



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

December 14, 2018

Via certified first-class mail (return receipt requested)

Mr. Dennis Marrero
Post Office Box 4860
Gallup, NM 87305-7860

Re: NMMB Case Number 2018-062 (Investigation Number 2018-D-024)

Dear Mr. Marrero:

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 consisting of –

- “(1) advertising, holding out to the public or representing in any manner that one is authorized to practice medicine in this state;
- “(2) 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 1978;
- “(3) offering or undertaking to give or administer, dispense or prescribe a drug or medicine for the use of another person, except as directed by a licensed physician;
- “(4) offering or undertaking to perform an operation or procedure upon a person;
- “(5) offering or undertaking to diagnose, correct or treat in any manner or by any means, methods, devices or instrumentalities any disease, illness, pain, wound,

Mr. Dennis Marrero
December 14, 2018
Page 2

fracture, infirmity, deformity, defect or abnormal physical or mental condition of a person;

“(6) 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; or

“(7) acting as the representative or agent of a person in doing any of the things listed [above].”

NMSA 1978, § 61-6-6(K).

In particular, the Board has received information that you have practiced as a surgical physician assistant (PA) at the Rehoboth Medical Center in Gallup, New Mexico and have held yourself out as an orthopedic PA.

Because you are not licensed to practice 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,



Sondra Frank, Esq.
Executive Director

cc: Dr. Steve Jenkusky, M.D., Chairman
Legal Department, Rehoboth McKinley Medical Center
Yvonne M. Chicoine, Esq., Chief Legal Counsel