

IN THE MATTER OF
THE LICENSE OF
DEZRA WHITE, M.D.

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BEFORE THE
TEXAS STATE BOARD
OF MEDICAL EXAMINERS

AGREED ORDER

On this the 18th day of January, 1997, 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 Dezra White, M.D. ("Respondent"). On November 7, 1996, Respondent appeared in person with counsel, Gary Riley, 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., a member of the Board, and Gladys C. Keene, M.D., a district review committee member. 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, Dezra White, M.D., holds Texas medical license D-5247.
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 obstetrics and gynecology.

4. Respondent has been licensed to practice medicine in Texas for approximately 28 years.
5. In or around December 1990, Respondent began providing care to an adult patient who was pregnant with twins.
6. The pregnancy was the patient's second pregnancy.
7. Respondent followed this patient and provided care until May 1991, when the patient suffered eclampsia resulting in the fetal demise of the twins.
8. Prior to the eclampsia, the patient did not inform Respondent of any preeclamptic symptoms.
9. In addition to the death of the twins, the patient also suffered permanent neurological deficits and residual brain damage for which she receives continuing care by a neurologist and a psychiatrist.
10. The patient requires daily medications to prevent seizures.
11. In regard to his care and treatment of this adult patient, Respondent altered her medical records to change patient blood pressure readings.
12. A malpractice case related to Respondent's care and treatment of this patient resulted in damages in favor of the patient against Respondent in an amount of approximately \$900,000.
13. Respondent has not previously been the subject of disciplinary action by the Board.
14. Respondent has entered into this Agreed Order pursuant to the provisions of Sections 4.02(h) and (i) of the Medical Practice Act ("the Act"), V.A.C.S., article 4495b.

15. So as to avoid the expense and inconvenience of litigating the allegations, in lieu of further investigation or a hearing, Respondent agrees to the entry of this Agreed Order, and further agrees to comply with the terms and conditions set forth herein.

CONCLUSIONS OF LAW

Based on 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 take action in regard to Respondent and Respondent's medical license as set forth below.

Based on the above Findings of Fact and Conclusions of Law the Board **ORDERS** that:

1. Entry by the Board of this Agreed Order shall also constitute a **PUBLIC REPRIMAND**.

2. Respondent shall pay an administrative penalty in the amount of ten thousand dollars (\$10,000.00) within sixty (60) days of the signing of this Agreed Order by the presiding officer of the Board.

3. 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 Hearings for the Board for routing so as to be remitted to the Comptroller of Texas for deposit in the general revenue fund.

4. 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.

5. Within six (6) months from the date of the signing of this Order by the presiding officer of the Board Respondent shall obtain ten (10) hours of ethics through courses or programs which have been approved in writing by the Executive Director of the Board. The required hours may be in any area of ethics and not just in the area of medical ethics. To obtain approval, Respondent shall submit to the Director of Hearings for the Board complete information on the courses or programs to include, but not limited to, course content and faculty. Documentation of attendance and successful completion of this requirement for ethics instruction shall be delivered to the Director of Hearings for the Board on or before the end of the first year this Agreed Order is in effect.

6. To verify that Respondent has complied with and is in compliance with the terms and conditions of this Agreed Order, Respondent shall fully cooperate with the Board and the Board staff, including but not limited to, Board attorneys, investigators, compliance officers, consultants, and other such employees or agents of the Board in any way involved in investigation, review, or monitoring associated with Respondent's compliance with this Agreed Order. Failure to cooperate as required by this paragraph and the terms of this Agreed Order shall constitute a basis for disciplinary action against Respondent pursuant to Sections 3.08, 4.01, and 4.11 of the Act.

7. Respondent shall give a copy of this Agreed Order to all hospitals, nursing homes, treatment facilities, and other health care entities where Respondent has privileges, has applied for privileges, or applies for privileges.

8. Respondent shall ensure that any inquiries which are made by any person or entity through any means to Respondent or Respondent's employees regarding Respondent's Texas medical licensure status are answered by accurate reference to this Agreed Order.

9. Upon request by any person or entity, either orally or in writing, Respondent shall provide a complete and legible copy of this Agreed Order to the requesting party within ten (10) calendar days of the request.

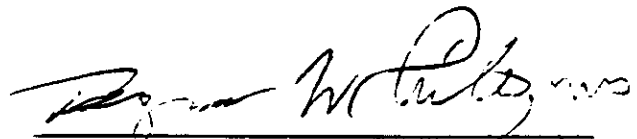
10. Any violation of the terms, conditions, or requirements of this Order by Respondent shall constitute a basis for disciplinary action by the Board against Respondent pursuant to Sections 3.08, 4.01, and 4.11 of the Act. Any violation of the terms, conditions, or requirements of this Order by Respondent shall constitute evidence of unprofessional or dishonorable conduct likely to deceive or defraud the public or injure the public.

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, DEZRA WHITE, 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: 1/10, 1996


DEZRA WHITE, M.D.
RESPONDENT

STATE OF Texas
COUNTY OF Harris

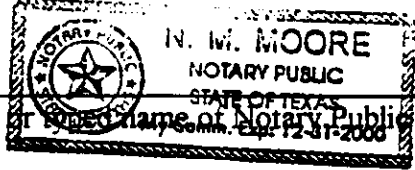
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BEFORE ME, the undersigned Notary Public, on this day personally appeared Dezra White, M.D., known to me to be the person whose name is subscribed to this instrument, an Agreed Order, and who after being by me duly sworn, on oath, stated that he executed the same for all purposes expressed therein.

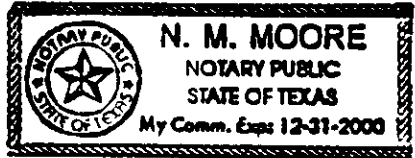
Given under my hand and official seal and office this 10th day of January, ~~1996~~ 1997

N. M. Moore
Signature of Notary Public

(Notary Seal)

Printed or typed name of Notary Public


My commission expires: _____



SIGNED AND ENTERED by the presiding officer of the Texas State Board of Medical Examiners on this 18th day of January, ~~1996~~ 1997.

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