

G-7006

IN THE MATTER OF
THE LICENSE OF
MARVIN A. STONE, M.D

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BEFORE THE
TEXAS STATE BOARD
OF MEDICAL EXAMINERS

AGREED ORDER

On this the 6th day of June, 2003, came on to be heard before the Texas State Board of Medical Examiners ("the Board" or "the Texas Board"), duly in session the matter of the license of Marvin A. Stone, M.D. ("Respondent"). On April 18, 2002, Respondent appeared in person at an Informal Settlement Conference/Show Compliance Proceeding in response to a letter of invitation from the staff of the Board. Jean DeLoach represented Board Staff. Respondent was subsequently represented by Tony Cobos and Board Staff was subsequently represented by Sherry Statman.

The Board was represented at the Informal Settlement Conference/Show Compliance Proceeding by Peter Chang, M.D., and Nancy Seliger, members of the Board. Upon 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 Order as set forth herein:

FINDINGS OF FACT

2. Respondent, Marvin A. Stone, M.D. holds Texas medical license G-7006.
3. The Board has jurisdiction over the subject matter and Respondent. Respondent received all notice which may be required by law and by the rules of the Board. All jurisdictional requirements have been satisfied under TEX. OCC. CODE ANN. TITLE III, Subtitle B (Vernon, 2002), (hereinafter the "Act"). By entering into this Agreed Order, Respondent waives any defect in the notice and any further right to notice or hearing under the Act; TEX. GOV'T CODE ANN. §§2001.051 through .054; and the Rules of the State Board of Medical Examiners (22 TEX. ADMIN. CODE Chapter 187).
4. Respondent was issued a Texas Medical license on August 26, 1984.

5. Respondent is currently licensed, but not practicing medicine.
6. Respondent's primary specialty is psychiatry and Respondent is board Certified by the American Board of Psychiatry and Neurology.
7. On April 19, 2001, Respondent was charged by felony information in Harris County for Aggravated Promotion of Prostitution.
8. On July 9, 2001, Respondent entered a guilty plea and was placed on deferred adjudication by Harris County District Court no. 182, Judge Jeannine S. Bar, presiding.
9. Respondent's deferred adjudication is four years in term and includes the following provisions; a \$1000.00 fine, no practice of sex-therapy counseling, no advertising, and a provision suggesting a monitoring physician.
10. Respondent has cooperated with the Board in this matter and Respondent has entered into this ORDER to resolve the present concerns of the Board.

CONCLUSIONS OF LAW

Based on the Findings of Fact, the Board concludes the following:

1. Respondent has committed a prohibited act or practice within the meaning of Section 164.052(a)(5) of the Act based upon unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public.
2. Respondent has committed a prohibited act or practice within the meaning of Sections 164.052(a)(5) and 164.053(a)(1) of the Act by Respondent's commission of an act that violates any law of this state if the act is connected with Respondent's practice of medicine. In accordance with Section 164.053(b), a complaint, indictment, or conviction of a violation of law is not necessary for enforcement of Section 164.053(a)(1).
3. Sections 164.001(a)(1) and 164.001(b)(4) of the Act authorize the Board to revoke Respondent's license or other authorization to practice medicine.
4. Section 164.002(a) of the Act authorizes the Board to resolve and make a disposition of this matter through an Agreed Order.
5. Section 164.002(d) of the Act provides that this Agreed Order is a settlement under the Texas Rules of Evidence for purposes of civil litigation.

ORDER

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that Respondent's Texas license is hereby REVOKED and such revocation is immediate from the date of the signing of this Order by the presiding officer of the Board:

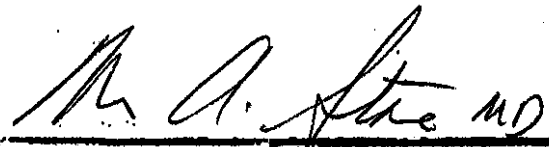
1. Respondent shall immediately cease practice in Texas. Should Respondent practice after this date, it shall constitute a violation of this Order subjecting Respondent to disciplinary action by the Board or prosecution for practicing without a license in Texas.
2. Respondent shall comply with all the provisions of the Act, and other statutes regulating the Respondent's practice, as is required by law.

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.

I, MARVIN A. STONE, 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: 4/7/03, 2003.



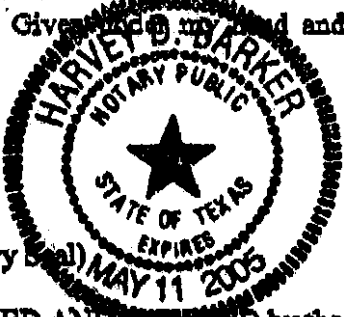
MARVIN A. STONE, M/D
RESPONDENT

STATE OF Texas
COUNTY OF Harris

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BEFORE ME, the undersigned Notary Public, on this day personally appeared MARVIN A. STONE, M.D. known to me to be the person whose name is subscribed to this instrument, an Agreed Order, and who after being by me duly sworn, on oath, stated that he executed the same for all purposes expressed therein.

Given and signed in presence and official seal and office this 7th day of April, 2003.



[Signature]
Signature of Notary Public

SIGNED AND VERIFIED by the presiding officer of the Texas State Board of Medical Examiners on this 6th day of July, 2003.

[Signature]
Lee S. Anderson, M.D., President
Texas State Board of Medical Examiners