

BOARD ACTIONS

(Actions taken between October 1, 2019 through December 31, 2019)

Vijay Agarwal, MD – 81-141 – Decision and Order Revoking Respondent's License based on failure to request a hearing in a timely manner; failure to furnish the Board with requested information; abandonment of patients; conduct unbecoming a person licensed to practice or detrimental to the best interests of the public and failure to provide pertinent and necessary medical records to a physician or patient of the physician in a timely manner. (November 2019)

Charles W. Bennett, MD – MD2016-0080 – Agreed Order for Fine, Amended Stipulation and Reactivation of License was issued requiring that Dr. Bennett pay a fine \$1,000.00 within ninety days following entry of the Agreed Order (October 7, 2019); abstain completely from the use of all mind altering substances, alcoholic beverages and controlled substances, except as legitimately prescribed by a licensed physician with prior approval by HPWP with consultation with the Board; sign a new Board-approved mandatory treatment and participation contract with HPWP for a period determined by HPWP in consultation with the Board; to comply with the recommendations regarding his recovery program contained in an August 23, 2019, letter from Bradford Health Services to HPWP and not to prescribe amphetamines. This action is based on Dr. Bennett being arrested on a warrant for failing to appear in Bernalillo County Metropolitan Court on a misdemeanor charge and the results of a drug screening test of Dr. Bennett's hair showing positive readings for amphetamine/methamphetamine. (October 2019)

Roberto Aguero Blau – Applicant – Agreed Order Imposing Reprimand, Fines, and Fees and Granting License requiring that Dr. Aguero Blau accept a formal reprimand and pay a fine of \$1,000.00 a pay administrative fees totaling \$1,500.00 within 90 days of the filing of this order (December 20, 2019). This action is based on misrepresentation in applying for or procuring a license to practice in this state or in connection with applying for or procuring renewal; the use of false, fraudulent or deceptive statement in a document connected with the practice of a licensee and failure to report to the Board any adverse action taken against the licensee by a health care entity for acts or conduct that would constitute grounds for action. (December 2019)

Arlene Brown, MD – 82-170 – Notice of Contemplated Action was issued based on Dr. Brown's injudicious prescribing and repeated similar negligent acts. (December 2019)

Michael Clements, MD – 96-218 – Agreed Order for Reprimand, Fine and Stipulations on License was issued requiring that Dr. Clements pay fines totaling \$9,000.00 within one hundred and eighty days following entry of order (November 18, 2019); successfully complete Board-approved courses in medical ethics, controlled substance prescribing and medical record-keeping within ninety days following entry of the order; not prescribe opioids until the Board provides formal acknowledgement of its receipt of evidence of Dr. Clements' successful completion of the controlled substance prescribing course and Dr. Clements cannot treat his own family members, any employee, or the immediate family members of any employee. This action is based on failure to maintain complete and accurate medical records for one or more individuals,

including a family member and/or employee and/or family members of an employee, to whom Dr. Clements was prescribing controlled substances; failure to access the prescription monitoring program records for individuals to whom he was prescribing controlled substances; failure to respond to Board requests; treating family members; previous discipline by the Board for prescribing practices; Dr. Clements maintained pre-signed prescriptions and did not ensure they were well-secured and failure to report Board investigations on his 2018 renewal. (November 2019)

Julie DiCianno, MD – 90-182- Agreed Order for Reinstatement and Stipulations on License was issued requiring that prior to reinstatement of her license that Dr. DiCianno abstain completely from the use of all mind-altering substances, alcoholic beverages and controlled substances, except as legitimately prescribed by a licensed physician with prior approval from HPWP in consultation with the Board; provide the Board with the results of a fitness-for-duty evaluation and neuropsychological evaluation performed by Board approved providers establishing she can resume practice in a safe and effective manner; establish and maintain a relationship with a Board-approved addiction psychiatrist for as long as she maintains a license to practice in New Mexico and sign a Board approved mandatory treatment and participation contract with HPWP for a term lasting as long as Dr. DiCianno maintains a license to practice medicine in New Mexico. This action is based on habitual or excessive use of intoxicants or drugs; repeated similar negligent acts and conduct unbecoming in a person licensed to practice or detrimental to the best interests of the public. (November 2019)

Rebecca Duchon, PA 81-PA016 - Order of Release from Stipulation. Licensee has a full and unrestricted license. (November 2019)

Josip Gazic, MD – MD2007-0663 - Decision and Order Revoking Respondent's License was issued based on failure to request a hearing in a timely manner and violation of Parental Responsibility Act. (November 2019)

Maurice Geurts, MD – Applicant – Agreed Order for Stipulation on License was issued requiring that Dr. Geurts comply with his Vermont Medical Board Order and pay administrative fees in the amount of \$450.00 to the NM Medical Board. This order is based on Board action by Vermont and failure to answer NM Medical Board application Professional Practice Questions accurately. (October 2019)

Jeffrey Giddens, MD – MD2019-0876 – Agreed Order for Stipulation of Licensure was issued requiring that Dr. Giddens sign a contract with NM Health Professional Wellness Program within thirty (30) days of the signing of the Agreed Order (October 2, 2019), for a term to be determined by HPWP and the Board. This stipulation is not considered to be a restriction on Dr. Giddens medical license. (October 2019)

Taylor Nicole Hawks, Sleep Tech – Reinstatement Applicant – Notice of Contemplated Action to deny reinstatement of licensure application for licensure was issued based on practicing Polysomnography without a license and failure to report arrest to the Board within the required thirty days. (November 2019)

Mary Thalia Kelly, MD – 93-299 – Agreed Order for Reprimand and Fine was issued requiring that Dr. Kelly pay a fine of \$1,000.00 to the Board within sixty days

following entry of the Agreed Order (October 10, 2019), based on Dr. Kelly not responding to Board requests for documentation of her completed CME Hours. (October 2019)

Jeffrey Morehouse, MD – 93-340 – Agreed Order for Reprimand, Fine and Stipulation on License was issued requiring Dr. Morehouse to accept a formal reprimand from the Board and pay a fine of \$1500.00 within 90 days of the filing of this Order (December 17, 2019); and to engage in professionalism coaching with a Board-approved provider within 30 days. This action is based on Dr. Morehouse engaging in unprofessional communications with a patient; his clinical privileges at a hospital being suspended due to his conduct with the patient; failure to report the adverse action taken against his clinical privileges. (December 2019)

Eric Y. Peterson, MD – 95-322 – Agreed Order for Reprimand and Stipulation on License was issued mandating that Dr. Peterson complete at least 15 hours of CME in controlled substance prescribing including the Department of Health's five-hour academic detailing program offered by the Southwest Center for Health Innovation within sixty days following entry of the order (Oct. 21, 2019); submit to the Board a brief written narrative documenting what he learned from each course and the specific actions he will take to apply what he learned to his practice; not to receive prescriptions from, not to treat or prescribe for, those with whom he practices and not to treat or prescribe for the immediate family members of those with whom he practices and to pay, within thirty days following entry of this Agreed Order, \$300.00 in investigative fees for not disclosing in his 2014 and 2017 renewal applications that he was being treated for chronic pain. This action is based on failure to report that he was being treated with opioids for chronic pain, prescribing controlled substances without first checking patient Prescription Monitoring Program records on multiple patients and prescribing controlled substances to a physician with whom he practiced. (October 2019)

Karl Robinson, MD – 78-248 – Agreed Order for Stipulation on License and Payment of Administrative Fee was issued requiring Dr. Robinson to provide to the Board that he completed the requirements and is compliant with his Texas Order; Pay an administrative fee of \$150.00. This is based on failing to report action by the Texas Medical Board in a timely matter. (December 2019)

Dagoberto Jesus Rodriguez, MD – Applicant – Agreed Order Accepting Respondent's Voluntary Withdrawal of Initial Application for Licensure While under Investigation. This action is based on the best interests of the respondent, the Board and public. (November 2020)

Anjmun Sharma, MD – MD2018-0656 – Agree Order for Reprimand, Fines and Stipulation on License was issued requiring that Dr. Sharma pay fines totaling \$3,000.00 within ninety days following entry of the agreed order (November 18, 2019). This action is based on Board action in another state and failure to report the Board action; unprofessional conduct by engaging in communications of a sexual nature with a patient and by communicating inappropriately with a patient during the IME process in Colorado. (November 2019)

Benjamin Stake, MD – 93-160 – Order of Release from Stipulation was issued. Licensee has a full and unrestricted license. (December 2019)

W. L. Gregory Siefert, MD – MD2012-0816 – Agreed Order for Reprimand and Fine as Condition for Reinstatement of License was issued requiring that Dr. Siefert accept a formal reprimand from the Board and pay a fine of \$1,500.00 within 90 days of the filing of this order (December 17, 2019); and to engage in professionalism coaching with a Board-approved provider within 30 days. This action is based on Dr. Siefert engaging in unprofessional communications with a patient; his clinical privileges at a hospital being suspended due to his conduct with the patient; failure to report the adverse action taken against his clinical privileges to the Board and discipline imposed by another state licensing board. (December 2019)

Sterling Williams, MD RS2018-0827 - Order of Release from Stipulation. Licensee has a full and unrestricted license. (November 2019)