

LICENSE NO. K2422

IN THE MATTER OF

BEFORE THE

THE LICENSE OF

LOURDES RAMIREZ BOSQUEZ, M.D.

TEXAS MEDICAL BOARD

AGREED ORDER

On the 16 day of June, 2017, came on to be heard before the Texas Medical Board (Board), duly in session, the matter of the license of Lourdes Ramirez Bosquez, M.D. (Respondent).

On February 10, 2017, Respondent appeared in person, with counsel, Brian Tew at an Informal Show Compliance Proceeding and Settlement Conference (ISC) in response to a letter of invitation from the staff of the Board. The Board's representatives were Margaret C. McNeese, M.D., and Carlos Gallardo, members of the Board (Panel). Kevin Moczygamba represented Board staff.

BOARD CHARGES

Board Staff charged that Respondent did not meet the standard of care by failing to record a formal psychiatric history and mental status exam, failing to reevaluate and reduce risperidone dosage when the treatment goal of symptom control had been achieved, failing to order an electrocardiography (EKG) during a course of second generation antipsychotics, and by prescribing medications that were not indicated or monitored. Respondent further failed to adequately maintain medical records by failing to record a formal psychiatric history and mental status exam.

BOARD HISTORY

Respondent has previously been the subject of disciplinary action by the Board. In 2016, Respondent received a Remedial Plan for failing to meet the standard of care for one patient where her diagnoses of bipolar and schizophrenia disorders were inadequately supported by the clinical evidence and overprescribing Lorazepam. The Remedial Plan required Respondent to complete eight hours of continuing medical education (CME) in medical record keeping and eight hours of CME in geriatric psychiatric care.

Upon the recommendation of the Board's representatives and with the consent of Respondent, the Board makes the following Findings 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 (Act) or the Rules of the Board.
- b. Respondent currently holds Texas Medical License No. K2422. Respondent was originally issued this license to practice medicine in Texas on May 10, 1997. Respondent is not licensed to practice in any other state.
- c. Respondent is primarily engaged in the practice of child and adolescent Psychiatry. Respondent is not board certified.
- d. Respondent is 56 years of age.

2. Specific Panel Findings:

Respondent did not maintain adequate medical records because she failed to record a concise mental status exam and patient history.

3. Mitigating Factors:

In determining the appropriate sanctions in this matter, the Panel considered, as mitigating, that Respondent has cooperated in the investigation of the allegations related to this Agreed Order. Respondent neither admits nor denies the information given above. 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 164.001 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.
3. Section 164.051(a)(3) of the Act authorizes the Board to take disciplinary action against Respondent based on Respondent's violation of a Board rule; specifically Board Rule 165.1, which requires the maintenance of adequate medical records.
4. 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 and Conclusions of Law, the Board ORDERS that Respondent shall be subject to the following terms and conditions:

1. Within one year from the date of the entry of this Order, Respondent shall enroll in person and successfully complete the medical record keeping course offered by University of California San Diego Physician Assessment and Clinical Education (PACE) program or an equivalent course approved in advance by the Executive Director or a designee. To obtain approval for a course other than PACE course, Respondent shall submit in writing to the Compliance Division of the Board information on the course that includes description of the course content, faculty, 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.
2. Respondent shall pay an administrative penalty in the amount of \$2,000 within 60 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

3. At all times while Respondent is under the terms of this Order, Respondent shall give a copy of this Order to all hospitals, nursing homes, treatment facilities, and other health care entities where Respondent has privileges, has pending an application for privileges, applies for privileges, or otherwise practices. Within 30 days of being first contacted by the Compliance Division of the Board following entry of this Order, Respondent shall provide to the Compliance Division of the Board documentation, including proof of delivery showing that the Order was delivered to all such facilities.

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

5. 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.

6. 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 45-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).

7. 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.

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

9. 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. 1, 2, and 3.

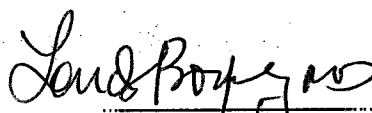
RESPONDENT WAIVES ANY FURTHER HEARINGS OR APPEALS TO THE BOARD OR TO ANY COURT IN REGARD TO ALL TERMS AND CONDITIONS OF THIS AGREED ORDER. RESPONDENT AGREES THAT THIS IS A FINAL ORDER.

THIS ORDER IS A PUBLIC RECORD.

(SIGNATURE PAGES FOLLOW)

I, LOURDES RAMIREZ BOSQUEZ, 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: FEBRUARY 28, 2017.



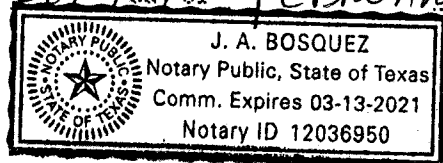
Lourdes Ramirez Bosquez, M.D.
Respondent

STATE OF TEXAS

COUNTY OF MONTGOMERY

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SWORN TO AND ACKNOWLEDGED BEFORE ME, the undersigned Notary Public, on this 28th day of FEBRUARY, 2017.

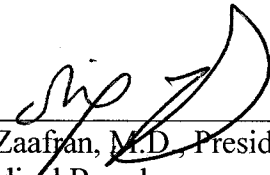


(Notary Seal)



Signature of Notary Public

SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this
16 day of June, 2017.



Sherif Z. Zafraan, M.D., President
Texas Medical Board