

## ***BOARD ACTIONS***

(Actions taken between April 1, 2020 through June 30, 2020)

**Ajay Agarwal, MD – Applicant** – Agreed Order Accepting Respondent’s Voluntary Withdrawal of Initial Application for License While Under Investigation was issued based on the best interest of Dr. Agarwal, the Board, and the public. (June 2020)

**Evan Baldwin, MD – MD2013-0772** – Agreed Order Imposing Reprimand and Fine was issued requiring that Dr. Baldwin accept a formal reprimand and pay a fine of \$2000.00 within 90 days following entry of this agreed Order (May 7, 2020). This action is based on Dr. Baldwin inaccurately reporting that he completed all required CME hours when he renewed his license during the July 1, 2019 renewal period. (June 2020)

**Arlene Brown, MD – 81-170** – Decision and Order restricting Dr. Brown’s license prohibiting her from prescribing controlled substances identified in Schedules II, III and IV; undergo a competency evaluation by the Center for Personalized Education for Professionals (CPEP), with focus on controlled substance prescribing and record-keeping skills, within a reasonable time following entry of this order, as administratively determined by the Board; comply with all recommendations, if any, made by CPEP following its evaluation; comply with additional restrictions or stipulations on her license the Board may deem necessary for her remediation following its review of the CPEP evaluation and reimburse the Board costs it incurred in investigation and prosecuting her case. This action is based on unprofessional and dishonorable conduct; prescribing, administering or dispensing of narcotic, stimulant or hypnotic drugs for other than accepted therapeutic purposes; conduct likely to harm the public; repeated similar acts; injudicious prescribing, administering or dispensing of a drug or medicine. (April 2020)

**Arlene Brown, MD – 81-170** – Order for Reimbursement of Costs requiring that Dr. Brown reimburse the Board its cost for investigating and prosecuting her case in the amount of \$43,550.07, with the first \$5000.00 of the amount to be paid within ninety days following entry of this order (May 21, 2020). (May 2020)

**Joshua Brown, MD – 2002-0376** – Letter Issuing Formal Reprimand, Imposing Fine and Issuing Advice was issued based on violating the Medical Practice Act (MPA) by failing to supervise medical assistants while serving as Medical Director and several of the Board’s rules governing delegation of the use of devices and procedures by medical assistants and cosmetic injections and to pay a fine of \$3000.00 within ninety days of receipt of this letter. (June 2020)

**Steven Gordon Chapman, PA – PA2015-0006** – Agreed Order for Voluntary Inactivation of License While Under Investigation requiring Mr. Chapman to inactivate his license pending resolution of the proceedings instituted by the Board in its November 2019 and March 2020, NCA’s; report entry of this Agreed Order to any jurisdiction where Mr. Chapman may seek to practice. This is based on allegations that Mr. Chapman did not provide appropriate care to a patient; Mr. Chapman had been involved in three incidents of domestic violence; each of which gave rise to criminal charges against him; was under the influence of alcohol during one of those alleged incidents, and did not comply with the Board’s reporting rule. (April 2020)

**Sienna Ellsworth, PSG -Applicant** – Agreed Order for Stipulation of Licensure

mandating that Ms. Ellsworth abstain from the use of mind-altering substances, alcohol and non-prescribed controlled substances and must enter into a treatment contract with NM Health Professional Wellness Program. This is not considered a restriction on the license. (June 2020)

**Christopher Fletcher, MD – 81-45** – Decision and Order that Dr. Fletcher be Reprimanded and Fined \$1000.00, to be paid to the Board within 90 days following entry of this order (April 6, 2020); additionally, Dr. Fletcher must inform each patient on arrival, with notice approved administratively by the Board, that he or she may file a complaint with the Board if he or she has any issue with the care provided by Dr. Fletcher. This action is based on unprofessional and dishonorable conduct. (April 2020)

**Christopher Fletcher, MD – 81-45** – Order for Reimbursement of Costs requiring that Dr. Fletcher reimburse the Board its cost for investigating and prosecuting her case in the amount of \$2,315.33, to be paid within ninety days following entry of this order (May 21, 2020). (June 2020)

**Moss Fenberg, MD – MD2012-0618** – Agreed Order Imposing Reprimand and Fine and Closing Case was issued requiring that Dr. Fenberg accept a formal reprimand and pay a fine of \$2000.00 within 90 days following entry of this agreed Order (May 7, 2020). This action is based on Dr. Fenberg inaccurately reporting that he completed all required CME hours when he renewed his license during the July 1, 2019 renewal period. After learning of his mistake, he expeditiously provided evidence of his subsequent completion of the requisite hours. (May 2020)

**Moss Fenberg, MD – MD2012-0618** – Administrative Order of Release from Stipulation. Licensee has a full and unrestricted license. (July 2020)

**Ryan Ross Freemyer, MD – MD2008-0668** – Decision and Order Suspending License. This action is based on unprofessional or dishonorable conduct; habitual or excessive use of intoxicants or drugs; failure to report adverse action taken by a law enforcement agency and conduct unbecoming. (May 2020)

**George Madera, MD – MD2004-0348** – Notice of Contemplated Action was issued based on Dr. Madera's failure to report to the Board adverse action taken by a healthcare entity and unprofessional or dishonorable conduct. (May 2020)

**Monique Maly, MD – MD2018-0447** – Notice of Contemplated Action was issued based on Dr. Maly's failure to report to the Board adverse action taken by another licensing jurisdiction; the use of a deceptive statement in a document connected with Dr. Maly's practice and unprofessional or dishonorable conduct. (May 2020)

**Juan Carlos Mena, MD- MD2005-0716** – Agreed Order Imposing Reprimand, Stipulation of License and Payment of Fee mandating that Dr. Mena abstain from the use of mind-altering substances, alcohol and non-prescribed controlled substances and must enter into a treatment contract with NM Health Professional Wellness Program and to pay within thirty days following entry of this agreed order a \$150.00 administrative fee for failing to report the law enforcement action against him in a timely manner.. This is not considered a restriction on the license. (June 2020)

**Suparna Saha, MD – MD2011-0640** – Order for Reimbursement of Costs requiring

Dr. Saha reimburse the Board its cost for investigating and prosecuting her case in the amount of \$2,119.85 to be paid within three months following entry of this order (May 21, 2020). (May 2020)

**Howard N. Schwartz, MD – 2003-0494** – Agreed Order for Voluntary Surrender of License While Under Investigation was issued based on injudicious prescribing; failure to meet the standard of care; failure to comply with the prescription monitoring treatment program (PMP) and failure to maintain timely, accurate, legible and complete medical records. (May 2020)

**Rodney Wayne Sholty, MD - Applicant** – Decision and Order Denying Application for Licensure based on failure to request a hearing in a timely manner. (June 2020)

**Susana Silva-Romero, PSG – PTR2019-0001** – Notice of Contemplated Action was issued based on Ms. Silva-Romero's failure to report to the Board adverse action taken by a law enforcement agency; conduct unbecoming in a person licensed to practice or detrimental to the best interest of the public and failure to comply with the Board's rule requiring notification of address change. (May 2020)

**Peter Tiernan, MD – MD2006-0119** – Agreed Order Imposing Stipulation on License requiring that Dr. Tiernan provide the Board evidence of his successful completion of the controlled substance course offered by the Center for Personalized Education for Professionals (CPEP), or a similar course offered by another Board-approved provider, within three months following enactment of this Agreed Order (April 20, 2020); submit within one month following completion of the controlled substance prescribing course required by the Board a brief summary of how Dr. Tiernan will incorporate what he learned from the course into his practice; not to challenge any factual allegations contained in this Agreed Order in any future proceeding before the Board. This is based on conduct likely to harm the public; injudicious prescribing, administering or dispensing of a drug medicine. (April 2020)

**Analisa Villarreal, MD – 2001-327** – Agreed Order for Reprimand and Stipulation on License and Requiring Reimbursement of Costs was issued for Dr. Villarreal to accept a formal reprimand from the Board, and reimburse the Board \$250.00 of the costs incurred investigating and prosecuting her case; undergo a psychiatric evaluation by a Board-approved provider, with a report of that evaluation being furnished to the Board, within three months following entry of this agreed order; to comply with any requirements the Board may impose based on the completed evaluation and to accept a stipulation on her license pending completion of the evaluation. (June 2020)