

LICENSE NO. H-8844

IN THE MATTER OF
THE LICENSE OF
RAFAEL SOLIS, M.D.

BEFORE THE
TEXAS MEDICAL BOARD

ORDER OF REVOCATION

On the 4TH day of FEBRUARY, 2011, came on to be heard before the Texas Medical Board ("Board"), duly in session, the matter of the license of Rafael Solis, M.D., ("Respondent").

By the signature of Respondent on this Order, Respondent waives the right to appear at an Informal Show Compliance Proceeding and Settlement Conference pursuant to Section 164.004, Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code and Board Rule 187.18 and all rights pursuant to Sections 20001.051 and 2001.054, Texas Government Code, including but not limited to the right to notice and hearing and instead agrees to the entry of this Order to resolve matters addressed herein. Wendy Pajak prepared this Order.

With the consent of Respondent, the Board makes the following Findings of Fact and Conclusions of Law and enters this Order of Revocation.

FINDINGS OF FACT

The Board finds that:

1. 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.
2. Respondent currently holds Texas Medical License No. H-8844. Respondent was originally issued this license to practice medicine in Texas on December 4, 1990. Respondent is also licensed in Virginia, Georgia, Iowa and Wisconsin.

3. Respondent is primarily engaged in the practice of psychiatry. Respondent is board certified by the American Board of Psychiatry and Neurology, a member of the American Board of Medical Specialties.

4. Respondent is 79 years of age.

5. On September 26, 2009, Respondent was convicted, in federal court, on three felony counts of making false statements related to healthcare matters, in criminal Case No. DR-07-CR- 0282(AML), U.S. v. Rafael Solis, MD, United States District Court Western District of Texas, Del Rio Division. Respondent was sentenced to 1) serve five years probation on the 3 felony counts, to run concurrently; 2) make restitution of \$51,915.04; and 3) pay a mandated special assessment fee of \$300.00.

6. The Board charged Respondent with unprofessional conduct as a result of his conviction on three felony counts of making false statements related to healthcare matters.

7. Respondent requests that the voluntary revocation of his Texas license be accepted, effective as of the date of entry of this Order.

8. Respondent has cooperated in the investigation of the allegations related to this Agreed Order. Respondent's cooperation, through consent to this Agreed Order, pursuant to the provisions of Section 164.002 the Act, will save money and resources for the State of Texas. 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 of Fact, the Board concludes that:

1. The Board has jurisdiction over the subject matter and Respondent pursuant to the Act.

2. Section 164.051(a)(1) of the Act authorizes the Board to take disciplinary action against Respondent based on Respondent's commission of an act prohibited under Section 164.052 of the Act.

3. Section 164.051(a)(2) of the Act authorizes the Board to take disciplinary action against Respondent based on Respondent's conviction of a felony or a crime of a lesser degree that involves moral turpitude.

4. Section 164.052(a)(5) of the Act authorizes the Board to take disciplinary action against Respondent based upon Respondent's unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public, as further defined by Board Rule 190.8(2)(R), violating state laws whether or not there is a complaint, indictment or conviction.

5. Section 164.002(a) of the Act authorizes the Board to resolve and make a disposition of this matter through an Order.

6. Section 164.061 of the Act and 22 TEX. ADMIN. CODE 196.1 authorizes the Board to accept the voluntary revocation of Respondent's Texas medical license.

7. 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 of Fact and Conclusions of Law, the Board ORDERS that:

1. Respondent's license is revoked as of the date of entry of this Order.
2. Respondent shall cease and desist from practicing medicine.
3. Any violation of the terms, conditions, or requirements of this Order by Respondent shall constitute a criminal offense.
4. Respondent may petition the Board for reinstatement of his Texas license after one year's time from this Order's effective date. The Respondent shall be required to meet all applicable Board statutes and rules relating to reinstatement of a license. The Board may inquire into the request and, may in its sole discretion, grant or deny the petition without further appeal or review. Petitions for reinstatement may be filed only once a year thereafter.
5. Respondent shall comply with all the provisions of the Act and other statutes regulating the Respondent's practice.

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, RAFAEL SOLIS, M.D., HAVE READ AND UNDERSTAND THE FOREGOING VOLUNTARY REVOCATION. 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.

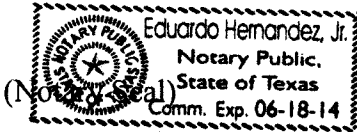
DATED: December 28, 2010.

Rafael Solis M.D.
RAFAEL SOLIS, M.D.
Respondent

STATE OF Texas
COUNTY OF Bexar

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SWORN TO AND ACKNOWLEDGED BEFORE ME, the undersigned Notary Public, on this 28th day of December, 2010.



E Hernandez
Signature of Notary Public

SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this
4TH day of FEBRUARY, 2011.

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