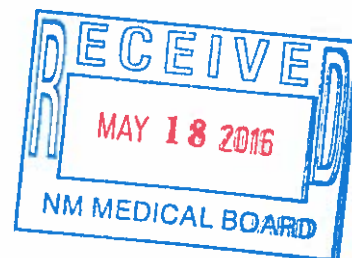


BEFORE THE NEW MEXICO MEDICAL BOARD



IN THE MATTER OF )  
Daniel Pistone, M.D. )  
NM License No. )  
Respondent. )

Case No. 2016-023

STIPULATION OF LICENSURE

THIS Stipulation of Licensure is between Daniel Pistone, M.D. ("Respondent") and the New Mexico Medical Board ("Board").

Respondent is subject to the jurisdiction of the Board pursuant to the Medical Practice Act, NMSA 1978, §§ 61-6-1 through -35; the Impaired Health Care Provider Act, §§ 61-7-1 through -12; and the New Mexico Medical Board rules and regulations, Title 16, Chapter 10, NMAC.

THIS MATTER came before the Board on May 12, 2016 upon the Board's determination that Respondent is currently able to practice medicine in the State of New Mexico under the condition that he enter into a treatment monitoring contract with the New Mexico Monitored Treatment Program ("MTP").

WHEREAS, Respondent shall comply with the following terms and conditions, which are not considered a restriction on Respondent's practice of medicine:

1. Respondent shall enter into a contract with the MTP within thirty (30) days of signing this Stipulation of Licensure for monitoring of his continued mental health treatment and shall comply fully with the recommendations, terms and conditions required of Respondent by MTP;
2. If the Board is notified that Respondent has violated any of the MTP contract terms, the Board shall constitute it as a violation of this Stipulation;
3. Respondent hereby waives any right to confidentiality he may have with respect to

information gathered by the Monitored Treatment Program with regard to the Board's access to MTP information. Respondent hereby authorizes the MTP to release any and all information to the Board;

4. Respondent shall appear before the Board on a quarterly basis or upon the Board's request;

5. Respondent shall submit quarterly reports to the Board attesting to his compliance with this stipulation. Such quarterly reports shall be on a form provided by Board staff and sent to Respondent;

6. Respondent shall, at all times, comply with all federal, state and local laws and all rules governing the practice of medicine;

7. If the Board has reasonable cause to believe that Respondent has violated any of the terms of this stipulation, the Board may immediately and summarily suspend his license to practice as a physician in New Mexico pursuant to Subsection C of 16.10.5.15 NMAC. A breach of any term of this stipulation shall constitute conduct unbecoming in a person licensed to practice medicine as set forth in NMSA 1978, § 61-6-15(D)(29). The Board shall, within 10 days of a summary suspension, issue a Notice of Contemplated Action, and Respondent will be entitled to a formal hearing on the Notice in accordance with the Uniform Licensing Act, NMSA 1978, §§ 61-1-1 through -33.

8. Respondent understands that this stipulation is made pursuant to NMSA 1978, § 61-6-15(B), and Board Rule 16.10.5.15 NMAC. Respondent further understands that entering into this stipulation results in a waiver of his rights under the Uniform Licensing Act, Medical Practice Act, and the Impaired Health Care Provider Act, including the right to appeal and any claim he may have regarding these matters;

9. Respondent knows and understands his right to consult with an attorney and Respondent's signature below signifies that Respondent has either consulted with an attorney or Respondent waives his right to counsel.

10. Respondent understands that this stipulation will be reported to the National Practitioners Data Bank;

11. The conditions and terms set forth in this stipulation will remain in effect unless and until removed or amended by the Board.

12. This stipulation incorporates any and all agreements, covenants and understandings between Parties. No prior agreement or understanding, verbal or otherwise of the Parties or their agents or assignees shall be valid or enforceable unless embodied in this Stipulation.


IT IS SO STIPULATED BY Daniel Pistone, M.D., Respondent, and the New Mexico Medical Board.

New Mexico Medical Board

Dated: 5/18/16

Dated: 5/16/16

  
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Steve Jenkusky, M.D., Chair

  
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Daniel Pistone, M.D., Respondent