

**BEFORE THE NEW MEXICO MEDICAL BOARD**

**IN THE MATTER OF  
JOSIP GAZIC, M.D.**

**Applicant**

**Case No. 2022-063  
(Inv. Case No. 2022-D-078)**

**Respondent.**

**NOTICE OF CONTEMPLATED ACTION**

**YOU ARE HEREBY NOTIFIED** that pursuant to provisions of NMSA 1978, Section 61-1-4 of the Uniform Licensing Act (“ULA”), the New Mexico Medical Board ("Board") has before it sufficient evidence that, if not rebutted or explained, will justify the [B]oard denying your application for a license to practice medicine as a physician in the State of New Mexico.

**Board Jurisdiction and Authority**

1. You are subject to the Board’s jurisdiction pursuant to the Medical Practice Act (MPA), NMSA 1978, Sections 61-6-1 to -35, and the Uniform Licensing Act (ULA), NMSA 1978, Sections 61-1-1 to -34.
2. The Board has authority to issue this Notice of Contemplated Action (NCA) under Section 61-6-15 of the MPA and Section 61-1-4(B)(C) of the ULA.

**Public Action**

3. This NCA is a public document, open to public inspection, but its issuance does not constitute a disciplinary event reportable to the National Practitioner Data Bank (NPDB).

**Evidence Supporting Contemplated Action**

4. Credible evidence possessed by the Board supports the following factual

allegation(s) –

- a. Respondent applied for and was issued a medical license in October 2007, which was revoked by the Board in November 2019.
- b. In February 2022, Respondent reapplied for physician licensure with the Board.
- c. Documentation obtained during the licensure process showed that Respondent continued to practice on a revoked license at both Halo Medical Spa (“Spa”) as Medical Director and Sage Neuroscience Center (“Sage”) as a TMS Specialist.

5. If a preponderance of the evidence establishes the accuracy of any or all of these allegations, the Board may conclude you engaged in unprofessional conduct subjecting you to discipline under the MPA and the rules and regulations of the Board (“the Board’s Rules”), found at Title 16, Chapter 10, NMAC, such as –

- a. Unlicensed Practice of Medicine; *see, e.g.*, NMSA 1978, §61-6-20(A); *see also* §61-6-6(J)
- b. Conduct likely to deceive the public; *see, e.g.*, NMSA 1978, § 61-6-15(D)(18),
- c. Conduct unbecoming in a person licensed to practice or detrimental to the best interests of the public; *see e.g.*, NMSA 1978, § 61-6-15(D)(29),
- d. Violation of Board Rule, 16.10.2.8 NMAC
- e. Violation of Board Rule, 16.10.8.8 NMAC

The Board’s investigation is ongoing. Subject to the requirements of due process, the Board may amend the allegations set forth above at any time prior to the conclusion of any evidentiary hearing that may be held in connection with this NCA to reflect additional evidence supporting the imposition of disciplinary sanctions.

## Your Rights

6. Section 61-1-3 of the ULA entitles you to a hearing on the allegation(s) contained in this NCA. You secure your right to a hearing by submitting a request to the Board. Your request must be in writing, addressed to the Board, and delivered by certified mail, return receipt requested. You must deposit your request for a hearing in the mail *within twenty* days following your receiving service of this NCA. NMSA 1978, § 61-1-4(D)(3).

7. If you do not request a hearing within twenty days following service of this NCA, the Board may take action against your license up to and including revocation of your license to practice in New Mexico. In accordance with Section 61-1-4(E) of the ULA, that action will be final and not subject to judicial review.

8. Section 61-1-8 of the ULA entitles you to certain rights in connection with any hearing that may be held on this matter –

a. At the hearing, you have the right (1) to be represented by counsel or by a licensed member of your profession or both, (2) to present all relevant evidence by means of witnesses, book, papers, documents, and other evidence, and (3) to question all opposing witnesses who may appear on any matter relevant to the issues.

b. Within ten days after you submit a written request to the Board, you are entitled (1) to receive the names and addresses of witnesses the Board will or may call to testify at the hearing, and (2) to inspect or copy any documents or items the Board will or may offer as evidence at the hearing.

c. In advance of the hearing, you have the right to have subpoenas issued to third parties compelling them (1) to produce relevant books, papers, documents, and

other evidence, and (2) to appear as witnesses on your behalf. Subpoenas must be presented in an acceptable form and will be issued, absent objection, following your written request to the Hearing Officer assigned to your case. After commencement of the hearing, the issuance of subpoenas is at the discretion of the Hearing Officer.

d. Like the Board, you may take and use depositions, subject to the notice and use provisions of the Rules of Civil Procedure for the District Courts.

### Costs

9. Under Section 61-1-4(G) of the ULA, if the Board takes action against your license as defined in Section 61-1-3 of the ULA, you will be required to reimburse the Board for the costs of its proceedings unless the Board excuses some or all of those costs.

09/14/2023  
Date

NEW MEXICO MEDICAL BOARD



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Amanda Quintana  
Interim Executive Director

Please direct any questions you or your attorney may have to –

Michael Nuñez, Administrative Prosecutor  
New Mexico Medical Board  
2055 South Pacheco Street, Building 400  
Santa Fe, NM 87505  
Ph: 505-476-7223  
Email: [Michael.nunez@nmbb.nm.gov](mailto:Michael.nunez@nmbb.nm.gov)

**Certificate of Service**

I certify I transmitted a copy of this Notice of Contemplated Action, as entered, to Respondent's Counsel of record, Dan Gallegos, Esq., at [daniel@harrisonhartlaw.com](mailto:daniel@harrisonhartlaw.com) and to his colleague, as directed by email auto-reply, [nick@harrisonhartlaw.com](mailto:nick@harrisonhartlaw.com) and via certified-mail to 924 Park Ave. SW Ste. E Albuquerque, NM 87102, and to the Board's Prosecutor, Michael A. Nuñez, at [Michael.nunez@nmmb.nm.gov](mailto:Michael.nunez@nmmb.nm.gov).

09/14/2023  
Date

*Lori Arevalo*  
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Lori Arevalo  
Compliance Coordinator