

LICENSE NO. K-5699

IN THE MATTER OF  
THE LICENSE OF  
DEBORAH K. PARR, M.D.

BEFORE THE  
TEXAS MEDICAL BOARD

AGREED ORDER

On the 4th day of June, 2010, came on to be heard before the Texas Medical Board (the "Board"), duly in session, the matter of the license of Deborah K. Parr, M.D. ("Respondent").

On January 15, 2010, Respondent failed to appear at an Informal Show Compliance Proceeding and Settlement Conference in response to a letter of invitation from the staff of the Board. The Board's representatives were Timothy Webb, a member of the Board, and Janet Tomelli-Mitchell, M.D., a member of a District Review Committee. Sandra M. Zimmerman represented Board staff.

BOARD CHARGES

The Respondent failed to treat two patients according to the generally accepted standard of care and failed to use proper diligence in her professional practice when prescribing controlled substances to these patients. Further, the Respondent engaged in unprofessional or dishonorable conduct in prescribing a drug that was non-therapeutic in nature or non-therapeutic in the manner the drug was prescribed; and in prescribing a dangerous drug or controlled substance in a manner that was inconsistent with public health and welfare.

BOARD HISTORY

Respondent has not previously been the subject of disciplinary action by the Board.

Upon the recommendation of the Board's representatives and with the consent of Respondent, the Board makes the following Findings of Fact and Conclusions of Law and enters this Agreed Order.

### FINDINGS

The Board finds the following:

1. General Findings:
  - a. Respondent received all notice required by law. All jurisdictional requirements have been satisfied. Respondent waives any defect in notice and any further right to notice or hearing under the Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code (the "Act") or the Rules of the Board.
  - b. Respondent currently holds Texas Medical License No. K-5699, which is in delinquent status due to non-payment. Respondent was originally issued this license to practice medicine in Texas on August 22, 1998. Respondent is licensed to practice medicine in the state of Colorado.
  - c. Respondent is primarily engaged in the practice of psychiatry.
  - d. Respondent is 48 years of age.
  
2. Specific Panel Findings:
  - a. In treating Patient 1, Respondent prescribed Subutex in gradually increasing doses without a documented rationale, and prescribed opiates to the patient for chronic depression, which was not justified given the patient history of substance abuse and high risk of dependency.
  - b. With respect to Patient 2, who had a 16-year history of substance abuse, the Respondent did not attempt to wean the Vicodin-dependent patient off the drug, but instead substituted other opiates.
  
3. Aggravating Factors/Mitigating Factors

In determining the appropriate sanctions in this matter, the Panel considered the following aggravating factors:

  - i. There was harm to each of the two patients;

- ii. The harm was severe and contributed to addiction;
- iii. There was more than one violation of the Act with respect to each patient;
- iv. Respondent's actions constituted increased potential of harm to the public;  
and
- v. Respondent failed to appear at the Informal Settlement Conference.

4. Respondent's consent to this Agreed Order, pursuant to the provisions of Section 164.002 of the Act, will save money and resources for the State of Texas. To avoid further investigation, hearings, and the expense and inconvenience of litigation, Respondent agrees to the entry of this Agreed Order and to comply with its terms and conditions.

#### CONCLUSIONS OF LAW

Based on the above Findings, the Board concludes that:

1. The Board has jurisdiction over the subject matter and Respondent pursuant to the Act.
2. Section 164.051(a)(6) of the Act authorizes the Board to take disciplinary action against Respondent based on Respondent's failure to practice medicine in an acceptable professional manner consistent with public health and welfare, as further defined by Board Rule 190.8(1)(A) failure to treat a patient according to the generally accepted standard of care; and Board Rule 190.8(1)(C) failure to use proper diligence in one's professional practice.
3. Sections 164.052(a)(5) and §164.053(a)(6) of the Act authorize the Board to take disciplinary action against Respondent based on Respondent prescribing, administering, or dispensing dangerous drugs or controlled substances in a manner inconsistent with public health and welfare.
4. Section 164.001 of the Act authorizes the Board to impose a range of disciplinary actions against a person for violation of the Act or a Board rule.
5. Section 164.002(a) of the Act authorizes the Board to resolve and make a disposition of this matter through an Agreed Order.

## ORDER

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that Respondent shall be subject to the following terms and conditions:

1. This Agreed Order shall constitute a PUBLIC REPRIMAND of Respondent, and Respondent is hereby reprimanded.
2. Within one year from the date of the entry of this Order, Respondent shall obtain, in addition to any CME required for licensure renewal, 30 hours of continuing medical education ("CME"), in person, approved for Category I credits by the American Medical Association as follows: 15 hours on the subject of opioid dependence and chronic pain; and 15 hours on the subject of care and treatment of depressive disorders, which courses shall be approved in writing in advance by the Compliance Division of the Board. To obtain approval for the course, Respondent shall submit in writing to the Compliance Division of the Board information on the course, to include at least a reasonably detailed description of the course content and faculty, as well as the course location and dates of instruction. Respondent shall submit documentation of attendance and successful completion of this requirement to the Compliance Division of the Board on or before the expiration of the time limit set forth for completion of the course.
3. Respondent shall pay an administrative penalty in the amount of \$10,000 within 90 days of the date of the entry of this Order. The administrative penalty shall be paid in a single payment by cashier's check or money order payable to the Texas Medical Board and shall be submitted to the Board for routing so as to be remitted to the Comptroller of Texas for deposit in the general revenue fund. Respondent's failure to pay the administrative penalty as ordered shall constitute grounds for further disciplinary action by the Board, and may result in a referral by the Executive Director of the Board for collection by the Office of the Attorney General.
4. The time period of this Order shall be extended for any period of time that:  
(a) Respondent subsequently practices exclusively outside the State of Texas; (b) Respondent's license is subsequently cancelled for nonpayment of licensure fees; (c) this Order is stayed or enjoined by Court Order; or (d) for any period of time longer than 60 consecutive days that Respondent does not actively practice medicine. If Respondent leaves Texas to practice

elsewhere or ceases active practice for more than 60 consecutive days, Respondent shall immediately notify the Board in writing. Upon Respondent's return to active practice or return to practice in Texas, Respondent shall notify the Board in writing. When the period of extension ends, Respondent shall be required to comply with the terms of this Order for the period of time remaining on the Order. Respondent shall pay all fees for reinstatement or renewal of a license covering the period of extension or tolling.

5. Respondent shall comply with all the provisions of the Act and other statutes regulating the Respondent's practice.

6. Respondent shall fully cooperate with the Board and the Board staff, including Board attorneys, investigators, compliance officers, consultants, and other employees or agents of the Board in any way involved in investigation, review, or monitoring associated with Respondent's compliance with this Order. Failure to fully cooperate shall constitute a violation of this order and a basis for disciplinary action against Respondent pursuant to the Act.

7. Respondent shall inform the Board in writing of any change of Respondent's office or mailing address within 10 days of the address change. This information shall be submitted to the Registration Department and the Compliance Department of the Board. Failure to provide such information in a timely manner shall constitute a basis for disciplinary action by the Board against Respondent pursuant to the Act. Respondent agrees that 10 days notice of a Probationer Show Compliance Proceeding to address any allegation of non-compliance of this Agreed Order is adequate and reasonable notice prior to the initiation of formal disciplinary action. Respondent waives the 30-day notice requirement provided by §164.003(b)(2) of the Medical Practice Act and agrees to 10 days notice, as provided in 22 Texas Administrative Code §187.44(4).

8. Any violation of the terms, conditions, or requirements of this Order by Respondent shall constitute unprofessional conduct likely to deceive or defraud the public, or to injure the public, and shall constitute a basis for disciplinary action by the Board against Respondent pursuant to the Act.

9. Respondent shall be permitted to supervise and delegate prescriptive authority to physician assistants and advanced practice nurses and to supervise surgical assistants.

10. This Order shall automatically terminate upon Respondent's submission of sufficient evidence to the Compliance Division of the Board that Respondent successfully completed the requirements ordered in Ordering Paragraph Nos. 2 and 3.

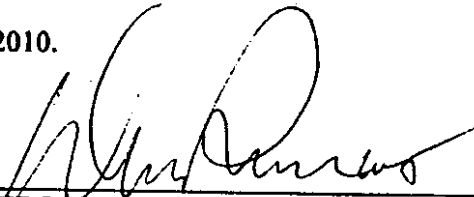
RESPONDENT WAIVES ANY FURTHER HEARINGS OR APPEALS TO THE BOARD OR TO ANY COURT IN REGARD TO ALL TERMS AND CONDITIONS OF THIS AGREED ORDER. RESPONDENT AGREES THAT THIS IS A FINAL ORDER.

THIS ORDER IS A PUBLIC RECORD.

SIGNATURE PAGE FOLLOWS

I, DEBORAH K. PARR, M.D., HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND THAT BY SIGNING, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THIS AGREED ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

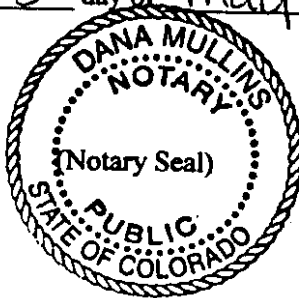
DATED: 5/25, 2010.

  
DEBORAH K. PARR, M.D.  
Respondent

STATE OF Colorado  
COUNTY OF Laplata

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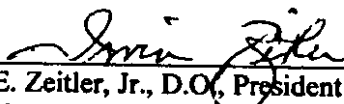
SWORN TO AND ACKNOWLEDGED BEFORE ME, the undersigned Notary Public, on this 25 day of May, 2010.



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Signature of Notary Public

SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this 4th day of June, 2010.

  
Irvin E. Zeitler, Jr., D.O., President  
Texas Medical Board