

Texas Medical Board Press Release

FOR IMMEDIATE RELEASE

December 17, 2013

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TMB disciplines 29 physicians at December meeting, adopts rule changes

At its December 6, 2013 meeting, the Texas Medical Board disciplined 29 licensed physicians and issued one cease and desist order. The disciplinary actions included eight orders related to quality of care violations, seven orders related to unprofessional conduct, one order related to non-therapeutic prescribing, two voluntary revocations, two voluntary surrenders, two orders related to peer review actions, one order related to failure to properly supervise or delegate, two orders related to violations of prior board order, two orders related to Texas Physicians' Health Program violations, one order related to impairment, and one order related to inadequate medical records.

The Board issued 145 physician licenses at the December board meeting, bringing the total number of physician licenses issued to date in FY 14 to 727.

RULE CHANGES ADOPTED

CHAPTER 163. LICENSURE

22 TAC §163.1

The Amendments to §163.1, added definitions for "license holder," "military service member," "military spouse" and "military veteran" based on the passage of SB 162 and SB 949 (83rd Reg. Session) that amended Chapters 55 and 155 of the Tex. Occ. Code.

22 TAC §163.2

The Amendment to §163.2, related to Full Texas Medical License, deletes §163.2(d) of this rule related to the requirements for applicants who are not U.S. citizens or permanent residents, in accordance with SB 949 (83rd Reg. Session), which repealed Ch. 155.0045 of the Tex. Occ. Code, related to additional eligibility requirements for certain aliens. Also, the Amendment changes "163.2(e)" to "163.2(d)," in light of the previous deletion of "163.2(d)." The Amendment also adds language to §163.2(d), allowing for an expedited licensure process for military spouses, based on the passage of SB 162 (83rd Reg. Session). The New Rule §163.2(e), adds a provision for recognizing certain training for applicants with military experience, based on the passage of SB 162 (83rd Reg. Session).

22 TAC §163.5

The Amendment to §163.5(b)(12), relating to Licensure Documentation – Citizenship or Permanent Residence, is deleted as a result of §163.2(d) being deleted by virtue of Ch. 155.0045 of the Tex. Occ. Code being repealed by SB 949 (83rd Reg. Session).

22 TAC §163.6

The Amendment to §163.6, relating to Examinations Accepted for Licensure, amends the language in §163.6(b)(3), relating to the exemption from limits on exam attempts, in order to be consistent with the remainder of the rule. The New Rule §163.6(f), adds language which provides for an exemption from time frame in which an applicant must pass the examinations required for licensure, based on the passage of SB 949 (83rd Reg. Session).

22 TAC §163.13

The Amendment to §163.13, relating to Expedited Licensure Process, amends the language to include applicants who meet the criteria under §163.2(d), based on the passage of SB 162 (83rd Reg. Session).

CHAPTER 165. MEDICAL RECORDS

22 TAC §165.2

The amendments include language requiring a provider to provide copies of the requested patient records in electronic format, if such records are readily producible or other format as agreed to by the physician and the requestor, based on amendment of Health Insurance Portability and Accountability Act (HIPAA) 45 C.F.R. Part 164.524(c)(2)(i)-(ii). 165.2(c). The Amendment to 165.2(c) corrects a typographical error and references to the Board. The Amendment to 165.2(e), relating to allowable charges for providing copies of patient records, adds language to include the allowable charges for providing copies of patient records in electronic format, as well as a combination of paper and electronic format, based on the amendment of Health Insurance Portability and Accountability Act (HIPAA) 45 C.F.R. Part 164.524(c)(4)(i) from January 25, 2013.

22 TAC §165.5

The amendments add new subsection (f), which provides that a physician acting as a *locum tenens* is not required to provide notice of his or her discontinuation of practice to patients treated for no longer than six months at the location in which the physician acted as *locum tenens*, and defines “*locum tenens*” as a position in which a physician is employed or contracted on a temporary or substitute basis to provide physician services. Additionally, the amendments would revise subsection (c) so that a physician, physician group, or organization described in §165.1(b)(6) of Chapter 165 of 22 TAC Part 9 is prohibited from withholding information from a departing physician that is necessary for notification of patients about the physician’s departure, except where an exception applies under new subsection (f). Further, the amendments would revise subsection (c) so that where an exception applies under new subsection (f), other licensed physicians remaining in the practice may prevent the departing physician from posting notice and the sign about the physician’s departure.

CHAPTER 166. PHYSICIAN REGISTRATION

22 TAC §166.2

The Amendments to §166.2, relating to Continuing Medical Education, amends §166.2(a)(4) to include specific continuing medical education requirements for a physician who performs a forensic examination on a sexual assault survivor, based on the passage of SB 1191 (83rd Reg. Session). This Amendment further amends §166.2(n) to remedy incorrect citations.

22 TAC §166.3

The Amendment to §166.3, related to Retired Physician Exception, amends §166.3(4)(F) to correct a grammatical error. The New Rule §166.3(7) provides for emeritus status for retired physicians who meet specific criteria.

CHAPTER 167. REINSTATEMENT AND REISSUANCE

22 TAC §167.4

The amendment mandates that the underlying action leading to the revocation of a physician’s license be considered in determining whether the reinstatement of the physician license would be in the best interests of the public.

22 TAC §167.6

The amendment mandates that the order revoking or suspending a physician's license be admissible in the contested case proceeding regarding a physician license reinstatement or reissuance request, and mandates that the basis for the Board's revocation must be considered and addressed by the ALJ as a factor in the best interest of the public determination in the Proposal for Decision.

CHAPTER 170. PAIN MANAGEMENT

22 TAC §170.1

The amendment corrects a typographical error by inserting an apostrophe in the word "patients" in the second sentence of 170.1(8).

CHAPTER 172. TEMPORARY AND LIMITED LICENSES

22 TAC §172.1

The Amendments to §172.1, relating to Purpose, added a reference to newly created Chapter 155.103 of the Texas Occupations Code, based on the passage of SB 061 (83rd Reg. Session) which created Chapter 155.103 of the Tex. Occ. Code. This Amendment also added a reference to Chapter 155.101 of the Texas Occupations Code in order to correct the previously adopted version that omitted such reference.

22 TAC §172.4

The Amendment to §172.4, related to State Health Agency Temporary License, amends incorrect citations to other rules.

22 TAC §172.9

The Amendment to §172.9, related to Postgraduate Research Temporary License, is amended to provide that a postgraduate research temporary license may be issued to a medical school graduate who holds a research appointment at an institution, under certain terms and conditions.

22 TAC §172.13

The Amendment to §172.13, related to Conceded Eminence, amends §172.13(c), remedies incorrect citations to other rules.

22 TAC §172.18

The New Rule §172.18, relating to Military Limited Volunteer Licenses, sets forth the criteria under which an applicant may qualify for a military limited volunteer license, based on the passage of SB 061 (83rd Reg. Session) and the creation of Chapter 155.103 of the Texas Occupations Code, which provides a licensing mechanism for active and retired military physicians who do not hold a Texas medical license to provide charitable care in Texas.

CHAPTER 173. PHYSICIAN PROFILES

22 TAC §173.5

The Amendment to §173.5, relating to updates to a physician's profile due to information from a third party, amends an incorrect reference to rule "173.1(b)18" and replaces that reference with correct references to "173.1(b)(20) and (21)".

CHAPTER 177. BUSINESS ORGANIZATIONS

22 TAC §177.16

The amendment deletes the term “partnership” and substitutes the terms “professional association or professional limited liability company.”

22 TAC §177.17

The amendment adds two new hospital districts to the list of entities allowed to employ physicians, consistent with amendments made by the passage of HB 3905 and HB 1247 (83rd Reg. Session) to the Texas Special District Code.

CHAPTER 184. SURGICAL ASSISTANTS

22 TAC §184.2

The amendments to 184.2, relating to Definitions, added definitions for “military service member,” “military spouse” and “military veteran” based on the passage of SB 162 (83rd Reg. Session) that amended Chapter 55 of the Tex. Occ. Code.

22 TAC §184.4

The amendment to 184.4, related to Qualifications for Licensure for Surgical Assistants, adds language to 184.4(c)(3), allowing for an expedited licensure process for military spouses, based on the passage of SB 162 (83rd Reg. Session). The New Rule, 184.4(d), adds a provision for recognizing certain training for Applicants with military experience, based on the passage of SB 162 (83rd Reg. Session).

CHAPTER 187. PROCEDURAL RULES

22 TAC §187.18

The amendment deletes language that requires a licensee to pay for a recording of an informal settlement conference (ISC) at least fifteen days prior to the date of the ISC, as the requirement is inconsistent with the payment process required by the Board’s recording and transcription vendor. Additionally, the amendment adds language requiring the request be in writing and received by the Board no later than 15 days prior to the date of the ISC.

22 TAC §187.88

The amendment makes a correction to an incorrect citation to another Board rule.

CHAPTER 189. COMPLIANCE PROGRAM

22 TAC §189.2

The amendments add definitions for “Successful Completion” and “Toll”, relating to the Board’s compliance monitoring program.

22 TAC §189.15

The new rule provides how “successful completion” will be determined in regard to the determination of a probationer’s compliance with term of a board order, and describes the effect of tolling of a board order.

CHAPTER 192. OFFICE BASED ANESTHESIA

22 TAC §192.1

The amendment adds language providing that except as provided by §192.2(b)(9), the administration of certain local anesthesia, peripheral nerve blocks, or both in a total dosage amount that exceeds 50 percent of the recommended maximum safe dosage per outpatient visit is a level II service, in accordance with SB 978 (83rd Reg. Session).

22 TAC §192.2

The amendment revises language in subsection (b)(1) providing that rules under Chapter 192 do not apply to outpatient settings in which only local anesthesia, peripheral nerve blocks, or both are used in a total dosage amount that does not exceed 50 percent of the recommended maximum safe dosage per outpatient visit, in accordance with SB 978 (83rd Reg. Session). Additionally, new subsection (b)(9) is added, providing that the rules under Chapter 192 do not apply to the performance of Mohs micrographic surgery.

CHAPTER 195. PAIN MANAGEMENT CLINICS

22 TAC §195.2

The amendments change the heading to subsection (a)(5) to read “Disciplinary Action.” The amendments further create new subparagraphs (A) and (B) under subsection (a)(5). Subparagraph (A) provides that a violation of Chapter 168 of the Texas Occupations Code (the Act) or rules regarding a pain management clinic’s eligibility, operation, or involvement in dispensing, administering, or non-therapeutic prescribing is grounds for the Board to take disciplinary action against a clinic, or owner or operator of a clinic, and that such disciplinary action may include the temporary suspension or restriction of a pain management clinic’s certificate, owner or operator’s license, or both, in accordance with Section 168.202, as amended by SB 1643, which passed during the 83rd Regular Session. Under subparagraph (B), language is added clarifying that any temporary suspension or restriction hearing for a pain management clinic or for a licensee must be held pursuant to the procedures of Chapter 187, Subchapter F of Title 22 of the Texas Administrative Code, in accordance with Section 168.202 of the Act, as amended by SB 1643. Additionally, language is added providing that evidence of a continuing threat to public health and welfare may include evidence that the owner or operator of a pain management clinic is in violation of statutes or rules regarding the clinic’s eligibility, operation, or involvement in dispensing, administering, or prescribing medications in a nontherapeutic manner in addition to, or alternative to evidence that the clinic is in violation of such law, in accordance with Section 168.202, as amended by SB 1643. Further, subsection (f) is amended clarifying that a person who operates in addition to owning a pain management clinic is engaged in the practice of medicine, in accordance with HB 1803, which amended Section 168.201 of the Act. Further amendments are related to rules concerning pending investigations of applicants for pain management certificates in accordance with SB 1643’s amendment of Section 168.102 of the Act, and provisions providing the voluntary and mandatory cancellation and voluntary surrender of pain management certificates, as set out in new subsections (h)-(i).

22 TAC §195.4

The amendments add language so that the rules relating to exemptions more strictly comport with SB 1803 (83rd Reg. Session), which clarified existing exemptions to pain management clinic registration under Chapter 168 of the Act. Further amendments are related to CME completion required as part of a practice quality plan.

CHAPTER 196. VOLUNTARY RELINQUISHMENT OR SURRENDER OF A MEDICAL LICENSE

22 TAC §196.2

The amendment corrects an incorrect citation to a Board rule.

CHAPTER 197. EMERGENCY MEDICAL SERVICES

22 TAC §197.5

The amendments make corrections to typographical errors in the heading and text of the rule.

DISCIPLINARY ACTIONS

QUALITY OF CARE

Buller, David Warren, M.D., Lic. No. H3446, Gilmer

On December 6, 2013, the Board and David Warren Buller, M.D., entered into a Mediated Agreed Order requiring Dr. Buller to within one year complete at least 20 hours of CME, divided as follows: 12 hours in pain management including identifying drug-seeking behavior, and eight hours in medical record keeping; and within 60 days pay an administrative penalty of \$500. The Board found Dr. Buller failed to follow Board guidelines for the treatment of pain and failed to keep adequate medicate records.

Lankes, Richard Allen, M.D., Lic. No. E6464, Carrizo Springs

On December 6, 2013, the Board and Richard Allen Lankes, M.D., entered into an Agreed Order requiring Dr. Lankes to within one year complete at least 24 hours of CME, divided as follows: eight hours in identifying drug-seeking behavior, eight hours in medical record keeping, and eight hours in pain management; and pay an administrative penalty of \$1,000 within 60 days. The Board found Dr. Lankes prescribed controlled medications to a patient without appropriate evaluation or documentation and failed to refer the patient to a pain specialist.

Nguyen, Loi Phi, M.D., Lic. No. H3275, Houston

On December 6, 2013, the Board and Loi Phi Nguyen, M.D., entered into a Mediated Agreed Order requiring Dr. Nguyen to have his practice monitored by another physician for 8 consecutive monitoring cycles; and within one year complete at least 34 hours of CME, divided as follows: 16 hours in pharmacology and the treatment of chronic pain, 12 hours in echocardiography focused on appropriate indication and appropriate use of guidelines criteria, and 6 hours in medical recordkeeping or risk management. The Board found Dr. Nguyen's prescribing of opioids and benzodiazepines to patients was not consistent with the guidelines set out in Board Rule 170.3; and during the course of treating a patient, failed to document a demonstrated pathology to adequately justify the number of echocardiograms on the patient.

Olusola, Benedict Oladipo, M.D., Lic. No. J7118, DeSoto

On December 6, 2013, the Board and Benedict Oladipo Olusola, M.D., entered into a Mediated Agreed Order requiring Dr. Olusola to refrain from supervising and delegating prescriptive authority to a physician assistant or advanced practice nurse or supervise a surgical assistant; within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete at least four hours of CME in medical recordkeeping; and pay an administrative penalty of \$5,000 within 180 days. The Board found Dr. Olusola failed to adequately supervise physician assistants providing home healthcare under his supervision and delegation of his prescriptive authority, did not personally evaluate or treat the patients at their homes or in his office, and failed to maintain an updated record of his supervision of mid-level practitioners on his public physician profile with the Board.

Pringle, Timothy Craig, M.D., Lic. No. M8262, Carrollton

On December 6, 2013, the Board and Timothy Craig Pringle, M.D., entered into an Agreed Order requiring Dr. Pringle to submit written protocols to the Board addressing operative complications for in-office procedures; and within one year complete at least 16 hours of CME, divided as follows: eight hours in risk management and eight hours in medical record-keeping. The Board found Dr. Pringle failed to adequately document resuscitative efforts that patient coded and that medical records for the patient did not adequately address all of the patient's co-morbidities.

Ravichandran, G.K., M.D., Lic. No. F3588, Houston

On December 6, 2013, the Board and G.K. Ravichandran, M.D., entered into a Mediated Agreed Order requiring Dr. Ravichandran to have his practice monitored by another physician for eight consecutive monitoring cycles; within one year complete at least 12 hours of CME, divided as follows: eight hours in treating developmental disorders/ADHD, and four hours in providing informed consent; and pay an administrative penalty of \$1,000 within 60 days. The Board found

Dr. Ravichandran's prescription for simultaneous use of four psychotropic medications placed a patient at risk for complications, the patient had never before taken the medications and was not in an in-patient setting or otherwise in a situation where the patient would be monitored closely by health care practitioners, and in corresponding with the patient's primary care physician, changed the medical diagnoses without adequate explanation.

Stafford, Novarro Charles, M.D., Lic. No. H5072, Spring

On December 6, 2013, the Board and Novarro Charles Stafford, M.D., entered into an Agreed Order requiring Dr. Stafford to have his practice monitored by another physician for eight consecutive monitoring cycles; and within one year complete at least 12 hours of CME, divided as follows: four hours in risk management and eight hours in medical recordkeeping. The Board found Dr. Stafford failed to perform adequate and complete physical examinations of several patients; failed to meet the standard of care with multiple patients; and failed to maintain adequate medical records.

Teveni, Pablo Cortez, Jr., M.D., Lic. No. H2972, Stanton

On December 6, 2013, the Board and Pablo Cortez Teveni, Jr., M.D., entered into an Agreed Order requiring Dr. Teveni to within one year complete at least eight hours of CME in treatment of chronic renal failure, evaluation and related complications. The Board found Dr. Teveni failed to meet the standard of care in the treatment of a patient. Specifically, Dr. Teveni failed to appropriately follow up, manage the patient's lab results, and treat the patient for acute renal failure.

UNPROFESSIONAL CONDUCT

Barker, Wade Neal, M.D., Lic. No. J1859, Dallas

On December 6, 2013, the Board and Wade Neal Barker, M.D., entered into an Agreed Order requiring Dr. Barker to within one year complete the medical recordkeeping course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program; within one year complete at least eight hours of CME in physician-patient communications; and pay an administrative penalty of \$1,000 within 60 days. The Board found Dr. Barker failed to communicate with a patient that he repaired a previously undiagnosed hernia during a gastric bypass revision procedure and failed to clearly document the length of the common channel in the patient's medical records.

Forrer, Daniel Scott, D.O., Lic. No. H9513, Bartonville

On December 6, 2013, the Board and Daniel Scott Forrer, D.O., entered into an Agreed Order publicly reprimanding Dr. Forrer and requiring Dr. Forrer to undergo an independent psychiatric evaluation and follow all recommendations for care and treatment; continue to participate in the activities and programs of Sex Addicts Anonymous; within one year and three attempts pass the Medical Jurisprudence Exam; have his practice monitored by another physician for 20 consecutive monitoring cycles; within one year complete at least 8 hours of CME in ethics; and pay an administrative penalty of \$1,000 within 60 days. The Board found Dr. Forrer self-reported multiple boundary violations in his practice. Specifically, Dr. Forrer engaged in boundary violations with several patients ranging from sexual relations with one patient to inappropriate physical contact and explicit communication with others.

Howie, David Ian, M.D., Lic. No. H2472, Cleveland

On December 6, 2013, the Board and David Ian Howie, M.D., entered into an Agreed Order publicly reprimanding Dr. Howie and requiring Dr. Howie to comply with the recommendations for care and treatment related to an Independent Medical/Psychiatric Evaluation (IME); and within one year complete the anger management course offered by the University of California San Diego Physician Assessment and Clinical Education (PACE) program. The Board found Dr. Howie violated his 2012 remedial plan's terms requiring timely payment of a \$500 yearly administrative fee.

Kim, Junuk, M.D., Lic. No. N3791, Houston

On December 6, 2013, the Board and Junuk Kim, M.D., entered into an Agreed Order requiring Dr. Kim to have his practice monitored by another physician for eight consecutive monitoring cycles; within one year and three attempts pass the Medical Jurisprudence Exam; within one year complete at least 12 hours of CME, divided as follows: four hours in professional communication, four hours in ethics, and four hours in risk management; and pay an administrative penalty of \$2,500 within 90 days. The Board found Dr. Kim did not enter records into the clinic's electronic medical record keeping system for more than 170 records and was unable to account for or explain the missing records or the discrepancy in records that were furnished.

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

On December 6, 2013, the Board and Habiboola Niamatali, M.D., entered into an Agreed Order requiring Dr. Niamatali to refrain from reregistering for or obtaining DEA or DPS controlled substances registration certificates. The Board found Dr. Niamatali voluntarily surrendered his DEA controlled substances certificates in July 2011 and subsequently had his DPS controlled substances certificates revoked based on that surrender.

Ramamurthy, Hariharan, M.D., Lic. No. K8821, Dallas

On December 6, 2013, the Board and Hariharan Ramamurthy, M.D., entered into an Agreed Order requiring Dr. Ramamurthy 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 professional boundaries and eight hours in ethics. The Board found Dr. Ramamurthy made inappropriate comments to a patient's wife, inappropriately met with a patient outside the office, made inappropriate remarks of a sexual nature to the patient via text message, and voluntarily retired from the Veteran's Administration Medical Center in Dallas during an investigation into these incidents.

Trevino Ortiz, Alejandro Roberto, Lic. No. BP10038258, Orlando, FL

On December 6, 2013, the Board and Alejandro Roberto Trevino Ortiz, M.D., entered into an Agreed Order publicly reprimanding Dr. Trevino Ortiz. The Board found Dr. Trevino Ortiz failed to provide complete and timely information regarding academic probation in a subsequent application process and was found to have committed a violation of a National Resident Matching Program (NRMP).

NONTHERAPEUTIC PRESCRIBING

Turner, Kelly James, M.D., Lic. No. L4152, Fort Worth

On December 6, 2013, the Board and Kelly James Turner, M.D., entered into an Agreed Order requiring Dr. Turner to limit his practice to a group or institutional setting; not treat or otherwise serve as a physician for his immediate family; not prescribe, dispense, administer or authorize controlled substances or dangerous drugs with addictive potential or potential for abuse to himself or his immediate family; not treat acute/chronic pain except in a pre-approved group or institution setting; have his practice monitored by a physician for four consecutive monitoring cycles; within one year complete 28 hours of CME, divided as follows: eight hours in medical recordkeeping, eight hours of risk management, eight hours in professional boundaries, and four hours in prescribing and administering controlled substances. The Board found Dr. Turner prescribed controlled substances to patients for the treatment of pain without maintaining proper medical records or ordering medical records from the patients' previous treating physicians.

VOLUNTARY REVOCATION

Brown, William Edward, M.D., Lic. No. E8361, Tyler

On December 6, 2013, the Board and William Edward Brown, M.D., entered into an Agreed Order of Voluntary Revocation in which Dr. Brown agreed to the revocation of his Texas medical license in lieu of further disciplinary proceedings. Dr. Brown was under investigation by the Board related to allegations dealing with his possible impairment and failure to abide by the abstinence from alcohol provisions contained in a Texas Physicians Health Program testing agreement and Board interim testing agreement.

Duntsch, Christopher Daniel, M.D., Lic. No. N8183, Plano

On December 6, 2013, the Board and Christopher Daniel Duntsch, M.D., entered into an Agreed Order of Revocation in which Dr. Duntsch agreed to the revocation of his Texas medical license in lieu of further disciplinary proceedings. The Board found Dr. Duntsch violated the standard of care with respect to six patients.

VOLUNTARY SURRENDER

Fraser, Michael Patrick, D.O., Lic. No. H8051, Dallas

On December 6, 2013, the Board and Michael Patrick Fraser, D.O., entered into an Agreed Order of Voluntary Surrender in which Dr. Fraser voluntarily surrendered his Texas medical license in lieu of further disciplinary proceedings. Dr. Fraser

was under investigation by the Board regarding allegations he failed to timely release medical records requested by a patient.

Gonzalez-Torres, Pedro Luis, M.D., Lic. No. M8683, Bay Shore, NY

On December 6, 2013, the Board and Pedro Luis Gonzalez-Torres, M.D., entered into an Agreed Order of Voluntary Surrender in which Dr. Gonzalez-Torres voluntarily surrendered his Texas medical license in lieu of further disciplinary proceedings. Dr. Gonzalez-Torres was under investigation by the Board regarding allegations that he non-therapeutically prescribed controlled substances when he was a resident in Houston, TX working part-time at CarePro Clinic.

PEER REVIEW ACTIONS

Perkins, Tonya Yvette, M.D., Lic. No. L8887, Dallas

On December 6, 2013, the Board and Tonya Yvette Perkins entered into an Agreed Order requiring Dr. Perkins to continue to limit her practice to a non-obstetric and non-surgical office-based practice; and within one year complete at least eight hours of CME in medical record-keeping. The Board found Dr. Perkins was subject to peer review action following a hospital investigation of her care and treatment of multiple patients and that Dr. Perkins voluntarily surrendered her hospital privileges as a result of the peer review action.

Pirinelli, Jeffrey John, M.D., Lic. No. K6241, Irving

On December 6, 2013, the Board and Jeffrey John Pirinelli, M.D., entered into an Agreed Order restricting Dr. Pirinelli from the practice of anesthesiology. The Board found Dr. Pirinelli was the subject of disciplinary action taken by his peers. Specifically, Dr. Pirinelli was observed abusing an anesthetic drug while in the operating room with a patient present.

FAILURE TO PROPERLY SUPERVISE OR DELEGATE

Gill, Zeba, M.D., Lic. No. K1448, San Antonio

On December 6, 2013, the Board and Zeba Gill, M.D., entered into an Agreed Order requiring Dr. Gill to within one year and three attempts pass the Medical Jurisprudence Exam; and within one year complete at least eight hours of CME in risk management. The Board found Dr. Gill failed to appropriately supervise a physician assistant who non-therapeutically prescribed controlled substances to multiple employees and their family members and failed to properly terminate her supervision of the physician assistant.

VIOLATION OF PRIOR ORDER

Fairweather, Lisa D., D.O., Lic. No. L6256, Colleyville

On December 6, 2013, the Board and Lisa D. Fairweather, D.O., entered into an Agreed Order Modifying Prior Order, modifying Dr. Fairweather's August 2010 Order, as previously modified. The modification extends the 2010 order for three years and requires Dr. Fairweather to within one year complete at least 12 hours of CME, divided as follows: 8 hours in boundaries and 4 hours in medical record keeping; shall personally appear before a committee of the Board or Panel of Board representatives at least two times each year the order is in effect; participate in the Board's drug testing program; continue psychiatric care and treatment; shall not possess except if prescribed by treating physician, administer, dispense, or prescribe any controlled substances from Schedules II, III, or IV. The Board found Dr. Fairweather violated the terms of her 2010 order by prescribing dangerous drugs to herself and controlled substances to her husband, by failing to maintain medical records for her self-prescribing and treatment of her husband and was cited by the DEA for records-keeping deficiencies.

Parikh, Navinchandra, M.D., Lic. No. E1697, Grand Prairie

On December 6, 2013, the Board and Navinchandra Parikh, M.D., entered into an Agreed Order Modifying Prior Order, modifying Dr. Parikh's August 2009 Agreed Order. The modification requires Dr. Parikh to surrender his controlled substances certificates and complete at least eight hours of CME in ethics. The Board found Dr. Parikh violated his 2009 Agreed Order, by prescribing to individuals outside of his approved, volunteer practice.

TEXAS PHYSICIANS HEALTH PROGRAM (PHP) VIOLATION

Bonsignore, Christopher James, D.O., Lic. No. P3859, Plano

On December 6, 2013, the Board and Christopher James Bonsignore, D.O., entered into an Agreed Order requiring Dr. Bonsignore to abstain from the consumption of prohibited substances; undergo an independent psychiatric evaluation and follow all recommendations for care and treatment; participate in AA; and limit his medical practice to a group or an institutional setting. The Board found Dr. Bonsignore failed to comply with the abstention and testing requirements of his agreement with the Texas Physicians Health Program.

Vasquez, Robert Eloy, M.D., Lic. No. G5730, San Antonio

On December 6, 2013, the Board and Robert Eloy Vasquez, M.D., entered into an Agreed Order requiring Dr. Vasquez to submit to an evaluation by the Texas Physicians Health Program and follow all recommendations made by PHP following the evaluation. The Board found Dr. Vasquez's PHP agreement was terminated as a result of numerous positive drug screens for alcohol and that Dr. Vasquez voluntarily withdrew from the practice of medicine for approximately four months in 2013 while he underwent inpatient substance abuse treatment.

INADEQUATE MEDICAL RECORDS

Potter, Ryan Nelson, M.D., Lic. No. K0544, Corpus Christi

On December 6, 2013, the Board and Ryan Nelson Potter, M.D., entered into a Mediated Agreed Order requiring Dr. Potter to within 90 days perform a technical upgrade of his existing electronic medical record system; within one year complete the medical recordkeeping course offered by University of California San Diego Physician Assessment and Clinical Education (PACE) program; and pay an administrative penalty of \$2,000 within 120 days. The Board found Dr. Potter did not include an adequate explanation in the medical records describing his off label method of reducing the dosage of medication delivered through a fentanyl patch. This order resolves a formal complaint filed at the State Office of Administrative Hearings.

IMPAIRMENT

Deeves, Shawna Mohney, M.D., Lic. No. L9169, San Antonio

On December 6, 2013, the Board and Shawna Mohney Deeves, M.D., entered into an Agreed Order suspending Dr. Deeve's Texas medical license for a minimum of six months which shall continue until Dr. Deeve's personally appears before the Board and provides convincing evidence that she is physically, mentally, and otherwise competent to practice medicine; and requiring Dr. Deeves to continue psychiatric care and treatment. The Board found Dr. Deeves is unable to safely practice medicine at this time due to her psychiatric condition.

CEASE AND DESIST

Tarkunde, Sunita, RN, Houston

On October 22, 2013, the Board entered a Cease and Desist Order regarding Sunita Tarkunde, RN, prohibiting Ms. Tarkunde from referring to herself as Dr. Tarkunde, Dr. Sunita, Dr. Sunita Tarkunde, MD, without clearly designating that she is not a medical doctor and that she is not licensed to practice medicine in the state of Texas. The Board found Ms. Tarkunde held herself out as a physician on multiple websites, using the designations of "Dr." and "MD."

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To view disciplinary orders, visit the TMB website, click on "Look Up A Doctor," accept the usage terms, then type in a doctor's name. Click on the name shown in the search results to view the doctor's full profile. Within that profile is a button that says "View Orders."