

**Texas Medical Board
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Medical Board Implements Fast-Track Procedure for Minor Violations

Physicians, Consumers Both Will Benefit from Streamlined System

The Texas Medical Board has adopted a new “fast-track” enforcement procedure that will allow doctors facing discipline for relatively minor administrative violations to quickly resolve the matter rather than undergoing a lengthy investigation. Diverting administrative cases into the new streamlined procedure will allow TMB to free up investigative resources that can then be redirected to more serious violations involving inadequate patient care or unprofessional conduct.

Physicians who choose to participate in the new fast-track system can agree to administrative charges and pay a fine, rather than undergo a full investigation and the resulting stress and expense. A licensee who disputes the charges can contest the violation in writing and the case will be reviewed by a board committee, or a physician may opt out of fast-track entirely and contest the charges through TMB’s traditional investigation and litigation process.

“This will benefit both the medical community and medical consumers in Texas,” said Dr. Donald Patrick, TMB’s executive director. “Doctors will be able to dispose of relatively minor administrative violations quickly. Consumers benefit because TMB will be able to concentrate its limited investigative resources to more serious cases.”

Administrative violations punishable only by a fine, with no other allegation, will be eligible for fast-track consideration. These include failure to provide medical records in a timely manner, failure to file a change of address with TMB, failure to sign a death certificate in a timely manner, failure to obtain required continuing medical education, and other administrative violations. Violations arising from inadequate patient care or unprofessional conduct are not eligible for fast-track consideration.

The number of times a licensee may opt for fast-track consideration will be limited to three times, and only once for a given violation.

Prior to the adoption of the new procedure, all complaints believed to be a probable violation resulted in an investigation that could last 180 days, followed by an additional 180 days of litigation procedures, culminating in a hearing before a panel of board representatives. Cases considered under the new procedure can be concluded in as few as 60 days, said Mari Robinson, TMB’s director of enforcement.

“We thought these administrative violations should be handled more like traffic tickets and less like full-scale investigations,” Robinson said. “The initial reaction from the medical community has been very positive.”