

HEARING CONDUCTED BY THE
TEXAS STATE OFFICE OF ADMINISTRATIVE HEARINGS
SOAH DOCKET NO. 503-23-20928.MD
TEXAS MEDICAL LICENSE NO. L2853

IN THE MATTER OF THE
COMPLAINT AGAINST
WOODROW WILLIAM COPPEDGE, M.D.

BEFORE THE
TEXAS MEDICAL BOARD

DEFAULT ORDER

During an open meeting in Austin, Texas, and by videoconference, the Texas Medical Board (Board) considered Board Staff's request for Determination of Default and Issuance of Order of Default (Motion) against Woodrow William Coppedge, M.D. (Respondent).

I. FINDINGS

1. Respondent is a Texas physician and holds Texas Medical License No. L2853, and was licensed to practice as a physician at all times material and relevant to this Order.
2. All jurisdictional requirements have been satisfied under TEX. OCC. CODE ANN., Title 3, Subtitle B, the Medical Practice Act (Act).
3. Respondent received all notice that may be required by law and by the rules of the Board.
4. A Complaint was filed by the Board on June 6, 2023, with the State Office of Administrative Hearings (SOAH), alleging that Respondent is unable to safely practice medicine due to impairment. Respondent entered into an agreement with the Texas Physician Health Program (PHP) on June 3, 2022. Respondent failed to comply with his monitoring agreement and had positive Phosphatidylethanol (Peth) tests. In addition, Respondent has committed unprofessional conduct by violating his current active Agreed Order, entered in June of 2021, requiring that he fully cooperate with Board Staff. Respondent has stopped communicating with his Board Staff Compliance Officer. Therefore, Respondent violated the Act and is subject to disciplinary action by the Board.

5. On or about June 6, 2023, the Board served Respondent with a copy of the Complaint via United States Postal Service (USPS) by certified mail/return receipt requested at Respondent's mailing address of record on file with the Board.

6. A hearing on the merits was set for September 15, 2023, at SOAH via Zoom videoconference. Notice of that hearing was sent via United States Postal Service (USPS) by certified mail/return receipt requested to the last known address for Respondent on August 17, 2023. That notice contained the following **NOTICE: PURSUANT TO SOAH RULE §155.501, UPON FAILURE TO APPEAR AT THE HEARING, THE FACTUAL ALLEGATIONS IN THE NOTICE AND COMPLAINT WILL BE DEEMED ADMITTED AS TRUE, AND THE RELIEF SOUGHT IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT.**

7. No answer or responsive pleading was ever filed by Respondent.

8. Respondent failed to appear at the hearing by videoconference on September 15, 2023, at 10:00 am.

9. The SOAH issued the Default Dismissing Order on September 15, 2023.

10. Pursuant to 22 TEX. ADMIN. CODE §187.27, the Board finds that this Determination of Default is meritorious, and satisfies all jurisdictional and legal requirements. The Board further finds that the issuance of a Default Order is warranted.

II. CONCLUSIONS OF LAW

Based on the above Findings, the Board concludes the following:

1. Violations of the Act: The actions of Respondent as specified in the Complaint violate one or more of the following provisions of the Act:

a. Section 164.051(a)(1) of the Act authorizes the Board to take disciplinary action against Respondent for committing an act prohibited by §164.052 of the Act.

b. Section 164.051(a)(3) of the Act authorizes the Board to take disciplinary action against Respondent based on Respondent's violation of a Board rule; specifically, Board Rule 189.3(a), requirement to comply with the terms and conditions of a Board Order or Remedial Plan.

c. Section 164.051(a)(4) of the Act authorizes the Board to take disciplinary action against Respondent based on Respondent's inability to practice medicine with

reasonable skill and safety to patients because of: (A) illness; (B) drunkenness; (C) excessive use of drugs, narcotics, chemicals, or another substance; or (D) a mental or physical condition.

d. Section 164.052(a)(5) of the Act 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 as provided by §164.053 of the Act or injure the public; as further defined by Board Rules: 190.8(2)(A), violating a Board Order; 190.8(2)(B), failing to comply with a board subpoena or request for information or action; and 190.8(2)(D), failing to cooperate with Board Staff.

e. Section 167.009 of the Act authorizes the Board to take disciplinary action against Respondent based on Respondent's failure to comply with Texas Physician Health Program. (a) The board or the physician assistant board, through an agreed order or after a contested proceeding, may make a referral to the program and require participation in the program by a specified physician or physician assistant as a prerequisite for issuing or maintaining a license under Chapter 155 or 204. (b) The Board or the physician assistant board may discipline a physician or physician assistant required to participate in the program under Subsection (a) who does not participate in the program.

Aggravating Factors: Board Rule 190.14 provides that the Board may impose more restrictive sanctions when there are multiple violations of the Act. Board Rule 190.15 provides that the Board may consider aggravating factors that warrant more severe or restrictive disciplinary action. This case includes the following aggravating factors: 190.15(a)(5), increased potential for harm to the public; 190.15(a)(8), prior similar violations; 190.15(a)(9), previous disciplinary action by the Board; and 190.15(a)(10), violation of a Board Order.

Previous Disciplinary Action and Similar Violations:

1. On August 31, 2012, the Board and Respondent entered into an Agreed Order (2012 Order). The 2012 Order required that Respondent submit to an evaluation by the Texas Physicians Health Program (PHP) within 30 days. The action was based upon Respondent's non-compliance with the PHP.

2. On June 11, 2021, the Board and Respondent entered into an Agreed Order of Formal Filing (2021 Order). The 2021 Order suspended Respondent's license until such a time as he personally appears before the Board to provide clear evidence that he is physically, mentally, and otherwise competent to safely practice medicine; publicly referring him to the PHP; and requiring that he give a copy of the order to all health care entities (HCEs) where privileged or practicing and provide proof of delivery within 30 days. The action was based upon Respondent's substance abuse history and resignation from an HCE in lieu of termination.

III. ORDER

IT IS THEREFORE the Board's finding, having reviewed the administrative record, that this Determination of Default is meritorious.

Based on the above finding that Determination of Default is meritorious, the Board ORDERS that:

1. All allegations set forth in the Complaint filed in SOAH No. 503-23-20928.MD are deemed true.
2. Respondent's Texas Physician License No. L2853 is hereby REVOKED.

[SIGNATURE PAGE(S) FOLLOW]

SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this
13 day of October, 2023.



Sherif Z. Zafran, MD, President
Texas Medical Board