

LICENSE NO. S3687

IN THE MATTER OF
THE LICENSE OF
ASTIK JOSHI, M.D.

BEFORE THE
TEXAS MEDICAL BOARD

AGREED ORDER

On the 13 day of December, 2024, came on to be heard before the Texas Medical Board (the Board), duly in session, the matter of the license of Astik Joshi, M.D. (Respondent).

On November 08, 2024, Respondent appeared via videoconference with counsel Tony Cobos, at an Informal Show Compliance Proceeding and Settlement Conference in response to a letter of invitation from the staff of the Board. The Board's representatives were Manuel Quinones Jr., M.D., a member of the Board, and Garry D. Crain, a member of a District Review Committee (Panel). Cassandra Magee represented Board Staff and prepared this Order.

BOARD CHARGES

Board Staff charged that Respondent suffers from impairment and resigned his position May 1, 2024 based on unprofessional conduct and failing to meet the standard of care for one psychiatric patient.

BOARD HISTORY

On September 25, 2024, a disciplinary panel of the Texas Medical Board temporarily suspended, without notice, the Texas medical license of Respondent, after determining his continuation in the practice of medicine posed a continuing threat to public welfare. The suspension was effective immediately. The Board panel found that in May 2024, Respondent signed an interim drug testing agreement, agreeing to abstain from the use of alcohol and prescription drugs and enroll in the Board's testing program. Respondent failed to sign up for drug testing and no longer responded to Board Staff.

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 (the Act) or the Rules of the Board.
 - b. Respondent currently holds Texas Medical License No. S3687. Respondent was originally issued this license to practice medicine in Texas on September 27, 2019.
 - c. Respondent is Board certified in psychiatry and pediatric and adolescent psychiatry by the American Board of Psychiatry and Neurology with subspecialty certifications in child and adolescent psychiatry.

2. Specific Panel Findings:
 - a. Respondent suffers from an impairment that may interfere with his ability to practice medicine safely.
 - b. On October 24, 2022, Texas Tech University Health Science Center (TTUHSC) placed Respondent on a performance improvement plan (PIP) based upon Respondent's unsatisfactory attendance at designated clinical duties which contributed to lapses in clinical supervision of residents and fellows and negativity in the relationship between TTUHSC department of psychiatry and other TTUHSC collaborators and community collaborators.
 - c. On May 01, 2024, Respondent resigned from his position with TTUHSC, while under the PIP.
 - d. Respondent was disciplined by peers for absences and tardiness to his clinical program, while at TTUHSC.

- e. Respondent expressed his willing to participate in TXPHP to continue his evaluation and fitness for duty.

3. Mitigating Factors:

In determining the appropriate sanctions in this matter, the Panel considered as mitigating that:

- a. Respondent has cooperated in the investigation of the allegations related to this Agreed Order.
- b. 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 164.051(a)(6) of the Act authorizes the Board to take disciplinary action against Respondent based on Respondent's failure to practice medicine in an acceptable professional manner consistent with public health and welfare, as defined by the following Board Rule: 190.8(1)(C) failure to use proper diligence in one's professional practice.
- 3. Section 164.051(a)(7) of the Act authorizes the Board to take disciplinary action against Respondent based on Respondent being subject to disciplinary action by a licensed hospital, including limitation of hospital privileges or other disciplinary action, as defined by the following Board Rule 190.8(4) disciplinary action by peer groups.
- 4. 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.
- 5. 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. The temporary suspension of Respondent's license is hereby LIFTED, and Respondent is permitted to practice medicine in Texas.

2. Respondent has been publicly referred to the Texas Physician Health Program (TXPHP). Any violation of the terms, conditions, or requirements of any monitoring agreement entered into by TXPHP and Respondent shall constitute a violation of this Order and unprofessional conduct likely to deceive or defraud the public, or injure the public, and shall constitute a basis for disciplinary action by the Board against Respondent pursuant to the Act.

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 in Texas 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, 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). Respondent agrees that any proceeding related to this Order may be held in person, by teleconference, or by videoconference at the discretion of the Board.

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. 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.

THIS ORDER SUPERSEDES ANY PRIOR BOARD ORDER.

(SIGNATURE PAGES FOLLOW)

I, ASTIK JOSHI, 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: 11.16.2024, 2024.



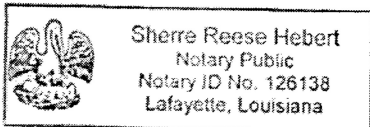
ASTIK JOSHI, M.D.
Respondent

STATE OF Louisiana §

§

COUNTY OF Lafayette §

SWORN TO AND ACKNOWLEDGED BEFORE ME, the undersigned Notary Public, on this 16th day of November, 2024.



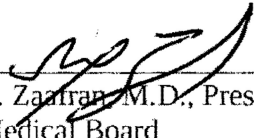
(Notary Seal)



Signature of Notary Public



SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this
13 day of December, 2024.



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