



New Mexico Medical Board

*2055 S. Pacheco Street
Building 400
Santa Fe, NM 87505
505-476-7220 505-476-7233 fax*

Susana Martinez
Governor

Steven M. Jenkusky, M.D.
Chair

November 9, 2017

Via certified first class mail (return receipt requested)

Mr. David Pinnock
1790 Grande Blvd. SE
Rio Rancho, NM 87124

Dear Mr. Pinnock:

This letter serves as a formal demand from the New Mexico Medical Board (“Board”) that you cease and desist from your unlicensed practice of medicine in New Mexico.

The Board’s records indicate that you are not licensed to practice medicine in New Mexico. The practice of medicine in New Mexico, or attempts to practice medicine in New Mexico, without a license from the Board violates State law and constitutes a fourth degree felony, punishable by up to eighteen months in prison, a fine of up to \$5,000, or both for each violation. *See* NMSA 1978, § 61-6-20.

New Mexico defines “the practice of medicine” as including –

- (a) “advertising, holding out to the public or representing in any manner that one is authorized to practice medicine in this state[.]”
- (b) “offering or undertaking to administer, dispense or prescribe a drug or medicine for the use of another person, except as authorized pursuant to a professional or occupational licensing statute set forth in Chapter 61 NMSA[.]”
- (c) “offering or undertaking to diagnose, correct or treat in any manner or by any means, methods, devices or instrumentalities any disease, illness, pain, wound, fracture, infirmity, deformity, defect or abnormal physical or mental condition of a person[.]” or
- (d) offering medical peer review, utilization review or diagnostic service of any kind that directly influences patient care, except as authorized pursuant to a professional or occupational licensing statute set forth in Chapter 61 NMSA 1978.

See NMSA 1978, § 61-6-6.

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The Board has received information that you have been engaged in the practice of medicine in New Mexico without a license. In particular, you have presented yourself in postings on Facebook and in a LinkedIn profile as "M.D. at Cardiovascular Clinic" and "M.D. at Surgical Oncology and GI Surgery," in connection with the practice of Dr. Armin Foghi. According to information received by the Board, you are accepting cash payments for services or you are billing for services under Dr. Foghi's name.

Because you are not licensed to practice medicine in New Mexico, you must immediately cease and desist from all practices that constitute the practice of medicine as it is defined in New Mexico.

I invite you to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Sondra Frank". The signature is written in black ink and is positioned above the printed name.

Sondra Frank
Executive Director

cc: Dr. Steve Jenkusky, M.D., Chairman