the second-year \$500 fee as required by the 2016 Remedial Plan; and within 30 days pay an administrative penalty of \$1,500. The Board found Dr. Nelson violated his 2016 Remedial Plan when he failed to complete his in-person CME in a timely manner, failed to pay the yearly fee for the second year of his Remedial Plan, and failed to cooperate with Board staff's request for information.

Ribelles, Elisa, M.D., Lic. No. F7093, Houston

On June 15, 2018, the Board and Elisa Ribelles, M.D., entered into a Modification Order, modifying her 2012 Order, as previously modified by the 2015 Order. The modification prohibits Dr. Ribelles from possessing, administering, dispensing or prescribing any controlled substance in Texas other than those written to her by a licensed provider for personal use; and she shall not treat or otherwise serve as a physician for her immediate family and shall not prescribe, dispense, administer or authorize controlled substances or dangerous drugs with addictive potential to herself, or her immediate family. The Board found Dr. Ribelles violated her previous order by prescribing medication to family members on seven separate occasions without preapproval of the medical practice setting and prescribed controlled substances to a family member for greater than a 72-hour period. All other terms of the 2012 Order, as modified, shall remain in full effect until superseded by an order of the Board.

Sokhon, Kozhaya Chehade, M.D., Lic. No. M9668, Houston

On June 15, 2018, the Board and Kozhaya Chehade Sokhon, M.D., entered into an Agreed Order Modifying Prior Order, modifying his 2014 Order. The modification increases the number of chart monitoring cycles to 12; requires Dr. Sokhon to within one year and three attempts pass the Medical Jurisprudence Exam; and within one year complete at least 8 hours of CME in medical recordkeeping. The Board found Dr. Sokhon failed to implement all recommendations made by the physician monitor, failed to comply with the monitor's suggestions related to his practice as required by the 2014 Order, and provided incorrect information to the Board regarding disciplinary action by a peer review committee. All other terms of the 2014 Order as modified remain in effect.

Stenger, Earl Martin, M.D., Lic. No. D7315, San Antonio

On June 15, 2018, the Board and Earl Martin Stenger, M.D., entered into a Mediated Agreed Order requiring him to limit his medical practice to a group or institutional setting approved in advance by the Board; have his practice monitored by another physician for eight consecutive monitoring cycles; and within one year complete at least 50 hours of CME in topics related to psychiatry. The Board found Dr. Stenger was in violation of his 2013 and 2015 Orders which included a recommendation by KSTAR to complete a mini-residency in psychiatry as part of a retraining after an evaluation. No such program exists, and an acceptable alternative program has not been located. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

OTHER STATES' ACTIONS

Brennan, Rachel Michelle, D.O., Lic. No. P3511, Hermiston, OR

On June 15, 2018, the Board and Rachel Michelle Brennan, D.O., entered into an Agreed Order requiring her to comply with all terms of her Oregon Medical Board Order (OMB) and prohibiting her from practicing in Texas until requesting permission in writing and personally appearing before the Board to provide evidence that she is physically, mentally, and otherwise competent to safely practice medicine, which shall include at a minimum full compliance with the OMB order. The Board found Dr. Brennan was disciplined by the OMB in a Stipulated Order entered on October 5, 2017 that alleged unprofessional or dishonorable conduct, and gross or repeated acts of negligence, as a result of failing to complete timely and focused patient chart entries.

Cardosi, Beth Louise, M.D., Lic. No. K2866, Myrtle Beach, SC

On June 15, 2018, the Board and Beth Louise Cardosi, M.D., entered into an Agreed Order prohibiting her from practicing in Texas until she requests in writing and appears before the Board to present evidence that she is physically, mentally, and otherwise competent to safely practice medicine, which shall include information regarding the status of her South Carolina license. The Board found Dr. Cardosi's license was temporarily suspended by the South Carolina Medical Board following her arrest and indictment for inappropriately prescribing controlled substances in Horry County, South Carolina.

Jyothinagaram, Srikanth T., M.D., Lic. No. Q2456, Mesquite

On June 15, 2018, the Board and Srikanth T. Jyothinagaram, M.D., entered into an Agreed Order requiring him to, within one year, complete at least four hours of CME in risk management and/or ethics. The Board found Dr. Jyothinagaram was disciplined by the Michigan Department of Licensing and Regulatory Affairs Bureau of Professional Licensing for failure to meet CME requirements.

Kelley, Patrick F., D.O., Lic. No. K5127, Andalusia, AL

On June 15, 2018, the Board and Patrick F. Kelley, D.O., entered into an Agreed Order publicly reprimanding Dr. Kelley and requiring him to comply with all terms of the Alabama State Board of Medical Examiners (ASBME) Consent Order. The Board found Dr. Kelley was disciplined by the ASBME for failure to complete sufficient CME for licensure on May 24, 2017.

Kulubya, Edwin S., M.D., Lic. No. L1100, Anaheim, CA

On June 15, 2018, the Board and Edwin S. Kulubya, M.D., entered into an Agreed Order revoking his Texas medical license; staying the revocation and placing him on probation under the following terms for a period of five years: prohibited from performing intravenous sedation in any setting for any reason; shall complete and comply with all terms of the Order with the Medical Board of California (MBC); upon completion of his assessment by the University of

California San Diego Physician Assessment and Clinical Education (PACE) program required by the MBC Order, provide a copy of the assessment to the Board. The Board found Dr. Kulubya was disciplined by the MBC revoking his license, but staying the revocation and requiring five years of probation. The order arose from Dr. Kulubya's gross negligence in performing an interventional pain procedure.

Lifland, Paul Dennis, M.D., Lic. No. H7180, Beeville

On June 15, 2018, the Board and Paul Dennis Lifland, M.D., entered into an Agreed Order publicly reprimanding Dr. Lifland and requiring him to within one year and three attempts pass the Medical Jurisprudence Exam; and within one year complete at least 16 hours of CME, divided as follows: eight hours in physician-patient communication and eight hours in risk management. The Board found Dr. Lifland was summarily suspended by the Department of Veterans Affairs Central Iowa Health Care System (VA) based on allegations of disruptive behavior. Dr. Lifland resigned his VA privileges before the investigation was completed.

Mitroo, Varun, M.D., Lic. No. TM00634, Santa Monica, CA

On June 15, 2018, the Board and Varun Mitroo, M.D., entered into an Agreed Order requiring him to comply with all terms of the Orders entered by the Pennsylvania State Board of Medicine (PSBM) and the Kentucky State Board of Medicine (KBM). The Board found that as a result of disciplinary action taken by the KBM, the PSBM took reciprocal action regarding the reporting of his residency program discipline.

Serra, Kenneth Lorenzo, M.D., Lic. No. TM00221, Eden Prairie, MN

On June 15, 2018, the Board and Kenneth Lorenzo Serra, M.D., entered into an Agreed Order requiring him to complete and comply with all terms and conditions as set forth in the 2017 Order entered with the Illinois Department of Financial and Professional Regulation (IDFPR). The Board found that on October 4, 2017, Dr. Serra entered into a Consent Order with the IDFPR arising out of Dr. Serra's alleged failure to diagnose testicular torsion in interpreting a patient's ultrasound.

Rampona, Douglas Mercer, M.D., Lic. No. D5164, Virginia Beach, VA

On June 15, 2018, the Board and Douglas Mercer Rampona, M.D., entered into an Agreed Order prohibiting Dr. Rampona from performing any type of surgery in Texas, on any patient, in any setting, for any reason; and requiring that he not apply for privileges to perform surgery at any health care entity in Texas; within seven days surrender his DEA controlled substances registration certificate and shall not reregister without prior Board authorization; shall not possess, administer, or prescribe controlled substances in Texas; shall continue treatment with a psychiatrist; and shall not supervise or delegate prescriptive authority to any physician assistant or advanced practice nurse or supervise a surgical assistant. The Board found Dr. Rampona voluntarily surrendered his medical license to the Virginia Board of Medicine in a Consent Order entered on June 12, 2017, which arose from an investigation into impairment issues.

Rex, David Lloyd, M.D., Lic. No. H2961, Eden Prairie, MN

On June 15, 2018, the Board and David Lloyd Rex, M.D., entered into an Agreed Order requiring him to within one year complete at least six hours of CME in emergent CT interpretation. The Board found that on January 30, 2017, Dr. Rex was disciplined by the Wisconsin Medical Examining Board for his interpretation of a patient's CT scans.

INADEQUATE MEDICAL RECORDS

Horndeski, Gary Michael, M.D., Lic. No. G2390, Sugar Land

On June 15, 2018, the Board and Gary Michael Horndeski, M.D., entered into an Agreed Order requiring him to within one year complete the medical recordkeeping course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; and within one year complete at least eight hours of CME, divided as follows: four hours in patient communication and four hours in risk management. The Board found Dr. Horndeski failed to perform and document an adequate physical exam, history, assessment and plan, and note the rationale behind the ensuing course of action for one patient.

Randhawa, Manjit Singh, D.O., Lic. No. J4464, Angelton

On June 15, 2018, the Board and Manjit Singh Randhawa, D.O., entered into a Mediated Agreed Order that requires him to within one year complete the medical recordkeeping course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program. The Board found Dr. Randhawa failed to adequately document calls between a patient and his office related to the patient's post-operative follow-up care. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Salvato, Patricia, M.D., Lic. No. G0049, Houston

On June 15, 2018, the Board and Patricia Salvato, M.D. entered into an Agreed Order on Formal Filing requiring her to within one year complete at least 12 hours of CME, divided as follows: four hours in medical recordkeeping and eight hours in risk management. The Board found Dr. Salvato failed to maintain adequate medical records for one patient during the evaluation and treatment of Lyme disease. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Sanderson, Shawn Christopher, D.O, Lic. No. Q2946, Burleson

On June 15, 2018, the Board and Shawn Christopher Sanderson, D.O., entered into an Agreed Order requiring him to within one year complete at least 20 hours of CME, divided as follows: eight hours in geriatric emergency medicine, four hours in post-trauma patient care and discharge planning, four hours in medical recordkeeping and four hours in risk management. The Board found Dr. Sanderson failed to document the results of a hip examination, failed to document the patient's ability to ambulate prior to discharge, and failed to timely update his practice address with the Board.

Sanderson, Terry A., M.D., Lic. No. D1039, Houston

On June 15, 2018, the Board and Terry A. Sanderson, M.D., entered into an Agreed Order requiring him to within one year complete at least 24 hours of CME, divided as follows: eight hours in drug seeking behavior, eight hours in risk management and eight hours in medical recordkeeping; and within 60 days pay an administrative penalty of \$2,000. The Board found Dr. Sanderson failed to document a rationale for diagnosing the patient with Attention Deficit Disorder (ADD) and prescribing Adderall. Dr. Sanderson also failed to check the Texas Prescription Monitoring Program (PMP) and did not realize the patient was drug seeking and he failed to document a discussion of the safety, abuse and diversion potential of amphetamines while the patient was already taking Norco, Xanax, and Amitriptyline.

IMPAIRMENT

Pflieger, Kurt Loring, M.D., Lic. No. J5444, Rockwall

On June 15, 2018, the Board and Kurt Loring Pflieger, M.D., entered into an Agreed Order suspending his license until such time as he completes the following terms: within 30 days obtain an independent medical evaluation from a Board-approved forensic psychiatrist and follow all recommendations made for care and treatment and upon completion, appear before a panel of the Board for the purpose of reporting on and addressing issues related to the evaluation; and shall not be permitted to supervise and delegate prescriptive authority to physician assistants and advanced practice nurses or supervise surgical assistants. The Board found Dr. Pflieger engaged in a pattern of impaired practice. Dr. Pflieger completed an in-patient treatment and is now under the care of a psychiatrist. The Board panel opined that an independent medical examination would provide the Board with more information on Dr. Pflieger's ability to conduct himself professionally and safely practice medicine given his pattern of conduct.

Thurmond, Frederick Allen, M.D., Lic. No. L1217, Mount Pleasant

On June 15, 2018, the Board and Frederick Allen Thurmond, M.D., entered into an Agreed Order publicly referring him to the Texas Physician Health Program; requiring him to within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete at least 16 hours of CME, divided as follows: four hours in risk management, four hours in ethics, four hours in medical recordkeeping, and four hours in drug-seeking patients and prescribing controlled substances. The Board found Dr. Thurmond suffers from an addiction to alcohol and violated the standard of care for one patient by prescribing Xanax without indication and without a proper history, physical and other workup. Dr. Thurmond voluntarily entered Board drug testing and alcohol testing after the investigation was initiated and has maintained sobriety.

TXPHP VIOLATION

Pham, Amy Quynh Trang, M.D., Lic. No. P8525, Nacogdoches

On June 15, 2018, the Board and Amy Quynh Trang Pham, M.D., entered into an Agreed Order on Formal Filing under the following terms: shall not practice medicine in Texas until she requests permission and personally appears before the Board to provide clear evidence that she is physically, mentally, and otherwise competent to safely practice medicine; within 30 days obtain an independent medical evaluation from a Board-approved physician and follow all recommendations for care and treatment; and shall not be permitted to supervise or delegate prescribed authority to physician assistants or advanced practice nurses or supervise surgical assistants. The Board found Dr. Pham was terminated from the Texas Physician Health Program due to noncompliance with her agreement and has not yet provided evidence to the Board that she is safe to resume practicing medicine. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Welch, Lindsey Blair, D.O., Lic. No. BP10056039, San Antonio

On June 15, 2018, the Board and Lindsey Blair Welch, D.O., entered into an Agreed Order publicly referring her to the Texas Physician Health Program (TXPHP) and requiring her to comply with all terms and conditions of her TXPHP agreement for the duration of the agreement which shall include complying with the work site monitor requirement and quarterly reports to Board Compliance. The Board found Dr. Welch violated her TXPHP agreement when she relapsed and tested positive for alcohol.

CEASE AND DESIST

Kemp, Ronald, DC, No License, Irving

On June 15, 2018, the Board and Ronald Kemp, DC, entered into an Agreed Cease and Desist Order prohibiting Mr. Kemp from practicing medicine in the state of Texas without a license issued by the Texas Medical Board. The Board found Mr. Kemp, a licensed chiropractor, performed an examination of a patient for a condition related to a testicular injury the patient had sustained on the job.

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To view disciplinary orders, 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 "View Board Actions."

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