

IN THE MATTER OF	§	BEFORE THE
	§	
THE LICENSE OF	§	TEXAS STATE BOARD
	§	
JASBIR BHATIA SINGH, M.D.	§	OF MEDICAL EXAMINERS

AGREED ORDER

On this the 4th day of April, 1998, 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 Jasbir Bhatia Singh, M.D ("Respondent"). On February 19, 1998, Respondent appeared in person, without counsel, at an Informal Settlement Conference/Show Compliance Proceeding in response to a letter of invitation from the staff of the Board.

The Board was represented at the Informal Settlement Conference/Show Compliance Proceeding by R. Russell Thomas Jr., D. O., and Thomas Kirksey, M.D., 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

1. Respondent, Jasbir Bhatia Singh, M.D. holds Texas medical license F-7700.
2. 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.
3. Respondent is certified by the American Board of Medical Specialties in Psychiatry.
4. Respondent has been licensed to practice medicine in Texas for approximately seventeen (17) years.
5. Respondent is fifty-one (51) years of age.
6. In 1995, Respondent performed breast exams on patient S.T. The patient asserted that Respondent's examinations were inappropriate. The patient also asserted that Respondent slapped her on the buttocks.

7. Respondent failed to document the indications for the occurrence or the findings of the breast examinations of patient S.T.

8. Respondent contends that he is trained in family practice and commonly performs physical examinations on patients in his office.

9. Respondent maintains that he no longer performs physical examinations..

CONCLUSIONS OF LAW

Based upon the above Findings of Fact, the Board concludes the following:

1. Respondent has violated Section 3.08(4) of the Medical Practice Act ("the Act"), V.A.C.S., article 4495b, which authorizes the Board to take disciplinary action against Respondent based on Respondent's unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public.

2. Section 4.02(h) of the Act authorizes the Board to resolve and make a disposition of this matter through an Agreed Order.

3. Section 4.02(i) of the Act provides that this Agreed Order is a settlement agreement under the Texas Rules of Civil Evidence for purposes of civil litigation.

4. Section 4.12 of the Act authorizes the Board to impose the remedial measures and sanctions set forth below.

5. Section 4.125 of the Act authorizes the Board to impose a monetary administrative penalty not to exceed five thousand dollars (\$5,000.00) for each separate violation of the Act or Board rule by a person licensed or regulated under the Act.

ORDER

Based on the above findings of fact and conclusions of law, the Board ORDERS that:

1. Respondent shall pay an administrative penalty in the amount of Three Thousand Dollars (\$3,000.00) within ninety (90) days of the signing of this Agreed Order by the presiding officer of the Board.

2. The administrative penalty shall be paid in a single payment by cashier's check or money order payable to the Texas State Board of Medical Examiners and shall be submitted to the Director of Compliance for the Board for routing so as to be remitted to the Comptroller of Texas for deposit in the general revenue fund.

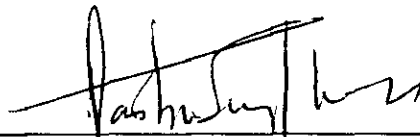
3. Respondent's failure to pay the administrative penalty as ordered shall constitute grounds for further disciplinary action by the Board based on unprofessional and dishonorable conduct likely to deceive or defraud the public or injure the public as provided for in Section 3.08(4) of the Act, and may result in a referral by the Executive Director of the Board for collection by the Office of the Attorney General.

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. NOTHING IN THIS ORDER SHALL BE DEEMED A WAIVER OF RESPONDENT'S RIGHTS UNDER STATUTE OR THE UNITED STATES OR TEXAS CONSTITUTIONS TO APPEAL AN ORDER OR ACTION OF THE BOARD SUBSEQUENT TO THIS AGREED ORDER EXCEPT AS RESPONDENT MAY HAVE OTHERWISE AGREED TO HEREIN. RESPONDENT AGREES THAT THIS IS A FINAL ORDER.

THIS ORDER IS A PUBLIC RECORD.

I, JASBIR BHATIA SINGH, 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: 3 | 23 | 98, 1998.



JASBIR BHATIA SINGH, M.D.
RESPONDENT

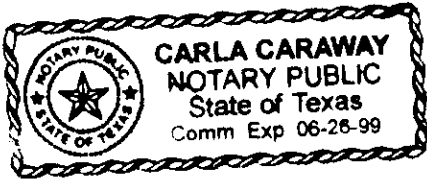
STATE OF Texas
COUNTY OF Taylor

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BEFORE ME, the undersigned Notary Public, on this day personally appeared Jasbir Bhatia Singh, 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 under my hand and official seal and office this 23rd day of March, 1998.

Carla Caraway
Signature of Notary Public



SIGNED AND ENTERED by the presiding officer of the Texas State Board of Medical Examiners on this 4th day of April, 1998.

William H. Fleming, III, M.D.
William H. Fleming, III, M.D.
President, Texas State Board of
Medical Examiners