

## BEFORE THE VIRGINIA BOARD OF MEDICINE

DEC 09 2021

IN RE: **MARIO HUMBERTO GOMEZ, M.D.**  
**License Number: 0101042524**  
**Case Number: 205364**

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**CONSENT ORDER**

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**JURISDICTION AND PROCEDURAL HISTORY**

The Virginia Board of Medicine (“Board”) and Mario Humberto Gomez, M.D., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Dr. Gomez’s license to practice medicine in the Commonwealth of Virginia.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. Mario Humberto Gomez, M.D., was issued License Number 0101-042524 to practice medicine on July 1, 1988, which is scheduled to expire on October 31, 2022.
2. Dr. Gomez violated Virginia Code § 54.1-2915(A)(3), (13), and (16) in that between mid-2016 and early 2020, he failed to appropriately monitor and manage Patient A’s use of lithium, which he prescribed at a dose of 900mg/day for her diagnosis of bipolar I disorder, as follows:
  - a. Dr. Gomez failed to ensure that Patient A underwent appropriate blood tests (i.e., serum lithium levels, creatinine, electrolytes, and TSH) every six to 12 months related to his long-term prescribing of lithium to her. Notes in the patient’s chart indicate that early in her treatment Dr. Gomez discussed the importance of obtaining testing and following up with her specialist providers, and the chart contained results of some laboratory tests ordered by others (from 2014 through early 2017); however, Dr. Gomez did not order such labs directly or regularly receive and review lab results ordered by others to ensure that the lithium he was prescribing remained in the therapeutic range and did not have negative effects on the patient’s renal and thyroid functions.

b. In January 2020, when Patient A reported persistent diarrhea, a potential symptom of lithium toxicity, Dr. Gomez failed to investigate further and/or order testing of the patient's serum lithium level.

3. Shortly after Patient A changed psychiatrists in May 2020, her serum lithium level tested above the normal therapeutic range, and her new provider opined that Patient A likely was experiencing symptoms of lithium toxicity following accumulation of the medication in her bones after taking this medication since approximately age 13 (i.e., for nearly 30 years).

4. In a written statement, Dr. Gomez said he believed that Patient A was responsible and capable of complying with his instructions regarding testing, and that he never saw any clinical evidence of lithium toxicity (such as ataxia, nausea, tremor, or confusion) during his interactions with her. Going forward, Dr. Gomez stated that he will be more proactive in reaching out to his patients' other providers regarding lab and records requests.

### CONSENT

Mario Humberto Gomez, M.D., by affixing his signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; and the right to representation by counsel;
4. I waive my right to an informal conference;

5. I admit to the Findings of Fact and Conclusions of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;

6. I consent to the entry of the following Order affecting my license to practice medicine in the Commonwealth of Virginia.

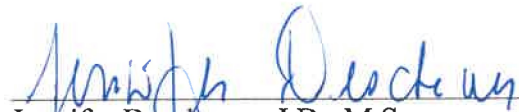
### ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Medicine hereby ORDERS as follows:

1. Mario Humberto Gomez, M.D., is REPRIMANDED.
2. Within nine months of entry of this Order, Dr. Gomez shall provide written proof satisfactory to the Board of successful completion of a Board-approved continuing education course in the subject of lithium prescribing. Such course shall be approved in advance of registration by the Executive Director of the Board. Requests for approval must be received within 15 business days prior to the course date. All continuing education hours shall be completed through face-to-face, interactive sessions (i.e., no home study, journal, or Internet courses). Continuing education obtained through compliance with this term shall not be used toward licensure renewal.
3. Upon receipt of evidence that Dr. Gomez has complied with the foregoing terms of this Order, the Executive Director is authorized to close this matter, or refer it to a special conference committee for review.
4. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of respiratory therapy shall constitute grounds for further disciplinary action.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

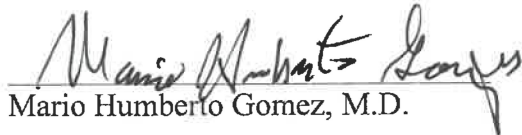
FOR THE BOARD



Jennifer Deschenes, J.D., M.S.  
Deputy Executive Director  
Virginia Board of Medicine

ENTERED: 12-15-2021

SEEN AND AGREED TO:



Mario Humberto Gomez, M.D.

COMMONWEALTH OF VIRGINIA  
COUNTY/CITY OF Chesterfield, TO WIT:

Subscribed and sworn to before me, a notary public in and for the Commonwealth of Virginia at large,  
on this 6 day of December, 2021.

  
Notary Public

My commission expires:

July 31, 2023

Registration No.:

338954