

IN THE MATTER OF

THE LICENSE OF

ROBERT ALAN WOODWARD, M.D.

BEFORE THE

TEXAS MEDICAL BOARD

ORDER DENYING TERMINATION

On the 4th day of December, 2015, came on to be heard before the Texas Medical Board (the Board), duly in session, the matter of the license of Robert Alan Woodward, M.D. (Probationer).

On November 9, 2015, Probationer appeared, with counsel, Jeffrey Grass, before representatives of the Board to petition the Board for termination of an Agreed Order entered on May 29, 2009, a copy of which is incorporated herein and attached hereto. The Board's representatives were Margaret C. McNeese, M.D., a member of the Board, and Nancy Seliger, a member of the District Review Committee (Panel). Claudia Kirk represented Board staff.

Upon the recommendation of the Board's representatives, the Board makes the following Findings and Conclusions of Law and enters this Order.

FINDINGS

The Board finds that:

A. Prior Disciplinary History:

1. On January 29, 1993, the Board entered an Agreed Order (1993 Order) suspending Probationer's medical license and staying the suspension for a period of five years. The 1993 Order required Probationer to: continue treatment; adhere to prescribing prohibitions; abstain from use of mood-altering substances; and complete 50 hours of yearly continuing medical education (CME). The 1993 Order was based on disciplinary action by the Louisiana State Board of Medical Examiners (Louisiana State Board) for abusing controlled substances. The order was terminated on January 29, 1999.
2. On May 29, 2009, the Board entered an Agreed Order (2009 Order) that publicly reprimanded Probationer and imposed certain terms and conditions for a period of 10

years. The 2009 Order required Probationer to: not serve as a physician for himself or his immediate family; abstain from prohibited substances, including alcohol, dangerous drugs and controlled substances, and participate in the Board's drug testing program; participate in Alcoholics Anonymous (AA), not less than three times a week; undergo a psychiatric evaluation and treatment with quarterly reports to the Board; and pass the Medical Jurisprudence Exam (JP) within one year. The action was based upon the 2006 suspension of his medical license by Louisiana State Board, due to substance abuse and controlled substance diversion, and his failure to report the suspension to the Texas Medical Board.

3. On August 31, 2012, the Board entered an Agreed Order (2012 Order). The 2012 Order required Probationer to obtain eight hours of pre-approved CME in risk management within one year and pay a \$5,000 administrative penalty within 60 days. The action was based upon Probationer's writing prescriptions with an expired Department of Public Safety (DPS) registration. The 2012 Order was terminated on April 29, 2013.

B. Status of Compliance with the 2009 Order as of November 9, 2015:

Probationer is in compliance with all terms and conditions of the 2009 Order.

C. Probationer's Request:

Probationer requested termination of the 2009 Order based on the above mentioned compliance and because it would allow him to pursue more employment opportunities. Probationer is currently working in home health but the travel on country roads has been difficult due to a chronic back injury.

D. Panel Recommendation:

Based on the above Findings and information available to the Panel at the hearing on November 9, 2015, the Board's representatives recommended that Probationer's petition for termination of the 2009 Order be denied.

E. Basis for Recommendation

The Panel determined that based on Probationer's disciplinary history with the Board and the serious violations in the 2009 Order, it would be premature to terminate the 2009

Order requirement. The Panel, however, did acknowledge that they were pleased with Probationer's compliance with the 2009 Order and his ongoing continued recovery from substance abuse.

CONCLUSIONS OF LAW

Based on the above Findings, the Board concludes that:

1. The Board has jurisdiction over this matter and Probationer pursuant to the Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code (the Act).
2. 22 TEX. ADMIN. CODE §187.43 authorizes the Board to consider petitions for termination of Agreed Orders and Disciplinary Orders.

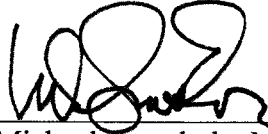
ORDER

Based on the available information, the above Findings and Conclusions of Law, and the recommendation of the Board's representatives, the Board ORDERS that Probationer's petition for termination is hereby DENIED.

THIS IS A PUBLIC RECORD.

[SIGNATURE PAGE(S) FOLLOW]

SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this
4th day of December, 2015.

A handwritten signature in black ink, appearing to read 'Michael Arambula', written over a horizontal line.

Michael Arambula, M.D., Pharm.D., President
Texas Medical Board