

LICENSE NO. F-7254

IN THE MATTER OF
THE LICENSE OF
MARGARET G. VANDERLEE, M.D.

BEFORE THE
TEXAS MEDICAL BOARD

AGREED ORDER

On the 2nd day of June, 2006, came on to be heard before the Texas Medical Board (the "Board"), duly in session, the matter of the license of Margaret G. Vanderlee, M.D. ("Respondent").

By signature of Respondent on this Order, Respondent waived the right to appear at an Informal Show Compliance Proceeding and Settlement Conference pursuant to Tex. Occ. Code Ann., Sections 164.003 and 164.004 and 22 Tex. Admin. Code Ann., Sections 2001.051 and 2001.054, including but not limited to, the right to notice and hearing and instead agrees to the entry of this Order to resolve the matters addressed in this Order. Karrie Key represents Board staff. Henderson "Sam" Buford represents Respondent.

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

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 License F-7254. Respondent was originally issued this license in 1980.
3. Respondent is primarily engaged in the practice of obstetrics and gynecology. Respondent is board certified in this specialty.
4. Respondent is 50 years of age.

5. Respondent has not previously been the subject of disciplinary action by the Board.

6. On May 5, 2005, Respondent was frustrated by the faulty telephone system in the consultation room at Texas Tech University Health Science Center's Obstetrics and Gynecology Clinic.

7. It has been alleged that Respondent made inappropriate statements and behaved in an inappropriate manner. The allegations are that Respondent threw a telephone onto a table in the consultation room, that she placed a telephone cord on the shoulders of K.P., the unit coordinator, and that she left a somewhat threatening message on K.P.'s voice mail.

8. Texas Tech placed Respondent on disciplinary suspension for 14 days; she was referred to the Employee Assistance Program; and she was directed to obtain counseling regarding anger management and proper conduct in the workplace.

9. Respondent does not admit or deny the Findings of Fact and Conclusions of Law set forth in this Agreed Order. However, Respondent has cooperated with Board staff 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)(3) of the Act authorizes the Board to take disciplinary action against Respondent based on Respondent's violation of a rule adopted under this Act.

3. 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. Such sanctions include: revocation, suspension, probation, public reprimand, limitation or restriction on practice, counseling or treatment, required educational or counseling programs, monitored practice, public service, and an administrative penalty.

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

5. 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:

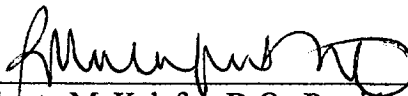
1. Respondent shall pay an administrative penalty in the amount of \$2000 within 180 days of the entry of this Order. The administrative penalty shall be paid in a single payment by cashier's check or money order payable to the Texas Medical Board and shall be submitted to the Director of Compliance for the Board for routing so as to be remitted to the Comptroller of Texas for deposit in the general revenue fund. Respondent's failure to pay the administrative penalty as ordered shall constitute grounds for further disciplinary action by the Board, and may result in a referral by the Executive Director of the Board for collection by the Office of the Attorney General.

2. Respondent shall comply with Texas Tech's action plan concerning the incident referenced in this Agreed Order's Findings of Fact.

3. This Agreed Order is not a restriction on Respondent's license, and Respondent shall be permitted to supervise and delegate prescriptive authority to physician assistants and advanced practice nurses and to supervise surgical assistants.

4. When the administrative penalty is paid, and Respondent submits appropriate proof she has satisfactorily completed the Texas Tech action plan, this Order shall terminate.

SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this
2 day of June, 2006.



Roberta M. Kalafut, D.O., President
Texas Medical Board