



EXAS MEDICAL BOARD PHYSICIAN ASSISTANT BOARD **MEDICAL BOARD** STATE BOARD OF ACUPUNCTURE EXAMINERS Safeguarding the public through professional accountability

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May 2018

Five New TMB Members Appointed

The Texas Medical Board has five new members following Gov. Greg Abbott's announcement last month. The governor appointed Sharon J. Barnes, George L. De Loach, D.O., Robert Gracia, Manuel "Manny" Quinones, Jr., M.D., and David G. Vanderweide, M.D. to the Medical Board for terms set to expire April 13, 2023.



Barnes

Sr. HR Business Partner at Freeport LNG Development L.P. in Freeport. She is a member of the Society for Human Resource Management and the American Chemical Society and a board member of the Boys & Girls Club of Brazoria County. Additional-

Sharon J. Barnes, of Rosharon, is a

ly, she is a member and board secretary of the National Organization of Black Chemists and Engineers and the CHI Brazosport Regional Health Care Foundation and a board member for the United Way of Brazoria County. Barnes received a Bachelor of Science in biochemistry from Baylor University and a Master of Business Administration in human resource management from the University of Phoenix.



De Loach

George L. De Loach, D.O., of Livingston, is a physician and chief of surgery at CHI St. Luke's Livingston, and owner of Big Thicket Orthopedics. He is a member of the American Osteopathic Academy of Orthopedics, American Academy of Orthopedic Surgeons, Texas Osteopathic Medi-

cal Association, Texas Orthopedics Association, and the American Osteopathic Association. De Loach received a Bachelor of Science from Texas A&M University and a Doctor of Osteopathic Medicine from the Texas College of Osteopathic Medicine.



Robert Gracia, of Richmond, is a realtor at Clayton Nash Real Estate. He is a member of the Texas Realtor Association and the National Realtor Association and a life member of the International Police Chief Association. He is the chairman of the Fort Bend County Sheriff's Office Civil Service

Gracia

Commission and a board member of Fort Bend Seniors Meals on Wheels. Gracia previously served the City of Rosenberg for 36 years as the city's longest tenured Police Chief and as City Manager. Gracia received a Bachelor of Science in business management from LeTorneau University, a law enforcement certificate from Wharton County Jr. College, and a certificate in real estate from Champions Houston School of Real Estate.

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New TMB Members, Cont.



Quinones

Manuel "Manny" Quinones, Jr., M.D., of San Antonio, is a family physician with Health Texas Medical Group of San Antonio. He is a member and former president of Bexar County Medical Society and is currently on their Board of Directors and Board of Ethics. Additionally, he

is a member of the Texas Medical Association and the Clinical Faculty at the University of the Incarnate Word School of Medicine and has served on multiple local community boards including, The Witte Museum and the American Red Cross. Quinones received a Bachelor of Arts in biology from St. Mary's University and a Doctor of Medicine from Baylor College of Medicine.



David G. Vanderweide, M.D., of League City, is an orthopedic surgeon and president of David G. Vanderweide, M.D., P.A. He is a member of the American Medical Association, Texas Medical Association, Harris County Medical Society, and the Society of Military Orthope-

Vanderweide

dic Surgeons. Additionally, he is a fellow of the American Academy of Orthopedic Surgery and the American College of Surgeons and a diplomate of the American Board of Orthopedic Surgery. Vanderweide received a Bachelor of Science in biology from the Texas A&M University and a Doctor of Medicine from Baylor College of Medicine with a residency in orthopedics.

New Executive Director Named



Carlton

The Texas Medical Board last month named Stephen Brint Carlton as the new Executive Director of the agency.

Mr. Carlton, of Orange, Texas, has experience as a county judge and prosecutor for Orange County, and

prior to that was in private law practice. He holds a Master of Health Administration from the University of Florida at Gainesville and his Juris Doctor and Master of Business Administration degrees from St. Mary's University in San Antonio. Carlton also has a Bachelor of Science degree from the University of Texas at Austin.

Carlton holds the rank of Major in the United States Air Force Reserve, and joined the United States Air Force as a first lieutenant, Medical Service Corps officer, after graduating from the University of Florida. He spent nearly four years on active duty stationed at the 17th Medical Group, Goodfellow Air Force Base, Texas. He was responsible for disaster management and group practice management as a health administrator. Mr. Carlton also deployed to the 386th Expeditionary Medical Group, Ali Al Salem Air Base, Kuwait for six months in 2009 and helped coordinate aeromedical evacuation missions for Operations Iraqi Freedom and Enduring Freedom.

"Our committee worked diligently on the agency's executive search this past year and we are very excited with the skills and talent that Mr. Carlton will bring to the agency," said Dr. Sherif Zaafran, M.D., Board President. "We look forward to working with Mr. Carlton on fulfilling the Board's core mission of public protection. I also want to acknowledge Scott Freshour, who served as acting Executive Director leading the agency during the interim. We're very thankful for his continued leadership."

Mr. Freshour resumed his previous role as the agency's General Counsel.

PMP Registration Strongly Encouraged

Texas Prescription Monitoring Program (PMP) registration is strongly encouraged for any physician and physician assistant who is prescribing controlled substances. The PMP can be used to verify a practitioner's own records and prescribing history as well as inquiring about patients. In addition, the program may be used to generate and disseminate information regarding prescription trends.

Please know, as required by <u>HB 2561</u>, the Medical Board is providing licensee contact information to the Texas State Board of Pharmacy, the agency which administers the Texas Prescription Monitoring Program (PMP), for the purposes of pre-registering prescribers for the program. The Texas State Board of Pharmacy has begun to contact licensees, by e-mail, with a link to register with PMP. State Board of Pharmacy that there was no PMP account registered to your email address of record. If you already have a PMP account under another email address, you do not need to complete an additional PMP registration.

If you do not prescribe controlled substances in Texas, you are not required to complete the PMP registration. However, PMP registration is also strongly encouraged for physicians and physician assistants who are not prescribing. The primary reason to register is to allow licensees to periodically review the system to ensure that no prescriptions are being inaccurately or fraudulently attributed to the licensee.

For more information about PMP, visit: <u>https://</u> www.pharmacy.texas.gov/PMP/

Registration FAQs are also available: https://n the Texastexas.pmpaware.net/support

The email you received is a notification from the Texas

Case Review Experts Needed

TMB is calling for physicians in the following areas to serve as experts in reviewing standard of care cases: Neurological Surgery, Oncology (including Pediatric), Orthopedic Spine Surgery, Pain Management, Pediatric Neurology, Plastic Surgery, and Pulmonary Disease.

As an expert to the Board, your identify for any individual case will be confidential. The requirements for serving are:

- Active Texas license
- Active practice in Texas (more than 20 hours per week, 40 weeks per year)
- No history of negative peer review action or license restriction
- Acceptable malpractice history

For more information, please e-mail: Michelle.Garcia@tmb.state.tx.us

Board Rules

The following rules were adopted since the publication of the previous bulletin. After publication in the TX Register, the rules with effective date will be posted on the TMB website: <u>http://www.tmb.state.tx.us/page/board-rules</u>. For full rule text in the Texas Administrative Code, visit: <u>http://texreg.sos.state.tx.us/public/readtac\$ext.viewtac</u>

MARCH 2018

CHAPTER 163. LICENSURE

The amendments to **§163.11**, concerning <u>Active Practice of</u> <u>Medicine</u>, were adopted in accordance with Senate Bill 1148, adopted by the 85th Legislature, which prohibits the Board from requiring maintenance of certification by an applicant to be eligible for a medical license.

CHAPTER 166. PHYSICIAN REGISTRATION

The amendments to **§166.3**, concerning <u>Retired Physician Ex-</u> <u>ception</u>, and **§166.6**, concerning <u>Exemption From Registration</u> <u>Fee for Retired Physician Providing Voluntary Charity Care</u>, were adopted in accordance with Senate Bill 1148, adopted by the 85th Legislature, which prohibits the Board from requiring maintenance of certification by an applicant to be eligible for initial or renewal registration permit for a medical license.

CHAPTER 172. TEMPORARY AND LIMITED LICENSES

The amendments to **§172.12**, concerning <u>Out-of-State Tele-</u> <u>medicine License</u>, were adopted in accordance with Senate Bill 1148, adopted by the 85th Legislature, which prohibits the Board from requiring maintenance of certification by an applicant to be eligible for a medical license.

CHAPTER 175. FEES AND PENALTIES

The amendments to **§175.1**, concerning <u>Application and Ad-</u><u>ministrative Fees</u>, corrects language in paragraph (1)(H)(i) so that fees related to physician-in-training permits are lowered to \$200. Further language is added outlining application and administrative fees for processing licenses for medical physicists, medical radiologic technologists, non-certified technicians, perfusionists, and respiratory care practitioners.

The amendments to **§175.2**, concerning <u>Registration and Re-newal Fees</u>, adds language outlining renewal fees for continuing licenses, permits, and certificates for medical physicists, medical radiologic technologists, non-certified technicians, perfusionists, and respiratory care practitioners.

The amendments to **§175.3**, concerning <u>Penalties</u>, moves language providing an exemption for individuals serving as military members to new paragraph (11). The amendments further add language outlining penalty amounts for late renewals of licenses for perfusionists, respiratory care practitioners, medical physicists, and medical radiologic technologists.

The amendment to **§175.5**, concerning <u>Payment of Fees or</u> <u>Penalties</u>, amends language clarifying the rule's allowance for fee refunds applies to applicants who timely withdraw applications, in addition to other requirements. Further language is added clarifying that refunds of fees may be granted to licensees who retire or request cancellation of their licenses within 90 days of paying a renewal fee.

CHAPTER 177. BUSINESS ORGANIZATIONS AND AGREEMENTS

The amendments to **§177.18** (Subchapter E), concerning <u>Purpose and Scope</u>, and **§177.20**, concerning <u>Call Coverage Minimum Requirements</u>, and repeal of **§177.19**, concerning <u>Definitions</u>, provide a more flexible framework for call coverage agreements between physicians practicing in Texas so as to provide continuity of care to patients during a regular treating physician's absence, while ensuring the covering physician's accountability for meeting the standard of care and documenting the care provided during the call coverage period. The amendments eliminate the two-model approach under §177.20(b), allow all call coverage agreements to be contracted orally or in writing, and eliminate the requirement that certain agreements require real-time access to a patient's medical records at the time of the call coverage period.

CHAPTER 187. PROCEDURAL RULES

The amendments to **§187.21(a)**, concerning <u>Board and District</u> <u>Review Committee Members Participation</u>, and **§187.44(3)**, concerning <u>Probationer Show Compliance Proceedings</u>, correct the title of the reference to §187.18 of this chapter, which was recently changed to "ISC Scheduling, Process, and Procedures."

The amendment to **§187.76(c)(3)**, concerning <u>Notice of Inten-</u> <u>tion to Impose Administrative Penalty; Response</u>, removes the undefined term "informal meeting" and replaces it with "ISC," which is defined in §187.2 of this chapter (relating to Definitions).

The amendment to **§187.79**, concerning <u>Personal Appearance</u> <u>at an Informal Meeting</u>, changes the title to "Personal Appearance at an ISC," as "Informal Meeting" is not a defined term and "ISC" is a defined term and is the correct reference within the rule. The amendment in subsection (a) corrects the reference to "informal meeting" and replaces it with "ISC." The amendment in subsection (b) also corrects the reference to "informal meeting" and replaces it with "ISC." and corrects the title of the reference to §187.18 of this chapter, which was recently changed to "ISC Scheduling, Process, and Procedures."

The amendment to **§187.80(c)**, concerning <u>Imposition of Ad-</u> <u>ministrative Penalty</u>, removes the undefined term "informal meeting" and replaces it with "ISC," which is defined in §187.2

Board Rules, Cont.

of this chapter.

CHAPTER 189. COMPLIANCE PROGRAM

The amendments to **§189.11**, concerning <u>Process for Approval</u> of Physicians, Other Professionals, Group Practices and Institutional Settings, eliminates the words "or remedial plan" from the provision describing the mechanism under which the Board may require a licensee to practice with an approved physician or other professional to serve as a proctor, monitor, or supervisor or in an approved group practice or institutional setting, as §164.0015 of the Texas Occupations Code states that Remedial Plans may not contain provisions that limit or restrict a licensee's practice.

CHAPTER 183. ACUPUNCTURE

The amendments to **§183.4**, concerning <u>Licensure</u>, add new language under subsection (a)(5) that allows an applicant for licensure to appear before the licensure committee of the Board to request reconsideration of the applicant's ineligibility based on their failure to pass the NCCAOM examination within five attempts. Such amendment allows the Board discretion to reconsider such ineligibility determination. The proposed amendments delete obsolete language from subsection (a)(7). The proposed amendments to subsection (a)(9) provide an alternate mechanism to cure active practice issues faced by some licensure applicants. The remainder of the changes are corrections to punctuation and grammar.

The amendments to **§183.19**, concerning <u>Acupuncture Adver-</u><u>tising</u>, remove language requiring that an acupuncturist include their license number on print advertising.

The amendments to **§183.20**, concerning <u>Continuing Acupuncture Education</u>, add language to subsection (b)(1) to clarify the criteria for the courses from which the requisite CAE hours are taken. The proposed amendment adds new subsection (b)(2) to specify the number of CAE hours and specific topics which must be taken each year. New subsection (b)(3) is added to clarify the number of CAE hours from courses approved under each category delineated under subsection (b)(1). Spelling corrections were made in subsections (h) and (o).

CHAPTER 186. RESPIRATORY CARE CHAPTER 186. RESPIRATO-RY CARE

The amendment to **§186.2**, concerning <u>Definitions</u>, adds new language under paragraph (41) that defines "voluntary charity care."

The amendments to **§186.4**, concerning <u>Procedural Rules and</u> <u>Qualifications for Certificate Applicants</u>, add language to subsection (a)(2) to specify that application fees are set forth in 22 T.A.C. §175.1. The amendments also add language to subsection (g) to detail alternative certification procedures for military service members and military veterans, in addition to military spouses.

The amendments to **§186.6**, concerning <u>Biennial Renewal of</u> <u>Certificate</u>, add language to subsections (a), (d), and (j)(1) to reference specific rules in Chapter 175 that list certain fees.

The amendments to **§186.7**, concerning <u>Temporary Permit</u>, add language to subsection (a)(1) to detail that temporary permits issued under this subsection pertain to applicants who have signed an Agreed Order or Remedial Plan and are awaiting board approval. The amendments also add language to subsection (a)(3) to reference fees listed in 22 T.A.C. §175.1. Additionally, the amendments add language to subsection (c) to make clear that requirements listed in this subsection apply only to those applicants who have active practice issues.

The amendments to **§186.8**, concerning <u>Inactive Certificate</u>, add language to subsection (a) to clarify that inactive certificates must be renewed each year.

The amendments to §186.10, concerning Continuing Education Requirements, add language to subsection (a) to state that at least two hours of the required 24 hours must be in the topic of ethics. Additionally, the amendments add subsection (b)(2) (C) to give non-traditional continuing education credit to those who teach or instruct a course in an accredited respiratory care educational program. The amendments also add language to subsection (b)(3) to clarify that credit may be awarded for credentialing or re-credentialing examinations listed in this subsection. The National Asthma Education Certification Board (NAECB) Certified Asthma Educator (AE-C) and neonatal resuscitation program (NRP) examinations are also added to this subsection. Language is also added to subsection (b)(3)(J) to explain how often credit may be awarded when the same examination is taken for initial credentialing purposes and recredentialing purposes.

The amendments to **§186.13**, concerning <u>Identification Re-</u> <u>quirements</u>, adds subsection (b) to require respiratory care practitioners holding a temporary permit to hold themselves out as temporary care practitioners or TRCPs.

The amendments to **§186.17**, concerning <u>Grounds for Denial of</u> <u>Certification and for Disciplinary Action</u>, adds language in paragraph (4) to make clear that disciplinary action or denial of certification based on criminal history is done in accordance with Chapter 53 of the Texas Occupations Code.

The amendments to **§186.28**, concerning <u>Retired Certificate</u>, adds language in subparagraph (2)(A) to reference the new definition of voluntary charity care adopted in 22 T.A.C. §186.2 (41).

Board Rules, Cont.

CHAPTER 194. MEDICAL RADIOLOGIC TECHNOLOGY

The amendment to §194.3, concerning Meetings and Committees, deletes subsection (f) and language providing that the board may at a regular or special meeting remove the secretary from office upon a majority vote, with other amendments re-lettering the remaining subsections. Language related to licensure and disciplinary committee functions is revised to clarify that the committees do not draft rules, but rather review draft language prepared by staff. Amendments further add a new paragraph (4) to subsection (f), setting forth new rules related to the creation of a new Education Committee. The proposed committee's functions include recommending rules to the full board regarding education and training requirements certification as a radiologic technologist or registration as a non-certified technician (NCT), continuing education requirements for renewal of a Texas MRT certificate or NCT registration, and standards for the approval or rescinding approval of radiologic technologist certificate education program curricular and instructors.

The amendments to **§194.5**, concerning <u>Applicability of Chap-</u> <u>ter; Exemptions</u>, delete language referring to §194.14 of this title (relating to Alternate Training Requirements for Podiatric Medical Assistants), reflecting the repeal of §194.14.

The amendments to §194.6, concerning Procedural Rules and Minimum Eligibility Requirements for Applicants for a Certificate or Placement on the Board's Non-Certified Technician General Registry, amend language so that an applicant is not deemed per se ineligible for a certificate or registration, based upon action taken against another license issued by a licensing authority in this or another state that is subject to probation or other disciplinary action not involving revocation or suspension. The board will continue to have the authority to deny a certificate or placement on the general registry based upon all such action, regardless if it is an action not involving revocation or suspension, but the amendments will allow the board more discretion in certain cases. The amendments further delete language under subsection (c)(8) and move it to a new paragraph (2), maintaining the board's discretion to consider the nature of any final disciplinary action, other than suspension or revocation, when determining whether to issue the certificate or other authorization. Amendments to subsection (f)(3) and subsection (i), with language referring to §194.14 of this title, are deleted, to reflect the repeal of §194.14. Amendments to subsection (j) adding clarifying language to make it clearer that non-certified technicians must comply with the active practice requirements under the rules in order to show eligibility for placement on the general registry. Amendment to subsection (I) make corrections to typographical errors.

The repeal of **§194.14**, concerning <u>Alternate Training Require-</u> ments for Podiatric <u>Medical Assistants</u>, was adopted to comport with S.B. 674, which amended Texas Occupations Code, Chapter 601, and eliminated dual registration for non-certified technicians by certain state licensing boards, including the Podiatry Board. The MRT Board will maintain a single set of minimum training requirements in order to obtain eligibility for placement on a general registry for non-certified technicians (NCT).

The amendment to §194.16, concerning Hardship Exemptions, amends language in order to comport with S.B. 674, which amended Texas Occupations Code, §601.203, so that in order to show that an applicant faces a hardship in hiring a certificate holder or NCT due to an inability to attract and retain medical radiologic technologists, the applicant must also show evidence that the location for which the hardship exemption is sought must be located in a county with a population of less than 50,000. Amendments further delete subsection (b)(4)(B) (vi), so that the use of only a hand-held fluoroscope with a maximum operating capability of 65 kilovolts and 1 milliampere, or similar type of x-ray unit for upper extremities only, with the radiation produced by the radiographic equipment representing a minimal threat to the patient and the operator of the equipment, no longer qualifies for a hardship exemption. The basis for the repeal is that the use of such equipment should be performed by individuals who have completed minimum training and obtained registration as a NCT or certification as a MRT or LMRT.

The amendment to **§194.17**, concerning <u>Dangerous or Hazard-ous Procedures</u>, removes language referring to §194.14 of this title, reflecting the repeal of §194.14.

Continuing Education Opportunities			
Activity Title	Date(s)	No. of Hours	Link
Texas Health Steps: Over- view	Expires Oct. 30, 2018	1.25 AMA PRA Category 1	<u>http://</u> www.txhealthsteps.com/180-texas -health-steps-overview
Recognizing, Reporting, and Preventing Child Abuse	Expires Sept. 27, 2019	2.0 AMA PRA Category 1	<u>http://</u> www.txhealthsteps.com/171- recognizing-reporting-and- preventing-child-abuse
Building a Comprehensive and Effective Medical Home	Expires June 17, 2018	1.5 AMA PRA Category 1	<u>http://</u> www.txhealthsteps.com/127- building-comprehensive-and- effective-medical-home
Culturally Effective Health Care	Expires June 7, 2020	1.25 AMA PRA Category 1	<u>http://</u> www.txhealthsteps.com/134- culturally-effective-health-care
Case Studies in Early Lyme Disease	Expires May 22, 2020	1.0 AMA PRA Category 1	https://texmed.inreachce.com/ Details?groupId=3f4f3ec9-4086- 45de-8e0e-d2d5ef958b32
Little Bite, Big Disease: Recognizing and Manag- ing Tickborne Illnesses	Expires June 28, 2018	1.0 AMA PRA Category 1	https://emergency.cdc.gov/coca/ calls/2016/callinfo_052416.asp
The continuing education opportunities listed above are provided only as a courtesy. TMB makes no guarantee to the quality of the content, fulfillment of credit hours for license requirement purposes, or ensure compliance with terms of any Board order or rules. As part of its 2016-2017 review of the Board, the Sunset Advisory Commission adopted a ponstatutory management action directing the Board to dedicate one page of its guarterly newsletter.			

adopted a nonstatutory management action directing the Board to dedicate one page of its quarterly newsletter bulletin to three topics in continuing medical education that the Board considers relevant; at least one of the annual 12 continuing medical education topics must be related to tick-borne diseases, including Lyme disease.

TMB MISSION STATEMENT

Our mission is to protect and enhance the public's health, safety and welfare by establishing and maintaining standards of excellence used in regulating the practice of medicine and ensuring quality health care for the citizens of Texas through licensure, discipline and education.

Texas Medical Board Members

Sherif Zaafran, M.D., Houston, President Sharon J. Barnes, Rosharon Michael E. Cokinos, Houston, Secretary-Treasurer George L. De Loach, D.O., P.A., Livingston Frank S. Denton, Conroe Kandace B. Farmer, D.O., Highland Village Robert Gracia, Richmond J. "Scott" Holliday, D.O., University Park, Vice President Jeffrey L. Luna, M.D., Livingston Margaret C. McNeese, M.D., Houston LuAnn Morgan, Midland Jayaram B. Naidu, M.D., Odessa Manuel "Manny" Quinones, Jr., M.D., San Antonio Paulette B. Southard, Alice Karl W. Swann, M.D., San Antonio David G. Vanderweide, M.D., *League City* Surendra K. Varma, M.D., Lubbock Timothy Webb, J.D., Houston

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Texas Medical Board Staff

Additional information on Boards, including meeting dates, agendas, minutes, and board member biographies are available on the TMB's website under the Agency section: http://www.tmb.state.tx.us/page/agency.

Stephen Brint Carlton, J.D., Executive Director Dr. Robert Bredt, M.D., Medical Director Scott Freshour, J.D., General Counsel Megan Goode, Governmental Affairs & Comm., Manager Jarrett Schneider, Governmental Affairs & Comm., Comm. Officer

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www.facebook.com/texasmedicalboard

Formal Complaints

			*
Name	Lic. No.	Date Filed	Allegations
Ozumba, Donald Okechukwu, M.D., McKinney	M1994	1/4/18	Felony offense; unprofessional conduct.
Friday, Albert Delloyd, Jr., M.D., Trenton	E6029	1/17/18	Unprofessional conduct; violation of prior order.
Pham, Amy Quynh, M.D., Nacog- doches	P8525	1/23/18	Impairment; unprofessional conduct.
Fischer, Charles Henry, M.D., Aus- tin	G6438	1/25/18	Felony conviction.
De Sola, Sylvia, M.D., Hewitt	BP10047219	1/25/18	Unprofessional conduct; peer review action.
Echols, Daalon Braundre, M.D., Wichita Falls	M4049	1/26/18	Failure to meet the standard of care; nontherapeutic pre- scribing; unprofessional conduct; peer review action.
Malik, Amir Zulfikar, M.D., Fort Worth	К5146	1/26/18	Failure to meet the standard of care; inadequate medical records.
Olusola, Benedict Oladipo, M.D., DeSoto	J7118	1/26/18	Unprofessional conduct; violation of prior order.
Kahn, Ronald F., M.D., Bryan	L5000	2/13/18	Felony conviction.
Williams, David Russell, M.D., Austin	L0699	2/13/18	Failure to meet the standard of care; inadequate medical records.
Wade, Randall William, M.D., McKinney	G7117	3/8/18	Felony conviction.
Ortiz, Raynaldo Rivera, Jr., M.D., Garland	H9000	3/9/18	Criminal activity; unprofessional conduct; peer review action.
Stricklin, Justin Lloyd, MRT, Dain- gerfield	GMR00101307	3/23/18	Felony offense.
O'Hearn, Charles John, M.D., Coppell	H5676	3/27/18	Unprofessional conduct.
Kugler, Carlos David, M.D., Hou- ston	M9431	3/30/18	Failure to meet the standard of care; nontherapeutic pre- scribing; violation of Board rules; unprofessional conduct; inadequate medical records.
Ockershausen, Thomas Glen, M.D., Austin	L4614	3/30/18	Failure to meet the standard of care; unprofessional con- duct; improper supervision or delegation; inadequate medical records.
Rodriguez, Gabriel Angel, M.D., Plano	N6976	4/3/18	Unprofessional conduct; violation of Board rules.
Barroga, Deno Baltazar, M.D., Dallas	M1495	4/5/18	Failure to meet the standard of care; nontherapeutic pre- scribing; violation of Board rules; unprofessional conduct; inadequate medical records.

Formal Complaints, Cont.			
Name	Lic. No.	Date Filed	Allegations
Hall, Theodore Ray, M.D., Hunts- ville	G4592	4/13/18	Failure to meet the standard of care; violation of Board rule; unprofessional conduct; inadequate medical records.
Aggarwala, Gaurav, M.D., Pales- tine	L7636	4/18/18	Unprofessional conduct; peer review action; inadequate medical records.
Madsen, Terry Douglas, M.D., Richardson	L8816	4/25/18	Failure to meet the standard of care; unprofessional con- duct.
Kuhne, Robert, M.D., Frisco	H2519	4/26/18	Failure to meet the standard of care; peer review action; unprofessional conduct.
Nawar, Mohamad Abdel Hamed, M.D., Del Rio	L8249	4/27/18	Failure to meet the standard of care; unprofessional con- duct.
Gonzales, Sergio, NCT, Raymond- ville	NCR00158999	5/3/18	Felony offense; unprofessional conduct.

Formal Complaints Dismissed Following Final Order

Name	Lic. No.	Date Dismissed
Van Boven, Robert Wayne, M.D., Lake- way	P5901	12/8/17
Danshaw, Craig Brian, D.O., Fort Worth	J1223	3/2/18

DID YOU KNOW?



You can look up licensee information online for physicians, physician assistants, acupuncturists, medical radiologic technologists, respiratory care practitioners, perfusionists, medical physicists and surgical assistants.

These licensee profiles contain consumer-oriented professional background information, license status, educational background, disciplinary actions, and other helpful information.

To search the database, and for more information, visit: http://www.tmb.state.tx.us/page/look-up-a-license

Disciplinary Actions

The following disciplinary actions have been taken since the previous bulletin was issued. To read previous bulletins and news releases, visit: <u>http://www.tmb.state.tx.us/page/news</u>

TEMPORARY SUSPENSION/RESTRICTION

Chapanos, Petros Kosmas, M.D., Lic. No. J9640, Brownsville On February 6, 2018, a disciplinary panel of the Texas Medical Board temporarily suspended, with notice, the Texas medical license of Petros Kosmas Chapanos, M.D., after determining his continuation in the practice of medicine poses a continuing threat to public welfare. The suspension was effective immediately. The Board panel found Dr. Chapanos is unable to practice medicine with reasonable skill and safety to patients because of an illness, or mental or physical condition. The temporary suspension remains in place until the Board takes further action.

Cohn, Joseph Michael, M.D., Lic. No. K4664, Fredericksburg

On January 31, 2018, a disciplinary panel of the Texas Medical Board temporarily suspended, without notice, the Texas medical license of Joseph Michael Cohn, M.D., after determining his continuation in the practice of medicine poses a continuing threat to public welfare. The suspension was effective immediately. The Board panel found that Dr. Cohn, who has a history of alcohol abuse disorder, recently relapsed. While enrolled in the Board's drug testing program, Dr. Cohn tested positive for alcohol. A temporary suspension hearing with notice will be held as soon as practicable with 10 days' notice to Dr. Cohn, unless the hearing is specifically waived by Dr. Cohn. The temporary suspension remains in place until the Board takes further action.

Dang, John Tai, M.D., Lic. No. J4068, Cleburne

On April 18, 2018, a disciplinary panel of the Texas Medical Board temporarily suspended, with notice, the Texas medical license of John Tai Dang, M.D., after determining his continuation in the practice of medicine poses a continuing threat to public welfare. The suspension was effective immediately. The Board panel found, based on the evidence provided, that Dr. Dang engaged in inappropriate behavior with three patients, including sexual contact with two patients, becoming financially or personally involved with a patient in an inappropriate manner, and violated the Board rules regarding the treatment of pain. The temporary suspension remains in place until the Board takes further action.

Doan, Dennis Phuong, M.D., Lic. No. N9041, Fort Worth

On March 1, 2018, a disciplinary panel of the Texas Medical Board temporarily suspended, without notice, the Texas medical license of Dennis Phuong Doan, M.D., after determining his continuation in the practice of medicine poses a continuing threat to public welfare. The suspension was effective immediately. The Board panel found that on or about February 15, 2018, Dr. Doan, who practices in Fort Worth and Weatherford, was booked into the Parker County jail for charges of assault causing bodily inju-

ry. Since the arrest numerous cases related to unprofessional, sexual misconduct have been filed with the Weatherford Police Department by Dr. Doan's other patients as well as by employees of the Heart Center of North Texas. A temporary suspension hearing with notice will be held as soon as practicable with 10 days' notice to Dr. Doan, unless the hearing is specifically waived by Dr. Doan. The temporary suspension remains in place until the Board takes further action.

Evans, Jason, M.D., Lic. No. M9268, Harlingen

On January 25, 2018, a disciplinary panel of the Texas Medical Board temporarily suspended, without notice, the Texas medical license of Jason Evans, M.D., after determining his continuation in the practice of medicine poses a continuing threat to public welfare. The suspension was effective immediately. The Board panel found that a high volume of prescriptions have been written or electronically submitted under Dr. Evans' controlled substances registration, requiring the Board to investigate to determine if Dr. Evans is in compliance with the Act. He has not cooperated with Board staff. Given his failure to cooperate and potential impaired status, Dr. Evans presents a continuing threat to the public. A temporary suspension hearing with notice will be held as soon as practicable with 10 days' notice to Dr. Evans, unless the hearing is specifically waived by Dr. Evans. The temporary suspension remains in place until the Board takes further action.

Fadal, Robert E., II, M.D., Lic. No. J0822, Seguin

On March 1, 2018, a disciplinary panel of the Texas Medical Board temporarily suspended, without notice, the Texas medical license of Robert E. Fadal, II, M.D., after determining his continuation in the practice of medicine poses a continuing threat to public welfare. The suspension was effective immediately. The Board panel found that on or about February 25, 2018, Dr. Fadal was arrested and charged with capital murder of multiple persons. A temporary suspension hearing with notice will be held as soon as practicable with 10 days' notice to Dr. Fadal, unless the hearing is specifically waived by Dr. Fadal. The temporary suspension remains in place until the Board takes further action.

Kelton, Philip Llewellyn, Jr., M.D., Lic. No. D7112, Dallas

On January 31, 2018, a disciplinary panel of the Texas Medical Board temporarily suspended, with notice, the Texas medical license of Philip Llewellyn Kelton, Jr., M.D., after determining his continuation in the practice of medicine poses a continuing threat to public welfare. The suspension was effective immediately. The Board panel found, based on the evidence provided, that Dr. Kelton operated an unregistered pain management clinic, permitted unlicensed office staff to order Schedule II controlled substances, failed to maintain adequate medical documentation for the patients he treated, and prescribed opioids to patients in a manner inconsistent with the public health. The temporary suspension remains in place until the Board takes

further action.

Kirkham, James Earl, M.D., Lic. No. C5124, Houston

On March 13, 2018, a disciplinary panel of the Texas Medical Board temporarily suspended, without notice, the Texas medical license of James Earl Kirkham, M.D., after determining his continuation in the practice of medicine poses a continuing threat to public welfare. The suspension was effective immediately. The Board panel found that Dr. Kirkham suffers from an impairment that makes him unable to safely practice medicine. In spite of Dr. Kirkham's impairment, he has continued to prescribe controlled substances that have a risk of abuse and diversion. A temporary suspension hearing with notice will be held as soon as practicable with 10 days' notice to Dr. Kirkham, unless the hearing is specifically waived by Dr. Kirkham. The temporary suspension remains in place until the Board takes further action.

Oates, Myrtle, M.D., Lic. No. J3565, Houston

On April 27, 2018, a disciplinary panel of the Texas Medical Board temporarily suspended, with notice, the Texas medical license of Myrtle Oates, M.D., after determining her continuation in the practice of medicine poses a continuing threat to public welfare. The suspension was effective immediately. The Board panel found that Dr. Oates has been operating an unregistered pain management clinic and a review of her electronic prescribing information determined a site visit to obtain patient records was necessary. Records showed patients were paying \$250 to \$400 in cash for visits and that patients were receiving a combination of cocktail drugs including opioids and carisoprodol. The temporary suspension remains in place until the Board takes further action.

Palmer, John Middlemiss, M.D., Lic. No. P6237, Temple

On April 23, 2018, a disciplinary panel of the Texas Medical Board temporarily suspended, without notice, the Texas medical license of John Middlemiss Palmer, M.D., after determining his continuation in the practice of medicine poses a continuing threat to public welfare. The suspension was effective immediately. The Board panel found that on or about April 18, 2018, Dr. Palmer was arrested and charged with possession of child pornography by the Texas Attorney General's Office. A temporary suspension hearing with notice will be held as soon as practicable with 10 days' notice to Dr. Palmer, unless the hearing is specifically waived by Dr. Palmer. The temporary suspension remains in place until the Board takes further action.

Pena, Francisco I., M.D., Lic. No. F9107, Laredo

On March 8, 2018, a disciplinary panel of the Texas Medical Board temporarily suspended, with notice, the Texas medical license of Francisco I. Pena, M.D., after determining his continuation in the practice of medicine poses a continuing threat to public welfare. The suspension was effective immediately. The Board panel found, based on the evidence, Dr. Pena is operating an unregistered pain management clinic and prescribing large amounts of controlled substances to patients without adequately monitoring patients. On or about January 9, 2018, Dr. Pena was indicted by the U.S. Attorney's Office, Southern District of

Texas, Brownsville Division, for ten counts of criminal charges relating to health care fraud. Dr. Pena's continued practice of medicine, in addition to his federal criminal charges related to his practice of medicine, poses a continuing threat to public welfare. The temporary suspension remains in place until the Board takes further action.

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

On April 6, 2018, a disciplinary panel of the Texas Medical Board temporarily suspended, without notice, the Texas medical license of Kurt Loring Pflieger, M.D., after determining his continuation in the practice of medicine poses a continuing threat to public welfare. The suspension was effective immediately. The Board panel found that Dr. Pflieger suffers from an impairment that makes him unable to safely practice medicine. A temporary suspension hearing with notice will be held as soon as practicable with 10 days' notice to Dr. Pflieger, unless the hearing is specifically waived by Dr. Pflieger. The temporary suspension remains in place until the Board takes further action.

Quintana, Oscar Francisco, M.D., Lic. No. K5672, Houston

On January 12, 2018, a disciplinary panel of the Texas Medical Board temporarily suspended, without notice, the Texas medical license of Oscar Francisco Quintana, M.D., after determining his continuation in the practice of medicine poses a continuing threat to public welfare. The suspension was effective immediately. The Board panel found that based on information it has received, Dr. Quintana is using cocaine, and is impaired due to substance abuse. Dr. Quintana has a disciplinary history involving substance abuse going back to 2003. A temporary suspension hearing with notice will be held as soon as practicable with 10 days' notice to Dr. Quintana, unless the hearing is specifically waived by Dr. Quintana. The temporary suspension remains in place until the Board takes further action.

Rodrigues, Stephen Sebastian, M.D., Lic. No. K3434, Dallas On March 9, 2018, a disciplinary panel of the Texas Medical Board temporarily suspended, without notice, the Texas medical license of Stephen Sebastian Rodrigues, M.D., after determining his continuation in the practice of medicine poses a continuing threat to public welfare. The suspension was effective immediately. The Board panel found the evidence demonstrates that Dr. Rodrigues is impaired due to mental or physical health conditions or professional behavior problems and is unable to practice medicine consistent with public health and welfare and with reasonable skill and safety to patients. A temporary suspension hearing with notice will be held as soon as practicable with 10 days' notice to Dr. Rodrigues, unless the hearing is specifically waived by Dr. Rodrigues. The temporary suspension remains in place until the Board takes further action.

QUALITY OF CARE

Chang, Daniel Tung, M.D., Lic. No. TM00384, Santa Monica, CA On March 2, 2018, the Board and Daniel Tung Chang, M.D., entered into an Agreed Order publicly reprimanding Dr. Chang and requiring him to within one year complete at least eight hours of CME in risk management. The Board found Dr. Chang failed to identify and report bowel perforations in a post-operative CT scan contributing in a delay in treatment. The patient ultimately deceased from sepsis and organ failure arising from this bowel injury. Dr. Chang was also disciplined by the Rhode Island Medical Board.

Daryanani, Michelle, D.O., Lic. No. Q1809, Lancaster, PA

On March 2, 2018, the Board and Michelle Daryanani, D.O., entered into an Agreed Order under the following terms: shall not administer or provide anesthesia in any procedure defined by the American Society of Anesthesiologists (ASA) Physical Status Classification System as an ASA PT III or IV, until she has completed all terms pertaining to physician proctoring as defined in the Order; and within one year complete at least eight hours of CME in perioperative management in anesthesia. The Board found Dr. Daryanani failed to meet the standard of care in making clinical decisions that may have contributed to complications a patient experienced during a procedure by electing to place a laryngeal mask during induction rather than an arterial line.

Fazel, Mohammad Reza, M.D., Lic. No. G1003, Windthorst

On March 2, 2018, the Board and Mohammad Reza Fazel, M.D., entered into an Agreed Order publicly reprimanding Dr. Fazel and placing him under the following terms: shall not treat or otherwise serve as a physician for his immediate family or others in which there is a close personal relationship and shall not prescribe, dispense, administer or authorize controlled substances or dangerous drugs to immediate family or others in which there is a close personal relationship; and within 60 days pay an administrative penalty of \$3,000. The Board found Dr. Fazel violated the standard of care by prescribing medications (including controlled substances) to a patient for multiple years without ordering necessary labs or creating and maintain medical records, and prescribed to a family member beyond the period of immediate need and failed to maintain adequate medical records.

Hernandez, Carlos Enrique, M.D., Lic. No. K2490, Eagle Pass

On March 2, 2018, the Board and Carlos Enrique Hernandez, 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-person on the topic of high risk obstetrical patients, four hours in communicating with patients and staff and four hours in risk management. The Board found Dr. Hernandez violated the standard of care by failing to timely perform a Cesarean section after nurses notified him of fetal distress.

Koppersmith, Daniel Leonce, M.D., Lic. No. H3691, Pasadena On March 2, 2018, the Board and Daniel Leonce Koppersmith, M.D., entered into a Mediated Agreed Order prohibiting him from accepting any new patients who are under the age of 18. Dr. Koppersmith is permitted to continue treating current patients under the age of 18. The Board found Dr. Koppersmith failed to meet the standard of care when he failed to obtain Depakote levels or monitor blood glucose or lipids when he prescribed atypical anti-psychotic medication to two minor patients. Dr. Koppersmith also failed to maintain adequate medical records. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Odulaja, Kolawole Ademuyiwa, M.D., Lic. No. N2694, San Antonio

On March 2, 2018, the Board and Kolawole Ademuyiwa Odulaja, M.D., entered into an Agreed Order requiring him to within seven days surrender his DEA controlled substances registration certificate and shall not reregister without authorization from the Board; and shall not be permitted to supervise or delegate prescriptive authority to a physician assistant or advanced practice nurse or supervise a surgical assistant. The Board found Dr. Odulaja violated the standard of care and Board rules that govern the treatment of pain for 15 patients. In addition, Dr. Odulaja failed to maintain adequate medical records.

Simmons, Kevin James, M.D., Lic. No. M5508, Missouri City

On March 2, 2018, the Board and Kevin James Simmons, 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 drug seeking behavior, four hours in risk management and four hours in medical recordkeeping. The Board found Dr. Simmons' documentation lacked his rationale for continuing to treat a patient with controlled substances when he was aware of the patient's alcohol and marijuana use. Dr. Simmons failed to check the patient's Prescription Monitoring Program (PMP) report prior to prescribing controlled substances.

Stroud, Robert Lee, M.D., Lic. No. E2888, Austin

On March 2, 2018, the Board and Robert Lee Stroud, M.D., entered into an Agreed Order On Formal Filing requiring him to have his practice monitored by another physician for four consecutive monitoring cycles; within one year complete at least 16 hours of CME, divided as follows: eight hours in risk management and eight hours in medical recordkeeping; and 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 60 days pay an administrative penalty of \$2,500. The Board found Dr. Stroud failed to meet the standard of care by failing to comply with Board rules for the treatment of chronic pain for four patients, failed to provide sufficient documentation to justify his diagnoses, treatment, and prescribing practices and failed to adequately monitor the patients' use of their chronic pain medications. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

UNPROFESSIONAL CONDUCT

Burgest, Sean Gregory, M.D., Lic. No. L9637, Harker Heights On March 2, 2018, the Board and Sean Gregory Burgest, M.D., entered into an Agreed Order requiring him to within one year complete at least eight hours of CME, divided as follows: four hours in ethics and four hours in risk management; and within one year pay an administrative penalty of \$1,000. The Board found Dr. Burgest wrote prescriptions and supervised a physician assistant who wrote prescriptions under his delegated authority while Dr. Burgest's medical license was expired as of May 31, 2017. Dr. Burgest renewed his medical license on July 27, 2017. Dr. Burgest failed to timely respond to approximately five Board staff requests for information between September 7, 2017 and October 4, 2017.

Contreras, Christine Ann, M.D., Lic. No. N8176, San Antonio

On March 2, 2018, the Board and Christine Ann Contreras, M.D., entered into an Agreed Order under the following terms: shall not treat or otherwise serve as a physician for her immediate family or anyone with whom Dr. Contreras has a close personal relationship; shall not prescribe, dispense, administer, or authorize any controlled substances or dangerous drugs to herself, her immediate family or anyone with whom she has a close personal relationship; 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. Contreras became personally involved with a patient because she was treating the patient for almost a year, and employed the patient while treating him. Dr. Contreras adopted the patient during the term of her treating him.

Davis, Nora, M.D., Lic. No. J4071, Rusk

On March 2, 2018, the Board entered a Final Order against Nora Davis, M.D., requiring her for a period of five years to abstain from the consumption of prohibited substances as defined in the Order and participate in the Board drug testing program. The Board found Dr. Davis committed the offense of felony DWI and that her offense involved substance abuse. 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. Davis has 25 days from the service of the order to file a motion for rehearing.

Fuentes, Rosa A., M.D., Lic. No. K1817, San Antonio

On March 2, 2018, the Board entered a Final Order against Rosa A. Fuentes, M.D., prohibiting her from possessing, administering, dispensing, or prescribing Schedule II or III controlled substances with the sole exception of testosterone therapy and may only prescribe Schedules IV and V controlled substances to patients for periods of 30 days or less with no refills for any patients. Dr. Fuentes is prohibited from issuing any refills for controlled substances for a minimum of five years. Dr. Fuentes shall not be permitted to supervise or delegate prescriptive authority to a physician assistant or advanced practice nurse or supervise a surgical assistant. 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. Fuentes has 25 days from the service of the order to file a motion for rehearing.

Miranda, Hernan Emilio, M.D., Lic. No. N0984, Flower Mound On March 2, 2018, the Board and Hernan Emilio Miranda, M.D., entered into an Agreed Order publicly reprimanding Dr. Miranda and requiring him to have a chaperone present anytime he performs a physical examination on a female patient; within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete the professional boundaries course: "Maintaining Proper Boundaries" offered by Vanderbilt University School of Medicine Center for Professional Health; and within one year complete at least eight hours of CME, divided as follows: four hours in ethics and four hours in risk management. The Board found Dr. Miranda engaged in sexually inappropriate behavior with a patient in 2011, and was disciplined by peers in 2016 when his employment was terminated based on alleged unprofessional behavior.

Pandya, Mayank, M.D., Lic. No. N1039, San Antonio

On March 2, 2018, the Board and Mayank Pandya, M.D., entered into an Agreed Order on Formal Filing requiring him to within one year complete the TMB Remedial Coaching Program at the University of Texas at Dallas School of Management. The Board found Dr. Pandya engaged in unprofessional or dishonorable conduct that was disruptive to hospital staff, specifically the nursing staff. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Reddy, Tarakumar B., M.D., Lic. No. J0644, Arlington

On March 2, 2018, the Board and Tarakumar B. Reddy, 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 four hours of CME in risk management. The Board found Dr. Reddy failed to properly maintain two patients' medical records which were lost by office staff.

Yau, Franklin See-Lai, M.D., Lic. No. K2829, Rowlett

On March 2, 2018, the Board and Franklin See-Lai Yau, M.D., entered into an Agreed Order publicly reprimanding Dr. Yau and requiring him to within 30 days obtain an independent medical evaluation and follow all recommendations for care and treatment; within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete the professional boundaries course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; within one year complete at least eight hours of in-person CME in ethics; and within 120 days pay an administrative penalty of \$7,500. The Board found Dr. Yau, for approximately five years, engaged in an intimate relationship with a patient for whom he provided medical services and maintained no medical record.

REVOCATION

Ezukanma, Noble Uwaoma, M.D., Lic. No. K8745, Fort Worth On March 2, 2018, the Board entered a Final Order against Noble Uwaoma Ezukanma, M.D., revoking his Texas medical license. The Board found that on September 13, 2017, Dr. Ezukanma was sentenced to 200 months in prison following his conviction of seven felony counts of conspiracy to commit health care fraud after a trial by jury. 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. Ezukanma has 25 days from the service of the order to file a motion for rehearing.

Hamoudi, Walid H., M.D., Lic. No. K7027, Pearland

On March 2, 2018, the Board entered a Final Order against Walid H. Hamoudi, M.D., revoking his Texas medical license. The Board found Dr. Hamoudi was sentenced to 60 months' incarceration following his felony conviction for conspiracy to commit 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. Hamoudi has 25 days from the service of the order to file a motion for rehearing.

Sajadi, Cyrus, M.D., Lic. NO. G1766, Houston

On March 2, 2018, the Board entered a Final Order against Cyrus Sajadi, M.D., revoking his Texas medical license. The Board found Dr. Sajadi was sentenced to 148 months in prison following his conviction of six felony counts 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. Sajadi has 25 days from the service of the order to file a motion for rehearing.

VOLUNTARY SURRENDER/REVOCATION

Claus, James Gerad, M.D., Lic. No. D1581, Dallas

On March 2, 2018, the Board and James Gerard Claus, M.D., entered into an Agreed Order of Voluntary Revocation in which Dr. Claus agreed to the voluntary revocation of his Texas medical license in lieu of further disciplinary proceedings. Dr. Claus was under investigation for alleged physical/mental impairment.

Cone, Jeffrey Donald, M.D., Lic. No. E4265, Amarillo

On March 2, 2018, the Board and Jeffrey Donald Cone, M.D., entered into an Agreed Order of Voluntary Surrender in which Dr. Cone agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Cone was previously suspended for allegations of patient misconduct. Dr. Cone has suffered from nuclear sclerosis in both eyes and states his condition made it impossible for him to continue his medical practice.

Garcia, Pedro, Jr., M.D., Lic. No. E4345, Pharr

On March 2, 2018, the Board and Pedro Garcia, Jr., M.D., entered into an Agreed Order of Voluntary Revocation in which Dr. Garcia agreed to the voluntary revocation of his Texas medical license in lieu of further disciplinary proceedings. Dr. Garcia was convicted of a felony after he pleaded guilty to one count of conspiracy to commit health care fraud.

On March 2, 2018, the Board and Jeffrey Keith Gilbertson, M.D., entered into an Agreed Order of Voluntary Surrender on Formal Filing in which Dr. Gilbertson agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. The Board found that due to his medical impairment Dr. Gilbertson desires to surrender his license in lieu of further contesting the matter. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Stanton, James Paul, M.D., Lic. No. F1254, Austin

On March 2, 2018, the Board and James Paul Stanton, M.D., entered into an Agreed Order of Voluntary Surrender in which Dr. Stanton agreed to voluntarily surrender his Texas medical license in lieu of further disciplinary proceedings. Dr. Stanton reports that he has a medical/physical condition that precludes him from practicing medicine at this time.

Tucker, Myrna Blanca, M.D., Lic. No. H6667, Laredo

On March 2, 2018, the Board and Myrna Blanca Tucker, M.D., entered into an Agreed Order of Voluntary Surrender in which Dr. Tucker agreed to voluntarily surrender her Texas medical license in lieu of further disciplinary proceedings. Dr. Tucker had been the subject of a Board investigation involving allegations that she had a medical condition that prohibits her from practicing medicine.

SUSPENSION

Cohn, Joseph Michael, M.D., Lic. No. K4664, Fredericksburg On March 2, 2018, the Board and Joseph Michael Cohn, M.D., entered into an Agreed Order of Voluntary Suspension in which Dr. Cohn's license is suspended until he requests in writing to have the suspension stayed or lifted and appears before the Board to provide convincing evidence that indicates that he is physically, mentally, and otherwise competent to safely practice medicine, which at a minimum shall include objective evidence of at least six months of sustained sobriety. Dr. Cohn shall not be permitted to supervise or delegate prescriptive authority to a physician assistant or advanced practice nurse or supervise a surgical assistant. The order shall remain in effect until superseded by an order of the Board.

Morris, Arnold J., Jr., M.D., Lic. No. F4307, Arlington

On March 2, 2018, the Board entered a Final Order against Arnold J. Morris, Jr., M.D., immediately suspending his Texas medical license; except the suspension is automatically lifted for the sole purpose of Dr. Morris undergoing an assessment by the Knowledge, Skills, Training, Assessment, and Research (KSTAR) program's Clinical Competency Assessment Program offered by the Texas A&M Health Science Center or the Physician Assessment and Clinical Education (PACE) physician competency assessment program offered by the University of California, San Diego. Within 30 days Dr. Morris shall contact either the KSTAR or PACE program to schedule an assessment and within one year complete any and all recommendations based upon the assessment. Following the competency evaluation he may request in

Gilbertson, Jeffrey Keith, M.D., Lic. No. L1327, Graham

writing to have the suspension stayed or lifted and appears inperson before the Board to provide convincing evidence that indicates that he is physically, mentally, and otherwise competent to safely practice medicine. Further, Dr. Morris shall immediately surrender his DEA registration and not reregister or otherwise obtain controlled substances registrations. The DEA surrender is intended to be indefinite; however, after one year has elapsed he can request permission for Board authorization to reapply for a DEA registration. Any decision to allow him to reapply for a DEA registration is at the discretion of the board. Dr. Morris shall not possess, administer, dispense, or prescribe any controlled substances or dangerous drugs with potential for abuse. The Board found Dr. Morris failed to meet the standard of care with respect to multiple patients being treated for chronic pain, nontherapeutically prescribed controlled substances, and failed to maintain adequate medical records. The action was based on the findings of an administrative law judge at the State Office of Administrative Hearings (SOAH).

Waters, J. Alan, M.D., Lic. No. BP10053816, Carrollton

On March 2, 2018, the Board and J. Alan Waters, M.D., entered into an Agreed Order of Voluntary Suspension in which Dr. Waters' Texas physician-in-training permit is suspended. Dr. Waters had been temporarily suspended due to impairment. Dr. Waters has entered into an interim agreement with the Board to undergo Board drug testing. This order shall remain in effect until superseded by an order of the Board.

IMPROPER PRESCRIBING

Patel, Kanubhai A., M.D., Lic. No. G4373, McKinney

On March 2, 2018, the Board and Kanubhai A. Patel, 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 hour in appropriately prescribing controlled substances, four hours in risk management and four hours in medical recordkeeping. The Board found Dr. Patel inappropriately prescribed controlled substances to two family members outside the 72hour period of immediate need.

IMPROPER SUPERVISION OR DELEGATION

Marquis, Alejandro Felix, M.D., Lic. No. K1248, Houston

On March 2, 2018, the Board and Alejandro Felix Marquis, M.D., entered into a Mediated Agreed Order requiring him to within one year complete at least 12 hours of CME, divided as follows: four hours in physician-patient communication, four hours in supervision and delegation, and four hours in medical recordkeeping; and within 60 days pay an administrative penalty of \$2,000. The Board found Dr. Marquis did not adequately supervise non-licensed "research assistants" in their communications with two patients. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

VIOLATION OF BOARD RULE

Allibone, George William, M.D., Lic. No. F6384, Houston On April 13, 2018, the Board and George William Allibone, M.D., entered into an Agreed Order on Formal Filing requiring Dr. Allibone to: follow Rule 200 in providing alternative and/or complimentary medicine; within 60 days provide a list of written protocols to the compliance division of the Board demonstrating he is in compliance with Rule 200; shall revise the disclosure and consent forms that are documented in the patient records; within 18 months and three attempts pass the Medical Jurisprudence Exam; within one year complete at least 8 hours of CME in medical recordkeeping; and within 60 days pay an administrative penalty of \$1,000. The Board found Dr. Allibone failed to appropriately document the treatment of an oncology patient and failed to maintain the patient's confidentiality by disclosing protected health information to another individual without the patient's consent or for an authorized reason allowed under applicable laws. With regard to a separate patient, Dr. Allibone also administered IV therapy to the seriously ill patient without adequate documentation of history, physical exam, or periodic reassessment of progress as required by Board rules. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Burzynski, Gergory S., M.D., Lic. No. N8382, Houston

On March 2, 2018, the Board and Gregory S. Burzynski, M.D., entered into a Mediated Agreed Order requiring him to within one year and three attempts pass the Special Purpose Examination (SPEX) as promulgated by the Federation of State Medical Boards. The Board found Dr. Burzynksi did not adequately document informed consent for one patient. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

True, Robert Leroy, M.D., Lic. No. H0117, Colleyville

On March 2, 2018, the Board and Robert Leroy True, 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 60 days pay an administrative penalty of \$5,000. The Board found Dr. True improperly advertised that he was board certified by the American Board of Anti-Aging and Regenerative Medicine (ABAARM), a certifying organization that is not a member of the American Board of Medical Specialties and has not been approved for advertising of certification by the Board. Dr. True also improperly advertised using photographs and videos without explicitly identifying the subjects as models and not actual patients.

Yi, Zanhua, M.D., Lic. No. N9666, Houston

On March 2, 2018, the Board and Zanhua Yi, M.D., entered into a Mediated Agreed Order requiring him to within two years complete at least 24 hours of CME, divided as follows: 8 hours in informed consent, 4 hours in medical recordkeeping, 4 hours in risk management, 4 hours in supervision and delegation, and four hours in patient communication; and within 90 days pay an administrative penalty of \$2,000. The Board found Dr. Yi did not obtain adequate informed consent for a patient. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Zadeh, Joseph Hassan, D.O., Lic. No. J5523, Euless

On March 2, 2018, the Board and Joseph Hassan Zadeh, D.O., entered into an Agreed Order on Formal Filing under the following terms: shall not treat chronic pain; within 90 days refer all chronic pain patients to other providers not affiliated with his clinic; after 90 days prescriptions for opioids, benzodiazepines, barbiturates, and carisoprodol shall be limited to a patient's immediate need, defined as no more than 72-hours and on a onetime basis with no refills permitted; within one year complete the medical recordkeeping course offered by University of California San Diego Physician Assessment and Clinical Education (PACE) program; within one year complete the physician prescribing course offered by the PACE program; and shall not be permitted to supervise or delegate prescriptive authority to physician assistants and advanced practice nurses but may supervise or delegate to midlevel practitioners for duties other than prescribing. The Board found Dr. Zadeh was operating an unregistered pain management clinic, failed to maintain adequate medical records and failed to adequately enforce pain management contracts for chronic pain patients. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

PEER REVIEW ACTION

Jarrah, Taysir Fawzi, M.D., Lic. No. E6438, McKinney

On March 2, 2018, the Board and Taysir Fawzi Jarrah, M.D., entered into an Agreed Order prohibiting him from practicing interventional cardiology in any setting until he requests in writing to resume such practice and appears before the Board to provide evidence that he is competent to safely practice interventional cardiology. Evidence at a minimum shall include successful completion of an assessment by the Texas A&M Health Science Center Knowledge, Skills, Training, Assessment, and Research (KSTAR) program and any recommendations made. The Board found Dr. Jarrah relinquished his hospital privileges while his care was under peer review. Dr. Jarrah failed to meet the standard of care as he did not accurately interpret cineangiograms and overestimated the severity of stenosis with respect to six patients.

VIOLATION OF PRIOR BOARD ORDER

Anderson, Bernice, D.O., Lic. No. H9489, Granbury

On March 2, 2018, the Board entered a Final Order against Bernice Anderson, D.O., publicly reprimanding Dr. Anderson. The Board found Dr. Anderson violated her 2009 Order as modified by the 2012 Order. The action was based on the findings of an administrative law judge at the State Office of Administrative Hearings (SOAH). The order does not supersede the terms contained in previously issued orders of the Board. This order resolves a formal complaint filed at SOAH. Dr. Anderson has 25 days from the service of the order to file a motion for rehearing.

McCall, Norman Joel, M.D., Lic. No. E6137, Tyler

On March 2, 2018, the Board and Norman Joel McCall entered into an Agreed Order requiring him to within 30 days obtain an independent medical evaluation by a Board approved psychiatrist and follow all recommendations for care and treatment. The Board found Dr. McCall violated his 2009 Order as modified by failing to timely file logs documenting his Alcoholics Anonymous attendance and failing to communicate and cooperate with the Board's compliance officer.

OTHER STATES' ACTIONS

DiSanto, Vinson M., D.O., Lic. No. P1540, McKinney

On March 2, 2018, the Board and Vinson M. DiSanto, D.O., entered into an Agreed Order requiring him to comply with the Order and any terms imposed by the Idaho Board in their Order; and within 60 days pay an administrative penalty of \$1,000. The Board found Dr. DiSanto was disciplined by the Idaho State Board of Medicine on June 2, 2017 related to issuing prescriptions for testosterone via telephone and without obtaining the required prescriptive registrations from the Idaho Pharmacy Board and DEA.

Macias, Melissa Yvonne, M.D., Lic. No. N3851, Corpus Christi

On March 2, 2018, the Board and Melissa Yvonne Macias, M.D., entered into an Agreed Order under the following terms for a period of 15 years: abstain from the consumption of prohibited substances as defined in the Order; participate in the Board's drug testing program; and within 30 days obtain an independent medical evaluation by a Board approved psychiatrist and follow all recommendations for care and treatment. The Board found Dr. Macias was arrested on March 1, 2016 in Wisconsin for DUI and later convicted, her third DUI offense. Dr. Macias was also disciplined by the Wisconsin Medical Examining Board due to her March 2016 arrest.

Michaels, Brooks Carlton, M.D., Lic. No. Q5228, Porter Ranch, CA

On March 2, 2018, the Board and Brooks Carlton Michaels, M.D., entered into an Agreed Order prohibiting Dr. Michaels from practicing in Texas until he requests in writing and appears before the Board to provide evidence that he is physically, mentally, and otherwise competent to safely practice medicine. The Board found Dr. Michaels' medical license was revoked by the Medical Board of California but the revocation was stayed and he was placed on probation for four years effective August 25, 2017. The action arose from Dr. Michaels' prescribing of opioids. Dr. Michaels reports he is physically impaired from severe lumbar-sacral spinal stenosis.

Saunders, Jeffrey Austin, M.D., Lic. No. Q0559, Pensacola Beach, FL

On March 2, 2018, the Board and Jeffrey Austin Saunders, M.D., entered into an Agreed Order requiring him to comply with all terms of the Final Order issued by the Florida Board of Medicine (FBM). The Board found Dr. Saunders was disciplined by the FBM on June 28, 2017 which arose from his failure to identify injury to L4 and further failure to order additional imaging studies of the lumbar spine for one patient.

Teng, Edward Chao Hung, M.D., Lic. No. P0506, Phoenix, AZ On March 2, 2018, the Board and Edward Chao Hung Teng, M.D., entered into an Agreed Order prohibiting him from practicing in Texas until he requests in writing and appears before the Board to provide evidence that he is physically, mentally, and otherwise competent to safely practice medicine. The Board found that Dr. Teng entered into an Interim Consent Agreement with the Arizona Medical Board (AMB) that prohibited him from practicing medicine in Arizona until he completed a substance abuse evaluation and complied with any recommendations from the evaluation. The AMB action arose from Dr. Teng's use of alcohol, cocaine, nitrous oxide, and arrest for domestic violence.

Watson, Stephen David, M.D., Lic. No. P0887, Tampa

On March 2, 2018, the Board and Stephen David Watson, M.D., entered into an Agreed Order requiring him to comply with all terms of the Final Order issued by the Florida Board of Medicine (FBM) effective August 16, 2016. The Board found Dr. Watson was disciplined by the FMB for standard of care and medical record violations for one patient after a minimally invasive spine surgery.

Zhuge, Wu, M.D., Lic. No. M9104, Cocoa Beach, FL

On March 2, 2018, the Board and Wu Zhuge, M.D., entered into an Agreed Order publicly reprimanding Dr. Zhuge and requiring him to comply with all terms of his Order with the Washington Medical Quality Assurance Commission (WMQAC) entered on January 5, 2017. The Board found Dr. Zhuge was disciplined by the WMQAC for unprofessional conduct while performing a spinal procedure.

INADEQUATE MEDICAL RECORDS

Duclair, Cesar Pierre, M.D., Lic. No. N2064, Fort Worth

On March 2, 2018, the Board and Cesar Pierre Duclair, 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 medical recordkeeping and eight hours in prescribing controlled substances. The Board found Dr. Duclair failed to maintain an adequate medical record for a patient by failing to document proper patient history, a treatment plan, and checking the prescription drug monitoring database prior to prescribing controlled substances for chronic pain management.

Joo, Sang Bai, M.D., Lic. No. E9252, Houston

On March 2, 2018, the Board and San Bai Joo, 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 90 days of completion of the course, Dr. Joo shall appear before the Board to consider his assessment and determine if further action is recommended to address any deficiencies found in the PACE results. The Board found Dr. Joo's

electronic medical records for five patients were inadequate due to disorganization in the treatment notes.

Sebring, Lane, M.D., Lic. NO. J7661, Wimberley

On March 2, 2018, the Board and Lane Sebring, M.D., entered into a Mediated 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 30 days submit all informed consent forms in use in his practice to the Board for review; and within 60 days pay an administrative penalty of \$2,000. The Board found Dr. Sebring failed to document performing a full history and physical related to the patient's complaints, failed to document justification for his treatments for the patient, and Dr. Sebring's records were deficient and contained diagnoses for conditions that were not based on evidence from tests, exams, evaluations or diagnoses, but were simply patient-reported diagnoses. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Vanderheiden, David Loyd, D.O., Lic. No. H8480, Corpus Christi

On March 2, 2018, the Board and David Loyd Vanderheiden, D.O., entered into an Agreed Order requiring him to have his practice monitored by another physician for eight consecutive monitoring cycles. The Board found Dr. Vanderheiden failed to maintain adequate medical records for five patients on chronic opioid therapy.

IMPAIRMENT

Chapanos, Petros Kosmas, M.D., Lic. No. J9640, Levelland On March 2, 2018, the Board and Petros Kosmas Chapanos, M.D., entered into an Agreed Order under the following terms: restricted to administrative medicine as defined in the Order; within 30 days submit to an evaluation by the Texas Physician Health Program and comply with any and all recommendations; within 30 days obtain an independent medical evaluation by a Board-approved psychiatrist and follow all recommendations for care and treatment, which shall include both psychiatric and psychological treatment; within 30 days obtain a Boardapproved treating psychologist and follow all recommendations for care and treatment. Dr. Chapnos' license was previously temporarily suspended. The Board found Dr. Chapanos suffers from a mood disorder that is at times uncontrolled and renders him from time to time unable to safely practice medicine. Dr. Chapanos is in need of ongoing monitoring and treatment for his mental health disorder.

Grant, Erica Nicole, M.D., Lic. No. N4438, Dallas

On March 2, 2018, the Board and Erica Nicole Grant, M.D, entered into an Agreed Order Upon Formal Filing subjecting her to the following terms for a period of ten years: within one year and three attempts pass the Medical Jurisprudence Exam; abstain from the consumption of prohibited substances as defined in the Order; participate in the Board's drug testing program; within 30 days obtain a Board-approved treating psychiatrist and follow all recommendations for care and treatment, including at least a monthly visit with the treating psychiatrist; participate in the activities of Alcoholics Anonymous no less than three times per week; obtain a Board-approved practice monitor; and within one year complete at least eight hours of CME in ethics. The Board found Dr. Grant admitted that she diverted drugs and that these violations impacted patient care and involved lying to patients and her employer. Dr. Grant also admitted that she has struggled with addiction and substance abuse. Dr. Grant was suspended from her position at Parkland Hospital after a peer review action related to her diversion of controlled substances and her substance abuse issues. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Thomas, Ira Lee, IV, M.D., Lic. No. M8462, Amarillo

On March 2, 2018, the Board and Ira Lee Thomas, IV, M.D., entered into an Agreed Order under the following terms for a period of 15 years: limit his medical practice, including any office and inpatient practice, to a group or institutional setting approved in advance by the Board; abstain from the consumption of prohibited substances as defined in the Order; participate in the Board's drug testing program; within 30 days obtain a Boardapproved treating psychiatrist or licensed counselor and follow all recommendations for care and treatment, including no less than two visits each month; and participate in the activities of Alcoholics Anonymous no less than five times per week. The Board found Dr. Thomas has struggled with sobriety and relapsed in 2015 and most recently in March 2017. In the midst of a family emergency, Dr. Thomas forgot he was on call at a hospital, and had several drinks. In May 2017, Dr. Thomas completed a comprehensive sober living program and has had verifiable sobriety since March 3, 2017.

Vermillion, David L., M.D., Lic. No. L9588, Lubbock

On March 2, 2018, the Board and David L. Vermillion, M.D., entered into an Agreed Order lifting his license suspension and placing him under the following terms: limit his medical practice, including any office and inpatient practice, to a group or institutional setting approved in advance by the Board; and he is publicly referred to the Texas Physician Health Program. Dr. Vermillion had been temporarily suspended for impairment due to his use of methamphetamine.

TXPHP VIOLATION

Gossett, Carl W., M.D., Lic. No. G3403, Fort Worth

On March 2, 2018, the Board and Carl W. Gossett, M.D., entered into an Agreed Order requiring him to within 30 days obtain an independent medical evaluation and upon completion appear before the Board to discuss results and for any further modification of the Order. The Board found Dr. Gossett failed to cooperate with the Texas Physician Health Program and voluntarily surrendered both his Colorado and Wyoming licenses while under investigation by those respective state medical boards.

CEASE AND DESIST

Coyle, John F., D.O., No TX License, Rawlins, WY

On March 9, 2018, the Board directed the Executive Director to enter a Cease and Desist Order against John F. Coyle, D.O., prohibiting him from practicing medicine in the state of Texas. The Board found that Dr. Coyle, who is licensed in Wyoming, engaged in the unlicensed practice of medicine in Texas by reviewing and signing an electrodiagnostic functional assessment (EFA) on a Texas patient. Dr. Coyle was the only physician that signed the evaluation; holding himself out to be a licensed physician to a patient who was treated in Texas by signing off on the patient assessment with his D.O. credentials; and rendering a diagnosis by interpreting the EFA to suggest the patient was magnifying symptoms and not making sufficient effort to complete the test.

De La Rosa, Alejandro, No License, Irving

On March 2, 2018, the Board and Alejandro De La Rosa entered into an Agreed Cease and Desist Order prohibiting Mr. De La Rosa from practicing medicine in the state of Texas without a license issued by the Texas Medical Board. The Board found Mr. De La Rosa's website contains videos advertising "laser lipo" services and "plasma 4TA generacion," which involves giving patients injections in their scalp. In the video, Mr. De La Rosa explains that the procedure requires injecting the patient's own blood back into their scalp to stimulate hair follicles growth.

Gonzales-Angeles, Alfredo, No License, Houston

On March 2, 2018, the Board and Alfredo Gonzales-Angeles entered into an Agreed Cease and Desist Order prohibiting Mr. Gonzales-Angeles from practicing medicine in the state of Texas without a license issued by the Texas Medical Board. The Board found that Mr. Gonzales-Angeles was arrested after an undercover Houston Police Department officer went to Mr. Gonzales-Angeles' clinic for an appointment to receive Botox injections. On or about July 20, 2017, Mr. Gonzales-Angeles was indicted for Practicing Medicine without a License, a felony, in the 262nd Criminal District Court in Harris County.

Madden, John J., D.C., No License, Cedar Park

On March 9, 2018, the Board directed the Executive Director to enter a Cease and Desist Order against John J. Madden, D.C., prohibiting him from practicing medicine in the state of Texas. The Board found Mr. Madden has been disciplined by the Texas Board of Chiropractic Examiners for advertising treatments outside the scope of his chiropractic practice. On or around August 16, 2017, Mr. Madden published an advertisement that offered free dinner and a seminar for "New technology in Functional Wellness [that] allows most Type II Diabetics to get off their medications... naturally." He further advertised how a "proper lifestyle can actually reverse the condition and how to address the cause, not just the symptoms." Mr. Madden also failed to properly identify himself as a doctor of chiropractic rather than as a medical doctor in his advertisements and during his seminars.

Rowjee, Roshin A., No License, Lufkin

On February 15, 2018, the Board directed the Executive Director

to enter a Cease and Desist Order against Roshin A. Rowjee prohibiting him from practicing medicine in the state of Texas. Mr. Rowjee will not hold himself out as a physician or doctor in the state of Texas; and will not use any letters, words, or terms affixed on stationary, media, websites, including social media, or in any other manner, to indicate that he is entitled to practice medicine when he is not licensed to do so. The Board found that on or before July 2016 through the present time, Mr. Rowjee engaged in the unlicensed practice of medicine in Lufkin, Texas, by holding himself out as a physician and offering medical diagnoses and advice on at least two different websites. Mr. Rowjee is in violation of a previous 2012 Cease and Desist Order by continuing to practice medicine without a license.

Simmons, Deborah, No License, Houston

On February 16, 2018, the Board directed the Executive Director to enter a Cease and Desist Order against Deborah Simmons prohibiting her from practicing medicine in the state of Texas. Ms. Simmons shall not refer to herself with the title "Dr." or "doctor." This prohibition applies to websites, letterhead, stationary, postings in or around her office or place of employment and in any advertising materials, or as designated by the Medical Practice Act. The Board found Ms. Simmons and her office staff used a contracted physician and physician assistants' prescribing credentials to call in prescriptions for patients/clientele at her medical spa. Neither the physician nor physician assistant delegated prescribing authority to her or her office staff.

Simpson, Michelle, No License, Dallas

On February 16, 2018, the Board directed the Executive Director to enter a Cease and Desist Order against Michelle Simpson prohibiting her from practicing medicine in the state of Texas. Ms. Simpson shall not refer to herself with the title "Dr." or "doctor." This prohibition applies to websites, letterhead, stationary, postings in or around her office or place of employment and in any advertising materials, or as designated by the Medical Practice Act. The Board found that on July 6, 2016, Ms. Simpson performed a sleep study for one patient and provided the patient with a written report of the study findings, including a diagnosis. No physician at the clinic authorized the patient's sleep study or reviewed the results of the study before Ms. Simpson provided it to the patient. Ms. Simpson conducted the sleep study without the knowledge of the physicians.

Viltres-Crespo, Abel, No License, Humble

On January 8, 2018, the Board directed the Executive Director to enter a Cease and Desist Order against Abel Viltres-Crespo prohibiting him from practicing medicine in the state of Texas. Mr. Viltres-Crespo shall not refer to himself with the title "Dr." or "doctor." This prohibition applies to websites, letterhead, stationary, postings in an around his office or place of employment and in any advertising materials. Mr. Viltres-Crespo shall not own or operate any medical practice or medical clinic at which patients are provided medical treatment as defined by the Act. The Board found Mr. Viltres-Crespo engaged in the unlicensed practice of medicine in Texas by engaging in the corporate practice of medicine and allowing himself to be held out to the pub-

Texas Physician Assistant Board Disciplinary Actions

Cook, Thomas Ralph, P.A., Lic. No. PA05138, San Antonio

On March 30, 2018, the Texas Physician Assistant Board and Thomas Ralph Cook, P.A., entered into an Order Modifying Prior Order modifying his 2017 order. The modification requires him to obtain an independent medical evaluation no later than May 30, 2018, and he shall be required to appear before a panel of the Board for further recommendations regarding his practice. By no later than May 30, 2018, he shall enroll in and successfully complete the professional boundaries course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; and by no later than May 30, 2018, he shall complete at least eight hours of in-person CME in ethics. The Board found Mr. Cook violated the terms of his 2017 Order by failing to undergo the required psychiatric evaluation by a Board-appointed physician on or before August 28, 2017. All other terms of the 2017 order shall remain in full effect.

Hartmann, Kari Elizabeth, P.A., Lic. No. PA04448, League City

On March 30, 2018, the Texas Physician Assistant Board and Kari Elizabeth Hartmann, P.A., entered into an Agreed Order Modifying Prior Order modifying her 2017 order. The modification adds a public reprimand; requires her to within one year and three attempts to pass the Medical jurisprudence exam; within one year complete at least 16 hours of CME, divided as follows: eight hours in prescribing controlled substances and eight hours in ethics; within seven days surrender her DEA controlled substances registration certificate and not reregister or otherwise obtain a controlled substances registration certificate without authorization from the Board; and continues the terms of the order without opportunity for amendment for three years. The Board found Ms. Hartmann continued to prescribe testosterone, a Schedule III controlled substance, in violation of her order. All other terms of the 2017 order remain in full effect.

Martinez-Alamillo, Elizabeth Marie, P.A., Lic. No. PA03280, Eagle Pass

On March 30, 2018, the Texas Physician Assistant Board and Elizabeth Marie Martinez-Alamillo, P.A., entered into an Agreed Order requiring her to within one year complete at least 10 hours of CME, divided as follows: two hours in diagnosing and treating respiratory illness, four hours in diagnosing acute coronary events, and four hours in risk management with a focus on history taking and diagnosis. The Board found Ms. Martinez-Alamillo failed to meet the standard of care for one patient by failing to perform an adequate physical examination, appropriately assess, and failing to recognize the presence of mild pulmonary edema.

Texas State Board of Acupuncture Examiners Disciplinary Actions

Dick, William Earl, III, L.Ac., Lic. No. AC01252, Houston

On May 11, 2018, the Texas State Board of Acupuncture Examiners and William Earl Dick, III, L.Ac., entered into and Agreed Order requiring him to participate in activities of Alcoholics Anonymous no less than two times per week. The Board found Mr. Dick's history with the Texas Physician Health Program indicates he has a continuing need to address a history of alcohol abuse. However, Mr. Dick's history is not indicative of a need to submit to the random drug testing requirements of TXPHP.

Peng, Lianghui, L.Ac., Lic. No. AC00487, Houston

On May 11, 2018, the Texas State Board of Acupuncture Examiners and Lianghui Peng, L.Ac., entered into an Agreed Order suspending Ms. Peng's license; however, the suspension is stayed and she is placed on probation for a period of five years under the following terms: publicly reprimanded; complete at least seven hours of CAE in ethics annually; and, appear annually before the Board to address compliance with the Order. The Board found Ms. Peng was convicted of a crime of moral turpitude connected to a business which purported to provide massage services.

Texas Board of Medical Radiologic Technology Disciplinary Actions

Abrams, David, MRT, Lic. No. GMR02001584, San Antonio On February 9, 2018, the Texas Board of Medical Radiologic Technology and David Abrams, MRT, entered into an Agreed Order of Voluntary Surrender in which Mr. Abrams agreed to voluntarily surrender his Texas medical radiologic technologist license in lieu of further disciplinary proceedings. Mr. Abrams was under investigation for violating his 2017 Order.

Hartline, Kevin Black, MRT, Lic. No. GMR00013823, Levelland On February 9, 2018, the Texas Board of Medical Radiologic Technology and Kevin Black Hartline, MRT, entered into an Agreed Voluntary Surrender Order in which Mr. Hartline agreed to voluntarily surrender his Texas medical radiologic technologist license in lieu of further disciplinary proceedings. Mr. Hartline was under investigation for his history of driving while intoxicated convictions.

Marshall, Christie Denise, MRT, Lic. No. GMR00015066, Amarillo

On February 9, 2018, the Texas Board of Medical Radiologic Technology and Christie Denise Marshall, MRT, entered into an Agreed Order suspending her license until she requests in writing to have the suspension stayed or lifted and provides clear and convincing evidence that she is physically, mentally, and otherwise competent to safely practice. The Board found Ms. Marshall is impaired due to substance abuse issues.

Musick, Shayne Paul, MRT, Lic. No. GMR00026397, Buda

On February 9, 2018, the Texas Board of Medical Radiologic Technology and Shayne Paul Musick, MRT, entered into an Agreed Order requiring him to comply with and complete all terms of his community supervision; and participate in the activities of Alcoholics Anonymous no less than two times per week. The Board found Mr. Musick pleaded guilty to aggravated assault with a deadly weapon of a family member and assault of a family member by impeding breathing/circulation and was placed on community supervision.

Sipes, Sonny Lynn, MRT, Lic. No. GMR00090088, Dallas

On February 9, 2018, the Texas Board of Medical Radiologic Technology and Sonny Lynn Sipes, MRT, entered into an Agreed Order requiring Mr. Sipes to abstain from the consumption of prohibited substances as defined in the Order; participate in the Board's drug testing program; and participate in the activities of Alcoholics Anonymous no less than two times per week. The Board found Mr. Sipes engaged in unprofessional conducted based on DWI arrests and public intoxication.

Tenorio, Leslie Valerie, MRT, Lic. No. GMR00107135, Katy

On February 9, 2018, the Texas Board of Medical Radiologic Technology and Leslie Valerie Tenorio, MRT, entered into an Agreed Order under the following terms for a period of five years: abstain from the consumption of prohibited substances as defined in the Order; participate in the Board's drug testing program; and participate in the activities of Alcoholics Anonymous no less than two times per week. The Board found Ms. Tenorio has an alcohol dependency disorder that warrants monitoring.

Thompson, Samantha Rae, NCT, Lic. No. NCR00165077, Weatherford

On February 9, 2018, the Texas Board of Medical Radiologic Technology and Samantha Rae Thompson, NCT, entered into an Agreed Order of Voluntary Surrender in which Ms. Thompson agreed to be removed from the Texas Non-Certified Radiologic Technology Registry in lieu of further disciplinary proceedings. Ms. Thompson was under investigation for possible impairment which could affect her ability to safely practice in Texas.

Texas Board of Respiratory Care Disciplinary Actions

De Leon, Salvador, RCP, Lic. No. RCP, Lic. No. RCP00064797, El Paso

On February 8, 2018, the Texas Board of Respiratory Care and Salvador De Leon, RCP, entered into an Agreed Order publicly referring him to the Texas Physician Health Program. The Board found Mr. De Leon has multiple DWI and alcohol-related arrests occurring from 1995 to 2015.

Dickens, Brenda, RCP, Lic. No. RCP00067353, Livingston

On February 8, 2018, the Texas Board of Respiratory Care and Brenda Dickens, RCP, entered into an Agreed Order of Voluntary Surrender in which Ms. Dickens agreed to voluntarily surrender her Texas respiratory care practitioner license in lieu of further disciplinary proceedings. Ms. Dickens is alleged to have displayed unprofessional conduct based on her previous arrests and subsequent adjudication.

Morales, Michael, RCP, Lic. No. RCP00071832, Killeen

On February 8, 2018, the Texas Board of Respiratory Care and Michael Morales, RCP, entered into an Agreed Order requiring him to within one year complete at least four hours of CE in risk management; and within 60 days pay an administrative penalty of \$500. The Board found Mr. Morales was terminated from his employment as a result of a positive drug test.

Reed, Lisa Renee, RCP, Lic. No. RCP00065503, Chico

On February 8, 2018, the Texas Board of Respiratory Care and Lisa Renee Reed, RCP, entered into an Agreed Order publicly reprimanding Ms. Reed and requiring her to complete and comply with all terms of her court-ordered community supervision; and within one year complete at least four hours of CE in ethics. The Board found Ms. Reed was arrested for theft of property for over \$100 under \$750, a Class B misdemeanor and is currently serving an 18-month term of community supervision.

Russell, Mark Lim, RCP, Lic. No. RCP00069062, Fort Worth

On February 8, 2018, the Texas Board of Respiratory Care and Mark Lim Russell, RCP, entered into an Agreed Order of Voluntary Surrender in which Mr. Russell agreed to voluntarily surrender his Texas respiratory care practitioner license in lieu of further disciplinary proceedings. Mr. Russell was under investigation for unprofessional conduct related to previous arrests and criminal convictions.

Scott, Little Joe, RCP, Lic. No. RCP00071005, Magnolia, AR

On February 8, 2018, the Texas Board of Respiratory Care and Little Joe Scott, RCP, entered into an Agreed Order requiring Mr. Scott to abstain from the consumption of prohibited substances as defined in the Order; participate in the Board's drug testing program; and participate in the activities of Alcoholics Anonymous no less than one time per week. The Board found Mr. Scott has multiple arrests for driving while intoxicated and other criminal history related to the consumption of alcohol.

Solano, Franklyn Arturo, RCP, Lic. No. RCP00064130, Humble On February 8, 2018, the Texas Board of Respiratory Care and Franklyn Arturo Solano, RCP, entered into an Agreed Order publicly referring him to the Texas Physician Health Program. The Board found Mr. Solano has multiple arrests for DWI, the last incident taking place in late 2011.

Other Orders/Actions

Niamatali, Habiboola, M.D., Lic. No. G1133, Dallas

On April 13, 2018, the Texas Medical Board entered an Order Vacating Order of Suspension By Operation of Law which vacated Habiboola Niamatali, M.D.'s Order of Suspension By Operation of Law entered on March 24, 2017. The Board found that his conviction overturned and he is no longer convicted of any felony. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

Wheelhouse, Walter, M.D., No TX License, Silver Point, TN On December 8, 2017, the Texas Medical Board entered an Order Vacating Prior Order vacating Walter Wheelhouse, M.D.'s Cease and Desist Order entered on August 4, 2016. Subsequent to the order being entered, Board staff became aware of new evidence that through the error of eviCore, Dr. Wheelhouse's utilization review at issue in the case was inadvertently released without being reviewed by a Texas physician.

* * *

Physician Licenses

The Texas Medical Board issued 1,283 physician licenses between December 15, 2017 and April 6, 2018. Congratulations to the following:

Ahmed Abdelsalam, M.D. Kimberly Ann Abernethy, D.O. Mai Abdelmoneim Elsayed Abouelsaad, M.D. Koshy Ooriapadical Abraham, M.D. Mohammed Absi, M.D. Alya Hakam Abuhantesh, M.D. Stephanie Acosta, M.D. Elizabeth Biasatti Adams, M.D. Marina Aghababyan, M.D. Joseph William Agnew, M.D. Amir Ahmadian, D.O. Syed Zubair Ahmed, D.O. Syed Tariq Ahsan, D.O. Divya Ajay, M.D. Olabiyi Akala, M.D. Claudia Patricia Akcoban, M.D. Bobak Jason Akhavan, M.D. Rabia Salman Akhtar, M.D. Foluke Adeola Akinyemi, M.D. Jason Ashkan Akrami, M.D. Samer Ahmad Suleiman Al Hadidi, M.D. Hani Al Salti Al Krad, M.D. Karim Mohamed Al-Azizi, M.D. Zain Ibrahim Khalil Alamarat, M.D. Joyce Onvinyechukwu Alase, M.D. Younis Hamad Majeed Alazzawi, M.D. Aymen Omar Albaghdadi, M.D. Clarissa Nicole Aldape, M.D. Aymen Aldujaili, M.D. Kim Nosha Aldy, D.O. Zulfiqar Ali, M.D. Omair Mohammad Ali, M.D. Kaneez Fatima Ali, M.D. Kamran Ali, M.D. Haider Alkhateeb, M.D. Sidney H. Allison, M.D. Gregory Todd Altemose, M.D. David Earl Alvarado, M.D. John Jacob Alvarez, M.D. Jordan Paul Amadio, M.D. Neelkantha Amatya, M.D.

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Gillian Glennon Wooldridge, D.O. Christopher Allen Wrobel, M.D. Santhi Priya Yalamanchili, M.D. Teresa Yanchak, M.D. Fan Yang, M.D. Kai-Soon Yang, M.D. Rachel Regone Yao, M.D. Mari Yasunaga, M.D. Benjamin Tinlup Yee, M.D. Sudhakar Reddy Yennam, M.D. Yooni Yi, M.D. Eunmee Yook, M.D. Bradley Younggren, M.D. Nancy Youssef, M.D. Patrick Lee-Shiang Yu, M.D. Javwaud A. Zafar, M.D. Syed Nabeel Zafar, M.D. Jessica Aya Zagory, M.D. Christopher John Zahner, M.D. Mohammed Fathi Zaidan, M.D. Sadiq Zaman, M.D. Asad Zamann, M.D. Helio Alejandro Zapata, M.D. Joseph Anthony Zaremba, M.D. Herbert John Zeh, III, M.D. Yu Zhao, M.D. Glory Rong Zhu, M.D. Sunna Syed Zia, M.D. Dean W. Ziegler, M.D.

Physician Assistant Licenses

The Texas Physician Assistant Board issued 279 PA licenses between December 15, 2017 and April 6, 2018. Congratulations to the following:

Linda Abad, P.A. Estefania Acevedo, P.A. Christine Marie Alexander, P.A. Nasir Ali, P.A. Anthony Nimrod Allen, P.A. Lisa Ally, P.A. Amber Marie Alonzo, P.A. Christopher Rey Alviar, P.A. Shivani Amin, P.A. Ancuta Ofelia Andreica, P.A. Alexandra Elizabeth Anzaldua, P.A. Angelica Isabel Aragon, P.A. Alex Wade Avers, P.A. Jennifer Rae Barrett, P.A. Lisa Beck, P.A. Gregory Floyd Bell, P.A. Jesus Adrian Benavides, P.A. Bethany Aubrey Bennett, P.A. David George Bennett, P.A. Austin Benton, P.A. Yaminiben Bhakta, P.A. Ryan Patrick Bialaszewski, P.A. Randi Lynn Bilinski, P.A. Lauren Elizabeth Boley, P.A. Gregory Michael Bookston, P.A. Carrie Elizabeth Borengasser, P.A. David Boulee, P.A. Lauren Elizabeth Bowman, P.A. Scott Braddock, P.A. Alexandra Britt, P.A. Cassandra Marie Brown, P.A. Alan Daniel Bucholz, P.A. Yen Bui, P.A. Kimberly Taylor Bundick, P.A. Margaret Anne Williams Burger, P.A. Maria Olga Burk, P.A. Andrea Nicole Campbell, P.A. Taylor Campbell, P.A. Katlyn Rae Camper, P.A. Allyssa Marie Cantu, P.A. Rozalia Ileana Carrasco, P.A. Bryan Alan Carter, P.A.

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The Texas State Board of Acupuncture Examiners did not meet between December 15, 2017 and April 6, 2018 therefore no licenses were issued.