

LICENSE NO. G-6646

IN THE MATTER OF
THE LICENSE OF
MIRIAM APONTE, M.D.

BEFORE THE
TEXAS MEDICAL BOARD

CORRECTIVE ORDER

On the 29 day of October, 2010, came on to be heard before the Texas Medical Board (the Board), duly in session, the matter of the license of Miriam Delcarmen Aponte, M.D. (Respondent).

The matter was reviewed by a Quality Assurance Panel of the Board (QAP) consisting of Board representatives. Upon the recommendation of the QAP and with the consent of Respondent, and pursuant to the Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code (Act), the Board makes the following Findings and Conclusions of Law and enters this Corrective Order. Sarah Tuthill, Board Staff Attorney, prepared this Order.

BOARD HISTORY

None.

FINDINGS

The Board finds that:

1. Respondent failed to timely respond to a patient inquiry.
2. Respondent currently holds Texas Medical License No. G-6646.
3. Respondent received this offer of settlement as allowed by Board Rule 187.14.
4. By signing and executing this document this Respondent has accepted the offer of settlement.
5. Respondent does not admit or deny the Findings and Conclusions herein, but rather has agreed to settle in good faith to avoid cost, expense, and uncertainty of litigation.

MITIGATING FACTORS

Respondent cooperated in the investigation of the allegations that resulted in this Corrective Order.

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 164.052(a)(5) of the Act, as defined by Board Rule 190.8(2)(L), authorizes the Board to take disciplinary action against Respondent based upon Respondent's failure to timely respond to communications from a patient.
3. Section 164.002(d) of the Act provides that this Agreed Order is a settlement agreement under the Texas Rules of Evidence for purposes of civil litigation.

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 and successfully complete at least eight hours of continuing medical education (CME), divided equally between the following subjects: a minimum of four hours in the area of medical recordkeeping and a minimum of four hours in the area of risk management. All CME requirements set forth in this Ordering Paragraph must be approved for Category I credits by the American Medical Association, and approved in writing and 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. The CME requirements set forth in this Ordering Paragraph shall be in addition to all other CME required for licensure maintenance.

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

3. Respondent shall fully cooperate with the 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.

4. 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.

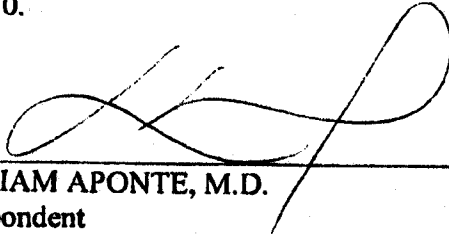
5. Respondent shall be permitted to supervise and delegate prescriptive authority to physician assistants and advanced practice nurses and to supervise surgical assistants.

6. 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 No. 1.

THIS CORRECTIVE ORDER IS A PUBLIC RECORD.

I, MIRIAM DEL CARMEN APONTE, M.D., HAVE READ AND UNDERSTAND THE FOREGOING CORRECTIVE 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: 9/17, 2010.

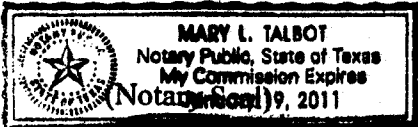


MIRIAM APONTE, M.D.
Respondent

STATE OF TEXAS
COUNTY OF BRAZORIA

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SWORN TO AND ACKNOWLEDGED BEFORE ME, the undersigned Notary Public, on this 17th day of SEPTEMBER, 2010.



Mary L. Talbot
Signature of Notary Public

SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this 29
day of October, 2010.

Melinda M. Michael MD for
Irvin E. Zeitler, Jr., D.O., President
Texas Medical Board