



PENNSYLVANIA
Department of State

For questions about this website, please [Click Here](#) to send an E-Mail , or to contact your Board directly, [Click Here](#).

Click the X at the upper right corner to close this window and return to the list of licensees.

Person Information

Name: MICHAEL ANGELO BASCO

Address Information

Address(city state zipcode): Washington DC 20002

License Information

| | | | | | |
|-------------|-------------------------------|-----------------|------------|---------------|-----------|
| Type: | Medical Physician and Surgeon | Secondary Type: | | Number: | MD055836L |
| Profession: | Medicine | Status: | Inactive | | |
| Issue Date: | 5/10/1995 | Expires: | 12/31/2002 | Last Renewed: | 11/3/2000 |

Discipline Action History

Disciplinary action or corrective action history exists. For more information, email us at ra-prothonotary@state.pa.us.

The Information above is considered primary source for verification of license credentials.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE

Commonwealth of Pennsylvania, :
Bureau of Professional and : File No. 11-49-09907
Occupational Affairs :
v. : Docket No. 0552-49-12
Michael Angelo Basco, M.D., :
Respondent :

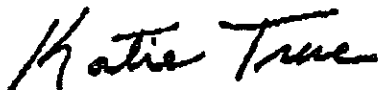
PROHIBITORY
2012 AUG 31 11 05 AM
Department of State

FINAL ORDER ADOPTING HEARING EXAMINER'S ADJUDICATION AND ORDER

AND NOW, this 31 day of August 2012, the State Board of Medicine (Board) adopts the Adjudication and Order of the hearing examiner as the Final Adjudication and Order in this case. A copy of the Adjudication and Order is attached as Attachment A.

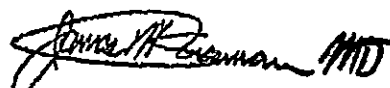
This order shall take effect immediately.

BUREAU OF PROFESSIONAL &
OCCUPATIONAL AFFAIRS



KATIE TRUE
COMMISSIONER

STATE BOARD OF MEDICINE



JAMES W. FREEMAN, M.D.
CHAIR

Hearing Examiner:

Suzanne Rauer, Esquire

Respondent:

Michael Angelo Basco, M.D.
1215 I Street NE, Apt. 8
Washington, DC 20002

Prosecuting Attorney:

Keith E. Bashore, Esquire

Board counsel:

Teresa Lazo, Esquire

Date of mailing:

August 31, 2012

Attachment A

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE

RECEIVED
JUL 24 2012
Department of State
Prothonotary

Commonwealth of Pennsylvania, :
Bureau of Professional and :
Occupational Affairs :

v. :

Michael Angelo Basco, M.D., :
Respondent :

Docket No. 0552-49-12
File No. 11-49-09907

ADJUDICATION AND ORDER

Suzanne Rauer
Hearing Examiner

Commonwealth of Pennsylvania
GOVERNOR'S OFFICE OF GENERAL COUNSEL
Department of State
P.O. Box 2649
Harrisburg, PA 17105-2649
(717) 772-2686

DATE DISTRIBUTED 7/24/12
PROSECUTION _____
COUNSEL _____
HEARING EXAMINER _____
OTHER _____

HISTORY

This matter was initiated by the filing of an Order to Show Cause (OSC) alleging that Michael A. Basco, M.D. (Respondent) is subject to disciplinary action under section 41(4) of the Medical Practice Act (Act), Act of December 20, 1985, P.L. 457, *as amended*, at 63 P.S. §422.41(4), as a result of disciplinary action taken against his license to practice medicine by the proper licensing authority of another state. The Commonwealth filed its OSC on March 21, 2012. Respondent filed an Answer to the OSC on April 25, 2012.

A formal administrative hearing was scheduled for June 13, 2012 and was held on that date in Harrisburg, Pennsylvania before Hearing Examiner Suzanne Rauer. David M. Green, Esquire, was present on behalf of the Commonwealth and presented the Commonwealth's case through documentary evidence. Respondent did not appear at the hearing. The Commonwealth waived the filing of a post-hearing brief and the record in this matter closed on June 26, 2012, with the filing of the notes of testimony (N.T.).

FINDINGS OF FACT

1. Respondent holds a license to practice medicine and surgery in the Commonwealth of Pennsylvania, License No. MD055836L, which was originally issued on May 10, 1995. (Board records)

2. Respondent's license expired on December 31, 2002, but may be renewed, reactivated or reinstated thereafter upon the filing of the appropriate documentation and payment of the necessary fees. (Board records)

3. At all times pertinent to the factual allegations, Respondent held a license to practice medicine in the Commonwealth of Pennsylvania. (Board records)

4. Respondent's current address is 1215 1 Street NE, Apt. 8, Washington, DC 20002. (Docket No. 0552-49-12, Respondent's Return Address)

5. On August 26, 2011, the Texas Medical Board issued an Agreed Order finding Respondent in violation of Section 164.051(a)(3) of their Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code, by and through violation of Board Rule 165.1, which requires the maintenance of adequate medical records, as set forth in the Agreed Order, *In the Matter of the License of Michael Angelo Basco, M.D., License No. H-5151*. (Exhibit C-1)

6. The Texas Medical Board assessed an administrative penalty totaling \$3,000.00 and ordered that Respondent complete eight hours of continuing medical education in medical recordkeeping. (Exhibit C-1)

7. Respondent was served with the OSC and all subsequent pleadings, orders and motions filed of record in this matter. (Docket No. 0552-49-12)

CONCLUSIONS OF LAW

1. The Board has jurisdiction in this matter. (Findings of Fact, Nos. 1, 2)
2. Respondent has been afforded reasonable notice of the charges against him and an opportunity to be heard in this proceeding, in accordance with the Administrative Agency Law, 2 Pa. C.S. §504. (Finding of Fact, No. 7)
3. Respondent is subject to disciplinary action under section 41(4) of the Act, 63 P.S. § 422.41(4), in that disciplinary action was taken against his license to practice medicine by the proper licensing authority of Texas. (Findings of Fact, Nos. 5, 6)
4. The Board is authorized to impose disciplinary or corrective measures or a civil penalty pursuant to section 42(a) of the Act, 63 P.S. § 422.42(a), and is also authorized to impose a civil penalty pursuant to section 908 of the Mcare Act, 40 P.S. § 1303.908 and under section 5(b) of Act 48 of 1993, Act of July 2, 1993, P.L. 345, No. 48, 63 P.S. § 2205(b)(4), which authorizes a civil penalty of up to \$10,000.00 per violation on any licensee who violates any provision of the applicable licensing act or board regulation.

DISCUSSION

The Commonwealth charged in its OSC that Respondent had disciplinary action taken against his license by the proper licensing authority of Texas, thereby subjecting him to disciplinary action in Pennsylvania under section 41(4) of the Act, 63 P.S. § 422.41(4). Section 41(4) provides in relevant part as follows:

§ 422.41. Reasons for refusal, revocation, suspension or other corrective actions against a licensee or certificate holder

The board shall have authority to impose disciplinary or corrective measures on a board-regulated practitioner for any or all of the following reasons:

* * *

- (4) Having a license or other authorization to practice the profession revoked or suspended or having other disciplinary action taken, ... by a proper licensing authority of another state, territory, possession or country, or a branch of the Federal Government.

* * *

The Commonwealth's evidence at the hearing consisted of a certified copy of the Agreed Order issued by the Texas Medical Board on August 26, 2011, pursuant to which the Texas Board ordered that Respondent successfully complete 8 hours of continuing medical education in medical recordkeeping and pay an administrative penalty in the amount of \$3,000.00. Based on the above, the Commonwealth has met its burden of proof¹ that Respondent is subject to disciplinary action under section 41(4) of the Act, 63 P.S. § 422.41(4), in that disciplinary action

¹The degree of proof required to establish a case before an administrative tribunal in an action of this nature is a preponderance of the evidence. *Lansberry v. Pennsylvania Public Utility Commission*, 578 A.2d 600, 602 (Pa. Cmwlth. 1990). A preponderance of the evidence is generally understood to mean that the evidence demonstrates a fact is more likely to be true than not to be true, or if the burden were viewed as a balance scale, the evidence in support of the Commonwealth's case must weigh slightly more than the opposing evidence. *Se-Ling Hosiery, Inc. v. Margulies*, 70 A.2d 854, 856 (Pa. 1949). The Commonwealth therefore has the burden of proving the charges against Respondent with evidence that is substantial and legally credible, not by mere "suspicion" or by only a "scintilla" of evidence. *Lansberry*, 578 A.2d at 602.

was taken against his license to practice medicine by the proper licensing authority of another state. The only question remaining is the sanction to be imposed.

The Board is authorized to impose disciplinary or corrective measures or a civil penalty pursuant to section 42(a) of the Act, 63 P.S. § 422.42(a), which provides as follows:

§ 422.42. Types of corrective action.

- (a) **Authorized actions.** ---When the board is empowered to take disciplinary or corrective action against a board-regulated practitioner under the provisions of this act or pursuant to other statutory authority, the board may:
- (1) Deny the application for a license, certificate or any other privilege granted by the board.
 - (2) Administer a public reprimand with or without probation.
 - (3) Revoke, suspend, limit or otherwise restrict a license or certificate.
 - (4) Require the board-regulated practitioner to submit to the care, counseling or treatment of a physician or a psychologist designated by the board.
 - (5) Require the board-regulated practitioner to take refresher educational courses.
 - (6) Stay enforcement of any suspension, other than that imposed in accordance with section 40, and place a board-regulated practitioner on probation with the right to vacate the probationary order for noncompliance.
 - (7) Impose a monetary penalty in accordance with this act.

A maximum civil penalty of up to one thousand dollars (\$1,000.00) for each and every violation of the Act is authorized under Section 39(b) of the Act, 63 P.S. § 422.39(b). In addition, a maximum civil penalty of up to ten thousand dollars (\$10,000.00) for each violation of the Act is authorized under Section 908 of the Medical Care Availability and Reduction of Error Act

(Mcare Act), Act of March 20, 2002, P.L. 154, 40 P.S. § 1303.908² and under Section 5(b) of Act 48 of 1993, Act of July 2, 1993, P.L. 345, No. 48, 63 P.S. § 2205(b)(4). In determining a sanction, the primary consideration is that the Board is charged with the responsibility and authority to oversee the profession and to regulate and license professionals to protect the public health and safety. *Barran v. State Bd. of Medicine*, 670 A.2d 765, 767 (Pa. Cmwlth. 1996), *appeal denied*, 679 A.2d 230 (Pa. 1996).

Respondent did not appear at the hearing but provided a lengthy answer explaining the circumstances which led to the Texas discipline. (Docket No. 0552-49-12) Respondent also attached to his answer a compact disc which included information relied upon by the Texas Medical Board in making its decision to discipline Respondent and a letter from the Texas Board indicating that Respondent has completed his continuing education and paid the administrative fines. (Docket No. 0552-49-12) The Hearing Examiner cannot consider Respondent's explanation in this regard because, first, the Texas Medical Board Agreed Order speaks for itself and cannot be collaterally attacked in this reciprocal disciplinary action. *See Kahn v. State Bd. of Auctioneer Examiners*, 842 A.2d 936, 943 (Pa. 2004) (holding that "[t]he Board, in a reciprocal disciplinary action, may not consider the merits of the discipline imposed by the foreign jurisdiction, which is the appropriate forum in which to litigate them.") Second, the General

² § 1303.908. Licensure board-imposed civil penalty.

In addition to any other civil remedy or criminal penalty provided for in this act, the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, or the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, the State Board of Medicine and the State Board of Osteopathic Medicine, by a vote of the majority of the maximum number of the authorized membership of each board as provided by law or by a vote of the majority of the duly qualified and confirmed membership or a minimum of five members, whichever is greater, may levy a civil penalty of up to \$10,000 on any current licensee who violates any provision of this act, the Medical Practice Act of 1985 or the Osteopathic Medical Practice Act or on any person who practices medicine or osteopathic medicine without being properly licensed to do so under the Medical Practice Act of 1985 or the Osteopathic Medical Practice Act. The boards shall levy this penalty only after affording the accused party the opportunity for a hearing as provided in 2 Pa.C.S. (relating to administrative law and procedure).

Rules of Administrative Practice and Procedure, at 1 Pa. Code § 35.125(d)(2), provide that “[i]n no event, except in the case of a noncontested proceeding, may the pleadings be considered as evidence of fact other than that of the filing thereof unless offered and received in evidence in [sic] under this part.” Respondent’s Answer and the attached documents were not admitted into evidence. (N.T. 11) Therefore, Respondent’s Answer and the attached documents cannot be considered as evidence.

The Commonwealth also presented a Consent Agreement and Order issued by the Pennsylvania Board on December 14, 2004, imposing a public reprimand against Respondent based on reciprocal discipline (a public reprimand) imposed by the Texas Board in 2003.³ (Exhibit C-4) The Commonwealth, thereafter, recommended that a \$10,000.00 civil penalty be imposed on Respondent given that he had a previous public reprimand imposed by the Board. (N.T. 13-14)

Upon a review of the complete record in this matter, the Hearing Examiner finds that a \$10,000.00 civil penalty is not necessary to protect the public health and safety of the citizens of Pennsylvania. The Texas Board handled Respondent’s recordkeeping violations expeditiously in their duty to protect the health and safety of the patients in Texas. While the Texas Board found fault with Respondent’s recordkeeping, the Hearing Examiner notes that the Texas Board also found, in mitigation, that Respondent began using electronic medical records and “changed his method of recordkeeping and now documents that he has given the patient Texas Association of Obstetrician and Gynecologists (ACOG) approved pamphlets” and that Respondent cooperated with their board’s investigation of that matter. (Exhibit C-1) The Hearing Examiner opines that the civil penalty and continuing education courses ordered by the

³ In 2003, Respondent received a public reprimand from the Texas Medical Board based on peer review action taken against Respondent for failure to completely disclose information submitted on his hospital privilege application. (Exhibit C-4)

Texas Board are sufficient to address Respondent's problems with recordkeeping.

It would, therefore, seem excessive and punitive to impose a \$10,000.00 civil penalty against Respondent for this violation solely because the Board imposed a public reprimand in 2004, without more, especially considering Respondent's improvement in recordkeeping as noted in the Agreed Order and the sanction imposed by the Texas Medical Board for conduct that actually occurred in Texas. For these reasons, the rationale of the Commonwealth as to a sanction is not persuasive.

Accordingly, while recognizing that the Texas Medical Board action constitutes a violation of the reciprocal provisions in the Act and that Respondent was adequately disciplined in that state, a public reprimand will be imposed upon Respondent's Pennsylvania license. A public reprimand will serve to alert the citizens of Pennsylvania that disciplinary action was taken against Respondent's license to practice medicine in Texas.

Accordingly, based upon the above findings of fact, conclusions of law and discussion, the following order shall issue:

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE

Commonwealth of Pennsylvania,
Bureau of Professional and
Occupational Affairs

v.

Michael Angelo Basco, M.D.,
Respondent

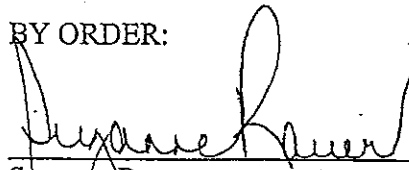
Docket No. 0552-49-12
File No. 11-49-09907

ORDER

NOW, this 24th day of July, 2012, upon consideration of the foregoing findings of fact, conclusions of law and discussion, the license issued to Respondent, Michael Angelo Basco, M.D., license no. MD055836L, is subject to disciplinary action under the Act at 63 P.S. §422.41(4), and it is ORDERED that a PUBLIC REPRIMAND be issued against Respondent's license

This Order shall take effect twenty (20) days from the date of mailing shown below, unless otherwise ordered by the State Board of Medicine.

BY ORDER:


Suzanne Rauer
Hearing Examiner

Respondent: Michael Angelo Basco, M.D.
1215 I Street NE, Apt. 8
Washington, DC 20002

Prosecuting Attorney: David M. Green, Esquire
Commonwealth of Pennsylvania
GOVERNOR'S OFFICE OF GENERAL COUNSEL
Department of State
P.O. Box 2649
Harrisburg, PA 17105-2649

Date of mailing: July 25, 2012

NOTICE

(Medicine)

REHEARING AND/OR RECONSIDERATION BY HEARING EXAMINER

A party may file an application to the hearing examiner for rehearing or reconsideration within 15 days of the mailing date of this adjudication and order. The application must be captioned "*Application for Rehearing*", "*Application for Reconsideration*", or "*Application for Rehearing or Reconsideration*". It must state specifically and concisely, in numbered paragraphs, the grounds relied upon in seeking rehearing or reconsideration, including any alleged error in the adjudication. If the adjudication is sought to be vacated, reversed, or modified by reason of matters that have arisen since the hearing and decision, the matters relied upon by the petitioner must be set forth in the application.

APPEAL TO BOARD

An application to the State Board of Medicine for review of the hearing examiner's adjudication and order must be filed by a party within 20 days of the date of mailing of this adjudication and order. The application must be captioned "*Application for Review*". It must state specifically and concisely, in numbered paragraphs, the grounds relied upon in seeking the Board's review of the hearing examiner's decision, including any alleged error in the adjudication. Within an application for review a party may request that the Board hear additional argument and take additional evidence.

An application to the Board to review the hearing examiner's decision may be filed irrespective of whether an application to the hearing examiner for rehearing or reconsideration is filed.

STAY OF HEARING EXAMINER'S ORDER

Neither the filing of an application for rehearing and/or reconsideration nor the filing of an application for review operates as a stay of the hearing examiner's order. To seek a stay of the hearing examiner's order, the party must file an application for stay directed to the Board.

FILING AND SERVICE

An original and three (3) copies of all applications shall be filed with:

Prothonotary
P.O. Box 2649
Harrisburg, PA 17105-2649

A copy of all applications must also be served on all parties.

Applications must be received for filing by the Prothonotary within the time limits specified. The date of receipt at the office of Prothonotary, and not the date of deposit in the mail, is determinative. The filing of an application for rehearing and/or reconsideration does not extend, or in any other manner affect, the time period in which an application for review may be filed.

NOTICE

The attached Final Order represents the final agency decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a Petition for Review with that Court within 30 days after the entry of the order in accordance with the Pennsylvania Rules of Appellate Procedure. See Chapter 15 of the Pennsylvania Rules of Appellate Procedure entitled "Judicial Review of Governmental Determinations," Pa. R.A.P 1501 – 1561. Please note: An order is entered on the date it is mailed. If you take an appeal to the Commonwealth Court, you must serve the Board with a copy of your Petition for Review. The agency contact for receiving service of such an appeal is:

Board Counsel
P.O. Box 2649
Harrisburg, PA 17105-2649

The name of the individual Board Counsel is identified on the Final Order.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE

PROTHONOTARY

2004 DEC 16 AM 9:05

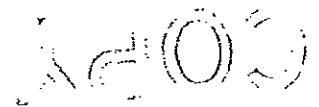
Department of State

Commonwealth of Pennsylvania,
Bureau of Professional and
Occupational Affairs

vs.

Michael A. Basco, M.D.,
Respondent

:
:
:
: Docket No. 0499-49-04
: File No. 03-49-11994
:
:
:



CONSENT AGREEMENT AND ORDER

The Commonwealth and Respondent stipulate as follows in settlement of the above-captioned case.

1. This matter is before the State Board of Medicine pursuant to the Medical Practice Act, Act of December 20, 1985, P.L. 457, No. 112, as amended ("Act"), 63 P.S. §422.1 et seq.
2. At all relevant and material times, Michael A. Basco, M.D. ("Respondent") held a license to practice medicine in the Commonwealth of Pennsylvania, license number MD-055836-L.
3. Respondent admits that the following facts are true:
 - a. Respondent's license expired on December 31, 2002, but may be renewed thereafter upon the filing of the appropriate documentation and payment of the necessary fees.
 - b. Respondent's last known address on file with the Board is 4104 Ambleside Court, Colleyville, Texas 76034.
 - c. Respondent last practiced at Colleyville, Texas.

d. On or about August 15, 2003, the Texas State Board of Medical Examiners issued an Agreed Order in which Respondent was issued a public reprimand.

e. A true and correct copy of the Agreed Order is attached and incorporated as **Exhibit 1**.

4. The actions of Respondent, described above, violated the Act at 63 P.S. §422.41(4) in that Respondent's license to practice medicine was disciplined by the proper licensing authority of another state.

5. The participants consent to issuance of the following Order in settlement of this matter:

a. Respondent violated the Act at 63 P.S. §422.41(4) in that Respondent's license to practice medicine was disciplined by the proper licensing authority of another state.

b. A **PUBLIC REPRIMAND** is placed on Respondent's permanent Board record.

6. Respondent acknowledges receipt of an Order to Show Cause in this matter. Respondent knowingly and voluntarily waives the right to an administrative hearing in this matter, and to the following rights related to that hearing: to be represented by counsel at the hearing; to present witnesses and testimony in defense or in mitigation of any sanction that may be imposed for a violation; to cross-examine witnesses and to challenge evidence presented by the Commonwealth; to present legal arguments by means of a brief; and to take an appeal from any final adverse decision.

7. This Consent Agreement is between the Commonwealth and Respondent only. Except as otherwise noted, this Agreement is to have no legal effect unless and until the Office of

General Counsel approves the contents as to form and legality and the Board issues the stipulated Order.

8. Should the Board not approve this Consent Agreement, presentation to and consideration of this Consent Agreement and other documents and matters by the Board shall not prejudice the Board or any of its members from further participation in the adjudication of this matter. This paragraph is binding on the participants even if the Board does not approve this Consent Agreement.

9. Respondent agrees, as a condition of entering into this Consent Agreement, not to seek modification at a later date of the stipulated Order adopting and implementing this Consent Agreement without first obtaining the express written concurrence of the Prosecution Division.

10. This Agreement contains the whole agreement between the participants. There are no other terms, obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever, concerning this Agreement.

11. Respondent verifies that the facts and statements set forth in this Agreement are true and correct to the best of Respondent's knowledge, information and belief. Respondent understands that statements in this Agreement are made subject to the criminal penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

Elena R. Morgan

Elena R. Morgan
Prosecuting Attorney
Department of State

Michael A. Barco

Michael A. Barco, M.D.
Respondent

DATED: 10/14/04

DATED: 10/12/2004

LICENSE NO. H-5151

IN THE MATTER OF
THE COMPLAINT AGAINST
MICHAEL ANGELO BASCO, M.D.

BEFORE THE
TEXAS STATE BOARD OF
MEDICAL EXAMINERS

AGREED ORDER

On the 15 day of August, 2003, 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 MICHAEL ANGELO BASCO, M.D. ("Respondent").

On March 21, 2003, Respondent appeared in person, with counsel Elizabeth M. Fraley, at an Informal Show Compliance Proceeding and Settlement Conference in response to a letter of invitation from the staff of the Board. Walter G. Mosher represented Board Staff. The Board's Representatives were Ellivira Pacua-Lim, M.D., a member of the Board, and Victor Diaz, M.D., a member of the District Review Committee.

Upon the 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 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 TEX. OCC. CODE ANN. Title 3, Subtitle B (Vernon's 2002) (the "Act") or the Rules of the Board.
2. Respondent currently holds Texas Medical License No.. Respondent was originally issued this license to practice medicine in Texas on February 24, 1989. Respondent is not licensed to practice in any other state.

EXHIBIT

tabbler
1

3. Respondent is primarily engaged in the practice of obstetrics and gynecology. Respondent is certified in this specialty by the American Board of Medical Specialties.

4. Respondent is 42 years of age.

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

6. The Board received information indicating that Respondent may have violated the Act by improperly using cytotec and for being disciplined by peers for such use in addition to submitting a false statement on his hospital privilege application relating to a prior malpractice suit filed against him.

7. On March 21, 2003, Respondent appeared before an Informal Settlement Conference/Show Compliance proceeding. Based on the evidence presented and Respondent's statements, the Panel concluded that while the evidence did not support a finding that Respondent improperly used cytotec, the evidence did support a finding that Respondent violated the Act based on the peer review action taken for failure to completely disclose information submitted on his hospital privilege application.

8. Respondent maintains that he did not report the prior suit based on advice of counsel because they believed it was not reportable since he was a resident at the time.

9. 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. Sections 164.051(a)(1) and 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.
3. Respondent is subject to disciplinary action pursuant to Section 164.051(a)(7) of the Act by being removed, suspended, or subject to disciplinary action taken by Respondent's peers in a local, regional, state or national professional medical association or society; or is disciplined by a licensed hospital or medical staff of a hospital, including removal, suspension, limitation of hospital privileges, or other disciplinary action. Causes for removal, suspension or disciplinary actions include unprofessional conduct or professional incompetence that was likely to harm the public, and the actions were appropriate and reasonably supported by evidence submitted to the Board.
4. 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.
5. Section 164.002(a) of the Act authorizes the Board to resolve and make a disposition of this matter through an Agreed Order.
6. 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 this Agreed Order shall constitute a PUBLIC REPRIMAND of Respondent, and that Respondent is hereby reprimanded.

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, MICHAEL ANGELO BASCO, 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: 8/7, 2003.


MICHAEL ANGELO BASCO, M.D.
RESPONDENT

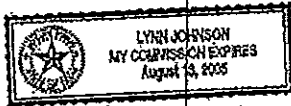
STATE OF Texas

COUNTY OF Tarrant

SWORN TO AND ACKNOWLEDGED BEFORE ME, the undersigned Notary Public, on this 7 day of August, 2003.

Lynn Johnson
Signature of Notary Public

(Notary Seal)



Lynn Johnson
Printed or typed name of Notary Public
My commission expires:
8-13-05

SIGNED AND ENTERED by the presiding officer of the Texas State Board of Medical Examiners on this 15 day of August, 2003.

Lee S. Anderson
Lee S. Anderson, M.D., President
Texas State Board of Medical Examiners

STATE OF TEXAS
COUNTY OF TRAVIS

I, Rita Perkins, certify that I am an official assistant custodian of records for the Texas State Board of Medical Examiners, and that this is a true and correct Copy of the original, as it appears on file in this office

Witness my official hand and seal of the Board, this 4 day of November, 2003

Rita Perkins
Rita Perkins
Public Information

M. Basco MD AO v2.0
8/6/2003

Page 3 of 5 Pages



ORDER

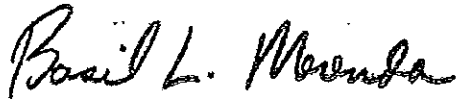
AND NOW, this 14th day of December, 2004 the State Board of Medicine adopts and approves the foregoing Consent Agreement and incorporates the terms of paragraph 6, which shall constitute the Board's Order and is now issued in resolution of this matter.

This Order shall take effect immediately.

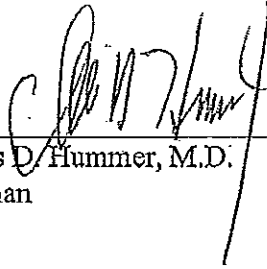
BY ORDER:

**BUREAU OF PROFESSIONAL AND
OCCUPATIONAL AFFAIRS**

STATE BOARD OF MEDICINE



Basil L. Merenda
Commissioner



Charles D. Hummer, M.D.
Chairman

Date of mailing: December 16, 2004

For the Commonwealth:

Elena R. Morgan, Esquire
P. O. Box 2649
Harrisburg, PA 17105-2649

For Respondent:

Adele L. Abrams, Esquire
4740 Corridor Place
Suite D
Beltsville, MD 20705

ERM/pah

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF MEDICINE

030147 0082 3411

MD055838L
Renewal ID : 504894
BASCO

RENEWAL APPLICATION - MD

MICHAEL ANGELO BASCO

RETURN TO:

State Board of Medicine
PO Box 8414
Harrisburg, PA 17105-8414

Important Information

You can now renew your license online by pointing your browser to www.myl.license.state.pa.us and following the instructions as indicated. Your license renewal will be processed faster and quicker than by mail.

- I will not be practicing this profession in Pennsylvania after the expiration date indicated below and request inactive status. No fee is required. Renewal must still be completed - questions answered, signed and dated.
- I am retired from practice but desire to keep my license active to treat immediate family members. I am exempt from the medical professional liability insurance and CME requirements. Renewal must be completed and fee required.

| Name Change | Address Change |
|--|----------------|
| Indicate new name below. Submit a photocopy of a legal document verifying name change. (i.e., marriage certificate, divorce decree or legal document indicating retaking of a maiden name, etc.) | |
| | |

THE FOLLOWING QUESTIONS MUST BE ANSWERED

| YES | NO | If YES to question 2, 3, 4, 5, 6, 7 or 8 - provide details AND attach certified copies of legal document(s). |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. Do you hold a license (active, inactive or expired) to practice in any other state or jurisdiction? List: <u>Texas</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2. Since your initial application or your last renewal, have you had disciplinary action taken against your license in any other state or jurisdiction? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3. Since your initial application or your last renewal, have you withdrawn an application for a license, had an application for a license denied or refused, or agreed not to reapply for a license in any state or jurisdiction? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 4. Since your initial application or your last renewal, have you been convicted, found guilty or pleaded nolo contendere, or received probation without verdict as to any felony or misdemeanor, including any drug law violations, or any criminal charges pending and unresolved in any state or jurisdiction? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5. Since May 10, 2002, have you been arrested for criminal homicide, aggravated assault, sexual offenses or drug offenses in any state, territory or country? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 6. Since your initial application or your last renewal, have you had practice privileges denied, revoked or restricted in a hospital or other health care facility? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 7. Since your initial application or your last renewal, have you had your DEA registration denied, revoked or restricted or have you had your provider privileges terminated by any medical assistance agency for cause? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 8. Since May 10, 2002, have any malpractice complaints been filed against you? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 9. I am in compliance with the professional liability insurance requirements under Section 711 of the Medical Care Availability and Reduction of Error (MCare) Act No. 13 of 2002. |

I verify that this form is in the original format as supplied by the Department of State and has not been altered or otherwise modified in any way. I am aware of the criminal penalties for tampering with public records or information pursuant to 18 PA C.S. 4911 and that any false statement made is subject to the penalties of 18 PA C.S. 4904 relating to unsworn falsification to authorities and may result in my license being disciplined.

Signature of Licensee (Mandatory): Michael Angelo Basco MD

Date: 1/22/2003

| | |
|--|---|
| EXPIRATION DATE: | December 31, 2002 |
| FEE - Payable to "COMMONWEALTH OF PENNSYLVANIA" | \$360.00 |
| Write your license number on your payment. A \$20.00 fee will be assessed for returned payment. | MD055838L |
| LATE FEE - \$5.00 per month, or part of a month. Late renewal fee will be assessed if postmarked after December 31, 2002. | PRACTICING ON AN EXPIRED LICENSE MAY RESULT IN DISCIPLINARY ACTIONS AND ADDITIONAL MONETARY PENALTIES |

030147-0082

HERITAGE WOMEN'S CENTER
MICHAEL A. BASCO M.D. PA FACOG EDWARD D. CLARK M.D.
4100 HERITAGE AVE. SUITE 102
GRAPEVINE, TEXAS 76051
PHONE: (817) 318-0966 FAX (817) 318-0931

January 15, 2003

To Whom It May Concern:

This is a summary of my Peer Review to date at Baylor Hospital at Grapevine. On September 6, 2000 a patient of mine had attempted a vaginal delivery after a prior cesarean delivery. Unfortunately a uterine rupture occurred and the baby died a month later. The morning that the uterine ruptured occurred I asked for the Q.A. department to investigate this patient's care. The findings indicated that the nurse caring for the patient did not inform me of late decelerations until twenty-four minutes after pitocin was started. Additional finding were that the nurse started pitocin without my orders. The Q.A. committee found that I had cared for the patient appropriately.

Unfortunately the hospital administration had a different response to these findings. Baylor Hospital response was to suspend me for 29 days, and recommended the permanent suspension of my privileges. The hospital stated that they had received a report from a prior employee of mine and two nurses in Labor and delivery. The report stated I had administered the drug cytotec to all my obstetrical patients for the past two years. The prior employee, a medical assistant who had worked in my office stated that I had stolen cytotec from Baylor hospital. Then I administered it to my entire obstetrical patient population over thirty-four weeks gestation. This medical assistant was on probation for poor job performance. She self-termination employment with my office without notice and the day she left my office threatening to get revenge. This occurred in April 2000 and a few days later she stated working for Dr. Rost, the department chair of Ob/Gyn for Baylor hospital at Grapevine. There had not been a report from Baylor hospital of medication i.e. cytotec; missing or stolen.

The two nurses' from labor and delivery had the following comments. One nurse who was working the evening shift in June of 1999 states she saw one of my patients and saw a cytotec tablet in that patient's vagina. She cannot recall the patient name. She did not report this to anyone and did not file an incident report. She did not collect the pill and submit it to pathology. The second nurse to comment about cytotec use stated the following. She states in January 2000 she was called in to work an early shift, usual shift at this time was the evening shift. She states she had admitted a patient who had come from my office for induction of labor. She could not recall the patients' name. She states after she had admitted the patient and before she started pitocin for induction, a vagina examine was performed. She states she saw a cytotec tablet in the patient's vagina. She did not report this incident. She did not document this in the chart. She did not submit this foreign body to pathology for analysis. She even started pitocin therapy immediately after removing this "cytotec pill". This nurse states that she knows there is a protocol not

030147-0082

to administrate pitocin until four hours after administration of cytotec. She stated she knows that starting pitocin after cytotec endangers the patient by increasing the rate of abortion, fetal decelerations, and fetal and maternal death. Yet eight months after this event she finally reports this incident and started pitocin on this patient without waiting four hours after removal of this questionable cytotec.

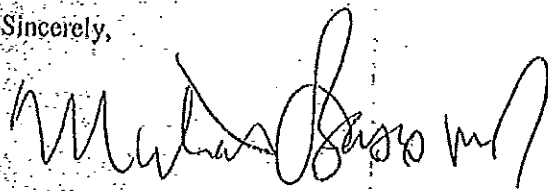
Dr. Cunningham, Chairman of UT Southwestern at Dallas and chief editor of Williams's Obstetrics reviewed statistics of my 270 deliveries over the two-year period that Baylor Hospital states I used cytotec. Dr Cunningham stated there was no data to support that I was using cytotec in my office to induce labor. He also provided information that cytotec after placement in the vagina dissolved within 5 minutes. It is therefore impossible that the two nurses from Labor and Delivery could have ever seen cytotec in my patients.

Baylor hospital also stated I failed to inform them of a lawsuit on my reapplication form. At the time of the reapplication, October 1996 I had just receive notice of a lawsuit. At that time counsel advised me not to report this case at that time. This counsel worked for the same law firm that Baylor Hospital utilized in this peer review proceedings. In January 2000 I was advised by counsel to report this case. I reported and provided information on the case in early February 2000 to Baylor hospital. I hand delivered this information to the medical staff office. The medical staff office told me, when I delivered this information that there would be no problems with this case.

Baylor Hospital's suspension is not based on facts or evidence. Unfortunately Baylor Hospital tactics to suspend me are a direct relationship to the uterine rupture case. Baylor Hospital has in the past suspended an Ob/Gyn physician in a uterine rupture case. Baylor Hospital did this to try to discredit this physician. Baylor hospital had to pay damages to this physician for wrongful termination. Baylor hospital was found to be negligent in the care of this patient.

I self reported this case to the Texas State Board of Medical Examiners. The investigator for the State Board has found no evidence to support Baylor's allegations. TriCare, T.O.P.A., Osteopathic Medical Center of Texas, and the University Of North Texas Health Science have all reviewed this case in detail and have found no evidence to support Baylor Grapevines allegations. I have currently filed a lawsuit against Baylor Hospital at Grapevine and Mr. Stewart the lawyer for Baylor hospital.

Sincerely,



MICHAEL A. BASCO M.D. FACOG

20-14-8615

Provider Name: Michael A. Basco MD

030147-0082

Date: 12/12/2002

Please provide detailed information regarding any and all malpractice suits. Your narrative should include at a minimum:

1) Patient's name: Shannon Stillwell

2) Insurance Carrier of the line of suit: TMLT

3) Description of allegations: examined patient prematurely that resulted in preterm labor and preterm delivery of infant.

4) Dates of treatment and/or surgery and narrative defense of your activity: 7/15/1999

Did not examine patient, patient went into labor prematurely 5 days after her prenatal visit and the patient infant presented breech requiring a C-section for delivery. The infant had fetal hyaline

5) If filed, specify disposition or current status of claim or suit: pending

membrane disease was intubated and soon extubated. The infant has no injuries.

Date and dollar amount of settlement (if applicable): N/A

See attached

Fralley and Fralley
Attorneys

315-1-15-15

030147 0082

THE STATE OF TEXAS
DISTRICT COURT, TARRANT COUNTY

COPY

CITATION

Cause No. 352-195116-02

CHRIS STILLWELL, ET AL

VS. MICHAEL A. BASCO, M.D., ET AL

TO MICHAEL A. BASCO, M.D.
D/B/A HERITAGE WOMEN'S CENTER

4104 AMBLESIDE CT COLLEYVILLE, TX 76034

FILED
SEP 20 2002
CLERK OF DISTRICT COURT
FORT WORTH, TEXAS

You said DEFENDANT are hereby commanded to appear by filing a written answer to the PLAINTIFF'S ORIGINAL PETITION at or before 10 o'clock A.M. of the Monday next after the expiration of 20 days after the date of service hereof before the 352nd District Court, 401 W. Belknap, in and for Tarrant County, Texas, at the Courthouse in the City of Fort Worth, Tarrant County, Texas said PLAINTIFF being CHRIS STILLWELL, SHANNON STILLWELL

Filed in said Court on September 19th, 2002 Against MICHAEL A. BASCO, M.D., DAYLOR MEDICAL CENTER AT GRAPEVINE

For suit, said suit being numbered 352-195116-02 the nature of which demand is as shown on said PLAINTIFF'S ORIGINAL PETITION, a copy of which accompanies this citation

TOM HALL
Attorney for CHRIS STILLWELL. Phone No. (817)831-6100
Address 2605 AIRPORT FWY #100 FT WORTH, TX 76111

Thomas A. Wilder, Clerk of the District Court of Tarrant County, Texas. Given under my hand and the seal of said Court, at office in the City of Fort Worth, this the September 20th, 2002

By Tamara Ustariuk Deputy
TAMARA USTARIUK

NOTICE: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 AM. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

Thomas A. Wilder
Tarrant County District Clerk
401 W. Belknap
Fort Worth, Texas 76196-0402

OFFICER'S RETURN

received this citation on the _____ day of _____ at _____ o'clock _____ M. and executed at _____ within the county of _____ State of _____ at _____ o'clock _____ M on the _____ day of _____ by delivering to the within named (Def.):

defendant(s) a true copy of this Citation together with the accompanying copy of PLAINTIFF'S ORIGINAL PETITION, a copy of which accompanies this citation, having first endorsed on same the date of delivery, by serving _____

Authorized Person/Constable/Sheriff: _____
County of _____ State of _____
By _____ Deputy

Fees \$ _____
(Must be verified if served outside the State of Texas)
State of _____ County of _____
Signed and sworn to by the said _____ before me this _____ day of _____
to certify which witness my hand and seal of office
(Seal)
County of _____ State of _____

SM-14-018

030147-0082

CAUSE NO. 352 195116 02

CHRIS STILLWELL AND SHANNON STILLWELL, INDIVIDUALLY AND AS NEXT FRIENDS FOR DAKOTA STILLWELL, A MINOR

Plaintiffs,

VS.

MICHAEL A. BASCO, M.D, d/b/a HERITAGE WOMEN'S CENTER, AND BAYLOR MEDICAL CENTER AT GRAPEVINE,

Defendants.

IN THE DISTRICT COURT

OF TARRANT COUNTY, TEXAS

_____ JUDICIAL DISTRICT

PLAINTIFFS' ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, CHRIS STILLWELL AND SHANNON STILLWELL, INDIVIDUALLY AND AS NEXT FRIENDS FOR DAKOTA STILLWELL, A MINOR, Plaintiffs in the above-entitled cause, and file this their Original Petition complaining of MICHAEL A. BASCO, M.D, d/b/a HERITAGE WOMEN'S CENTER (hereinafter referred to as Defendant "Dr. BASCO d/b/a HWC") and BAYLOR MEDICAL CENTER AT GRAPEVINE, (hereinafter referred to as Defendant "BAYLOR"), and for cause of action would respectfully show the Court as follows:

I.

DISCOVERY PLAN

1.01 Discovery is intended to be conducted under a Level 2 (two) control plan pursuant to TEX. R. CIV. PROC. § 190.

RECEIVED
TARRANT COUNTY
DISTRICT COURT
MAY 19 10 30 AM '03
MICHAEL A. WILSON
DISTRICT CLERK

II.

PARTIES

2.01 Plaintiffs are individuals residing in Tarrant County, Texas.

2.02 Defendant MICHAEL A. BASCO, M.D. d/b/a HERITAGE WOMEN'S CENTER is an individual residing in Tarrant County, Texas. Defendant may be served at his place of residence at 4104 Ambleside Court, Colleyville, Tarrant County, Texas 76034.

2.03 Defendant BAYLOR MEDICAL CENTER AT GRAPEVINE is a Texas non-profit corporation, whose principal place of business is in Tarrant County, Texas. Defendant may be served with process herein by serving its registered agent, John T. Thomas, at 3500 Gaston Avenue, Suite 150, Dallas, Dallas County, Texas 75246.

III.

ASSUMED NAMES

3.01 Pursuant to Rule 28 of the Texas Rules of Civil Procedure, Plaintiffs hereby bring suit against all partnerships, unincorporated associations, individuals, entities, professional associations and private corporations doing business under the name of or including the words: MICHAEL A. BASCO, M.D. d/b/a HERITAGE WOMEN'S CENTER, and BAYLOR MEDICAL CENTER AT GRAPEVINE.

IV.

JURISDICTION

4.01 The Court has jurisdiction over Defendant MICHAEL A. BASCO, M.D. d/b/a HERITAGE WOMEN'S CENTER. ("Defendant Dr. BASCO d/b/a HWC" herein) because Defendant Dr. BASCO is a Texas resident.

4.02 The Court has specific personal jurisdiction over Defendant BAYLOR MEDICAL CENTER AT GRAPPEVINE ("Defendant BAYLOR" herein) because Defendant BAYLOR is a Texas non-profit Corporation; further, Defendant BAYLOR is a non-profit Texas Corporation and conducts business within the State of Texas and is the subject of the incident made the basis for this suit.

4.03 The Court has jurisdiction over the controversy because the damages are within the jurisdictional limits of the Court, exclusive of costs and interest.

V.

VENUE

5.01 Venue is proper in Tarrant County, Texas. Specifically, venue is allowed in this county pursuant to TEX. CIV. PRAC. & REM. CODE ANN. §15.002(a)(1) because all or a substantial part of the events or omissions occurred in this county.

5.02 This suit involves multiple Defendants. Venue is proper against Defendants Dr. BASCO and BAYLOR under TEX. CIV. PRAC. & REM. CODE ANN. §15.002; further because all of Plaintiffs' claims against Defendants arise out of the same transaction, occurrence, or series of transactions or occurrences.

VI.

NOTICE REQUIREMENT

6.01 Plaintiffs did not give Defendants Dr. BASCO d/b/a HWC and BAYLOR written notice of Plaintiffs' claim as required by Article 4590j, Section 4.01(a) of the Texas Medical Liability and Insurance Improvement Act (TMLIIA) so that Plaintiffs could file their claim against Defendants in a timely manner. Plaintiffs are prepared to abate this action if Defendants so desire.

VII.

FACTS

7.01 On or about July 15, 1999, Shannon Stillwell ("Mrs. Stillwell" herein) was treated by Michael A. Basco, M.D. ("Dr. Basco" herein) in connection with her prenatal care. After Dr. Basco examined Mrs. Stillwell, he indicated to her that he would see her in a couple of hours. Mrs. Stillwell was unaware of what he was referring to and returned to work as part of her normal routine. A couple of hours later, Mrs. Stillwell was in full labor and immediately went to Baylor Medical Center at Grapevine where her son, Dakota Stillwell, was born. Dakota Stillwell was born prematurely which resulted in severe injuries to the Plaintiffs as more specifically set forth below.

7.02 DR. BASCO d/b/a HWC and BAYLOR, and/or their agents, employees, representatives, and/or servants of these Defendants assisted in the medical treatment provided to Plaintiffs.

7.03 Plaintiffs have only very recently been informed about why Shannon Stillwell was made to go into premature labor by Defendant BASCO d/b/a HWC. These facts were hidden and fraudulently concealed from Plaintiffs and they had no way of knowing about the wrongdoing by Defendant BASCO d/b/a HWC.

VIII.

RESPONDEAT SUPERIOR/VICARIOUS LIABILITY

8.01 At the time of the incident made the basis of this lawsuit, Defendant BAYLOR employed agents, employees, servants, and/or representatives who were working in the course and scope of their employment with Defendant, and were operating at Defendant's direction and/or in furtherance of their interests or business. Therefore, the acts of Defendant's agents, employees,

servants, and/or representatives may be imputed to Defendant, thereby holding Defendant vicariously liable for Plaintiffs' damages pursuant to the doctrine of respondeat superior.

IX.

PHYSICIAN - PATIENT
AND
HOSPITAL - PATIENT RELATIONSHIP

9.01 On the date of the incident in question, Plaintiffs SHANNON STILLWELL AND DAKOTA STILLWELL had a physician - patient relationship with Defendant DR. BASCO d/b/a HWC.

9.02 On the date of the incident in question, SHANNON STILLWELL and DAKOTA STILLWELL were patients of Defendant BAYLOR receiving medical and/or health care and treatment from such entities by and through its owners, directors, officers, medical staff, employees, servants and/or agents, acting in the course and scope of their ownership, employment or authority of their agency or medical staff membership with Defendant BAYLOR.

X.

NEGLIGENCE OF DEFENDANT MICHAEL A. BASCO, M.D.
d/b/a HERITAGE WOMEN'S CENTER

10.01 On the date of the incident in question, Defendant DR. BASCO d/b/a HWC was and is a physician licensed by the State of Texas to practice medicine. He was providing medical services in Tarrant County, Texas. He held himself out and represented to Plaintiffs, and to the public in general, that he was a competent and qualified physician. During all material times herein, Defendant DR. BASCO d/b/a HWC was an employee, servant, and/or agent of Defendant BAYLOR acting in the course and scope of his employment with Defendant BAYLOR.

NO. 747019

030147 0082

10.02 On the date of the incident made the basis of this suit, Defendant DR. BASCO d/b/a HWC committed one or more of the following acts or omissions of negligence and/or malpractice, each of which amounted to failing to do that which a physician of reasonable care and prudence would have done under the same or similar circumstances, proximately causing the occurrence or injuries in question:

- (a) In failing to provide reasonable and prudent health care to Plaintiffs;
- (b) In failing to recognize the duty owed to Plaintiffs;
- (c) In failing to reveal his intentions with regard to the health care provided to Plaintiffs;
- (d) In failing to obtain consent to administer medication to Plaintiff SHANNON STILLWELL;
- (e) In conspiring to conceal information from the Plaintiffs; and;
- (f) In failing to timely and/or properly and/or adequately care for and treat Plaintiffs.

10.03 Plaintiffs assert that their injuries and damages are a direct and proximate result of the substandard medical care rendered to SHANNON STILLWELL and DAKOTA STILLWELL by Defendant DR. BASCO d/b/a HWC. Plaintiffs' further assert that this breach of the professional standard of care proximately caused Plaintiffs' injuries and damages as set forth below.

XI.

NEGLIGENCE OF DEFENDANT BAYLOR MEDICAL CENTER AT GRAPEVINE

11.01 On the date of incident in question, Defendant BAYLOR was and is a health care corporation whose primary business is the ownership, management and/or operation of a hospital and other health care corporations and/or entities.

11.02 On the date of the incident in question, Defendant BAYLOR was organized with a governing body, medical and administrative staff, and utilized employees, agents and servants in the furtherance of its hospital business. Defendant BAYLOR provided health care and treatment to and for SHANNON STILLWELL and DAKOTA STILLWELL, by and through the board of

directors, officers, employees, servants and/or agents acting, including but not limited to Defendant BAYLOR'S Medical Staff and administrative officers, employees, servant or agents, in the course and scope of their employment or agency with Defendant BAYLOR. During all material times herein, Defendant BAYLOR held itself out and represented to the public and patients of Defendant BAYLOR, including the Plaintiffs, that it had qualified and competent physicians practicing on its Medical Staff.

11.03 On the date of the incident in question, Defendant BAYLOR was and is a business entity duly organized to provide medical, health care and treatment by and through their boards of directors, officers, employees, servants and agents. Defendant BAYLOR and/or its agents, servants, employees or independent contractors provided medical and/or health care services to SHANNON STILLWELL and DAKOTA STILLWELL, by and through its directors, officers, employees, servants and/or agents acting in the course and scope of their employment or agency with Defendant BAYLOR.

11.04 On the date of the incident in question, Defendant BAYLOR committed one or more of the following acts or omissions of malpractice or negligence, each of which amounted to failing to do that which a hospital or clinic of reasonable care and prudence would have done under the same or similar circumstances; proximately causing the occurrences or injuries or death in question:

- (a) In that the directors or officers or employees or agents or servants and/or medical staff of Defendant BAYLOR, by and through its directors or officers or employees or agents or servants and/or medical staff, were negligent as follows:
 - (1) In failing to supervise personnel responsible for Plaintiffs;
 - (2) In failing to properly or adequately train staff and/or personnel;
 - (3) In failing to timely or properly or adequately care for and treat Plaintiffs;

- (4) In failing to timely or properly or adequately provide competent physicians capable of providing proper care and treatment for Plaintiffs; and,
- (5) In conspiring to conceal information from the Plaintiffs.

(b) In that Defendant BAYLOR'S employees, agents, or servants, or apparent, ostensible employees or agents or servants of Defendant BAYLOR, were negligent in their care and treatment of Plaintiffs as set forth herein.

11.05 Plaintiffs would further show that Defendant BAYLOR and others individually and/or by and through their agents, servants or employees, negligently failed to supervise and/or govern the quality of medical and other health care provided by one or more physicians and/or health care providers or health care professionals on the medical staff of Defendant BAYLOR, which proximately caused the occurrence in question and the injuries and damages sustained by Plaintiffs, as described herein.

11.06 Defendant BAYLOR, acting by and through its agents, employees, and representatives, acting within the due course and scope of their employment and authority, were negligent in the care and treatment rendered to Plaintiffs which proximately caused their injuries and damages. In particular, the negligence of Defendant BAYLOR'S agents, employees, servants, and/or representatives is hereby incorporated herein as the negligence of Defendant BAYLOR, under the doctrines of respondeat superior, vicarious liability, agency and ostensible agency.

XII.

INTENTIONAL ACTS BY DEFENDANT MICHAEL A. BASCO, M.D. d/b/a HERITAGE WOMEN'S CENTER

12.01 On the date of the incident in question, Defendant DR. BASCO d/b/a HWC performed acts on Plaintiff SHANNON STILLWELL without obtaining her consent.

12.02 On the date of the incident in question, Defendant DR. BASCO d/b/a HWC intentionally, knowingly or recklessly made contact with SHANNON STILLWELL'S person.

NO. 14-01

030147-0082

either directly or through an instrumentality, which contact directly caused bodily injury to SHANNON STILLWELL and/or DAKOTA STILLWELL. The Plaintiffs allege that the Defendant DR. BASCO d/b/a HWC committed an act of battery against them.

XIII.

FRAUDULENT CONCEALMENT BY DEFENDANT
MICHAEL A. BASCO, M.D. d/b/a HERITAGE WOMEN'S CENTER

13.01 On the date of the incident in question, Defendant DR. BASCO d/b/a HWC intentionally, knowingly, and recklessly concealed the fact that he performed an unauthorized act on Plaintiff SHANNON STILLWELL, without her consent, thereby causing Plaintiffs' injuries and damages as set forth herein.

XIV.

CONSPIRACY OF DEFENDANTS MICHAEL A. BASCO, M.D. d/b/a HERITAGE
WOMEN'S CENTER AND BAYLOR MEDICAL CENTER AT GRAPEVINE

14.01 Defendants DR. BASCO d/b/a HWC and BAYLOR conspired to conceal information from the Plaintiffs regarding the incident made the basis of this lawsuit. Plaintiffs allege that the conspiracy is ongoing not only as to Plaintiffs but to other similarly mistreated pregnant women.

XV.

DAMAGES OF PLAINTIFF DAKOTA STILLWELL

15.01 Plaintiffs would further show that as a direct and proximate result of the negligent acts and/or omissions of the Defendants as described hereinabove, Plaintiff DAKOTA STILLWELL has suffered the following damages and personal injuries for which he seeks compensation from Defendants:

- (a) past and future mental anguish;
- (b) future loss of earning capacity;
- (c) past and future impairment and disability;
- (d) future home health care expenses;
- (e) past and future physical pain and suffering; and
- (f) past and future reasonable and necessary physician, hospital and medical health care and treatment and reasonable expense thereof.

XVI.

DAMAGES OF PLAINTIFFS CHRIS STILLWELL AND SHANNON STILLWELL

16.01 Plaintiffs would further show that as a direct and proximate result of the negligent acts and/or omissions of the Defendants as described hereinabove, Plaintiff SHANNON STILLWELL has suffered the following damages and personal injuries for which she seeks compensation from Defendants:

- (a) past and future mental anguish;
- (b) past and future loss of wages;
- (c) past and future physical pain and suffering;
- (d) past and future reasonable and necessary physician, hospital and medical health care and treatment and reasonable expense thereof; and,
- (e) past and future loss of consortium.

XVII.

INTEREST

17.01 Plaintiffs are also entitled to an award of pre-judgment interest as a matter of law compounded annually (based on a 365-day year) on their damages as described hereinabove. Pre-judgment interest accrues from the date of 180 days after Defendants receive written notice of this claim or on the date suit was filed, whichever is earlier, and ending on the date preceding the date judgment is rendered. The award of pre-judgment interest is calculated at a rate in accordance with TEX. FIN. CODE ANN §§ 304.001-304.108 (Vernon's 1999), or upon such other terms and conditions and rates as allowed by law, including equitable interest.

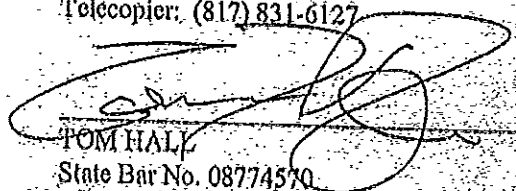
17.02 Plaintiffs further request the Court take judicial notice of the rate of interest published by the Texas Consumer Credit Commission in the Texas Register on the date of judgment in this cause for purposes of calculating the rate of post-judgment interest to be awarded to Plaintiffs in this cause, or such other periods of time, and such other rate or rates of interest allowed by law for determination of post-judgment interest.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray that Defendants be cited to appear and answer herein, that Plaintiffs obtain a judgment against Defendants for a sum in excess of the minimum jurisdictional limits of this Court, pre-judgment and post-judgment interest on the total amount of judgment at the highest legal rate allowed by law per annum from the date of judgment until paid, costs of suit, and for such other and further relief, general and special, at law and in equity, to which Plaintiffs may show themselves to be justly entitled.

Respectfully submitted,

HALL & FREDEN, L.L.P.

2605 Airport Freeway, #100
Fort Worth, Texas 76111
Telephone: (817) 831-6100
Telecopier: (817) 831-6127


TOM HALL
State Bar No. 08774570

MIKE FREDEN
State Bar No. 07412050

ATTORNEYS FOR PLAINTIFFS

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND
OCCUPATIONAL AFFAIRS

Official Use Only 049436
M D - 0 5 5 8 3 6 - L
B A S C O R N E W

THIS IS YOUR RENEWAL NOTICE

STATE BOARD OF MEDICINE
P. O. BOX 8414
HARRISBURG, PA. 17105-8414

MICHAEL ANGELO BASCO
[REDACTED]

YOUR CURRENT LICENSE TO PRACTICE MEDICINE AND SURGERY IN PENNSYLVANIA WILL EXPIRE ON DECEMBER 31, 1996. TO RENEW THROUGH DECEMBER 31, 1996 PLEASE COMPLETE THE QUESTIONS BELOW AND SUBMIT A CHECK OR MONEY ORDER IN THE AMOUNT OF \$80.00 MADE PAYABLE TO THE "COMMONWEALTH OF PA." RECORD YOUR LICENSE NUMBER ON THE FRONT OF YOUR PAYMENT. A LATE PENALTY FEE OF \$5.00 PER MONTH WILL BE CHARGED FOR RENEWALS POSTMARKED AFTER DECEMBER 31, 1996. A PROCESSING FEE OF \$20.00 WILL BE CHARGED FOR ANY CHECK OR MONEY ORDER RETURNED UNPAID BY YOUR BANK, REGARDLESS OF THE REASON. IF YOU HAVE A CHANGE IN NAME AND/OR ADDRESS, INDICATE THE CHANGE NEXT TO THE PRE-PRINTED NAME AND ADDRESS ABOVE AND ATTACH A COPY OF LEGAL DOCUMENTATION OF THE NAME CHANGE.

NOTICE: IF YOU PRACTICE IN PENNSYLVANIA, YOU MUST MAINTAIN THE REQUIRED AMOUNT OF PROFESSIONAL LIABILITY INSURANCE AND PAY THE REQUIRED FEE AND CAT FUND SURCHARGE. FAILURE TO DO SO WILL RESULT IN SUSPENSION OR REVOCATION OF YOUR LICENSE.

ANY DISCIPLINARY ACTION TAKEN IN ANOTHER STATE, TERRITORY OR COUNTRY SHALL BE REPORTED TO THE BOARD ON THE BIENNIAL RENEWAL NOTICE OR WITHIN 30 DAYS OF FINAL DISPOSITION, WHICHEVER IS SOONER.

THE FOLLOWING QUESTIONS MUST BE ANSWERED. IF YOU ANSWER "YES" TO QUESTIONS 2, 3, 4, OR 5 BELOW, PLEASE PROVIDE COMPLETE DETAILS ON 8 1/2 X 11 SHEETS OF PAPER AND INCLUDE COPIES OF LEGAL DOCUMENTS, IF ANY.

YES NO

- () 1. DO YOU HOLD A LICENSE TO PRACTICE MEDICINE AND SURGERY IN ANY OTHER JURISDICTION? IF YES, LIST EACH ONE ON THE BACK
- () 2. SINCE YOUR LAST RENEWAL, HAS ANY DISCIPLINARY ACTION BEEN TAKEN AGAINST YOUR LICENSE IN ANOTHER STATE, TERRITORY OR COUNTRY?
- () 3. SINCE YOUR LAST RENEWAL, HAVE YOU BEEN CONVICTED, FOUND GUILTY OR NOLO CONTENDERE, OR RECEIVED PROBATION WITHOUT VERDICT AS TO ANY FELONY OR MISDEMEANOR, INCLUDING ANY DRUG LAW VIOLATION, IN ANY STATE OR FEDERAL COURT?
- () 4. SINCE YOUR LAST RENEWAL, HAVE YOU HAD PRACTICE PRIVILEGES DENIED, REVOKED OR RESTRICTED IN A HOSPITAL OR OTHER HEALTH CARE FACILITY?
- () 5. SINCE YOUR LAST RENEWAL, HAVE YOU HAD YOUR DEA REGISTRATION DENIED, REVOKED OR RESTRICTED OR HAVE YOU HAD YOUR PROVIDER PRIVILEGES TERMINATED BY ANY MEDICAL ASSISTANCE AGENCY FOR CAUSE?

IF YOU WANT YOUR LICENSE PLACED ON "INACTIVE" STATUS PLACE AN "X" IN THE BLANK TO THE RIGHT.

NO FEE IS REQUIRED: YOU ARE STILL REQUIRED TO ANSWER THE QUESTIONS ABOVE.

NAME AND DATE BELOW AND PROVIDE THE REQUESTED INFORMATION

SOCIAL SECURITY NUMBER: [REDACTED]

DATE OF BIRTH: [REDACTED]

NAME OF MEDICAL SCHOOL: Univ. of Calif., San Diego

YEAR OF GRADUATION: 1987

I CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND CORRECT UNDER 18 PA. C.S. SECTION 4904 RELATING TO UNSWORN FALSIFICATION TO AUTHORITIES.

SIGNATURE: Michael Basco MD

DATE: 10/04/96

00002254

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND
OCCUPATIONAL AFFAIRS

Official Use Only 046080

M D - 0 5 5 8 3 6 L

B A S C O R N E W

THIS IS YOUR RENEWAL NOTICE - REQUIRED FEE - \$125.00

STATE BOARD OF MEDICINE
P.O. BOX 8414
HARRISBURG, PA, 17105-8414

MICHAEL ANGELO BASCO
[REDACTED]

YOUR CURRENT LICENSE TO PRACTICE MEDICINE AND SURGERY IN PENNSYLVANIA WILL EXPIRE ON DECEMBER 31, 1998. TO RENEW YOUR LICENSE THROUGH DECEMBER 31, 2000, COMPLETE THE QUESTIONS BELOW AND RETURN WITH A CHECK OR MONEY ORDER IN THE AMOUNT OF \$125.00 MADE PAYABLE TO THE COMMONWEALTH OF PA. WRITE YOUR LICENSE NUMBER ON THE FRONT OF THE PAYMENT. A LATE FEE OF \$5.00 PER MONTH WILL BE CHARGED FOR RENEWALS POSTMARKED AFTER DECEMBER 31, 1998. A PROCESSING FEE OF \$20.00 WILL BE CHARGED FOR ANY CHECK OR MONEY ORDER UNPAID BY YOUR BANK, REGARDLESS OF THE REASON. IF YOU HAVE A CHANGE IN NAME AND/OR ADDRESS, INDICATE THE CHANGE NEXT TO THE PRE-PRINTED NAME AND ADDRESS ABOVE. A NAME CHANGE REQUIRES SUBMISSION OF A COPY OF A COURT ORDER, MARRIAGE CERTIFICATE, DIVORCE DECREE OR OTHER OFFICIAL DOCUMENT.

NOTICE: IF YOU PRACTICE IN PENNSYLVANIA, YOU MUST MAINTAIN THE REQUIRED AMOUNT OF PROFESSIONAL LIABILITY INSURANCE AND PAY THE REQUIRED FEE AND CAT FUND SURCHARGE. FAILURE TO DO SO WILL RESULT IN SUSPENSION OR REVOCATION OF YOUR LICENSE.

ANY DISCIPLINARY ACTION TAKEN IN ANOTHER STATE, TERRITORY OR COUNTRY SHALL BE REPORTED TO THE BOARD ON THE BIENNIAL RENEWAL NOTICE OR WITHIN 30 DAYS OF FINAL DISPOSITION, WHICHEVER IS SOONER.

THE FOLLOWING QUESTIONS MUST BE ANSWERED. IF YOU ANSWER "YES" TO QUESTIONS 2, 3, 4, OR 5 BELOW, YOU MUST PROVIDE COMPLETE DETAILS ON 8 1/2 X 11 SHEETS OF PAPER AND INCLUDE COPIES OF LEGAL DOCUMENTS. IF ANY, FAILURE TO PROVIDE DOCUMENTS WILL DELAY THE PROCESS.

YES NO

- () 1. DO YOU HOLD A LICENSE TO PRACTICE MEDICINE AND SURGERY IN ANY OTHER JURISDICTION? IF YES, LIST EACH ONE BELOW.
Texas 115151
- () 2. SINCE YOUR LAST RENEWAL, HAS ANOTHER STATE, TERRITORY OR COUNTRY TAKEN ANY DISCIPLINARY ACTION (INCLUDES VOLUNTARY SURRENDER OF A LICENSE) AGAINST YOU OR FILED CHARGES AGAINST YOU THAT HAVE NOT BEEN RESOLVED IN YOUR FAVOR?
- () 3. SINCE YOUR LAST RENEWAL, HAVE YOU BEEN CONVICTED, FOUND GUILTY, PLEADED NOLO CONTENDERE, RECEIVED PROBATION WITHOUT VERDICT, OR RECEIVED ANY OTHER DISPOSITION (EXCLUDING ACQUITTAL OR DISMISSAL), WITH RESPECT TO ANY CRIMINAL OFFENSE, INCLUDING ANY DRUG LAW VIOLATIONS, OR DO YOU HAVE ANY CRIMINAL CHARGES PENDING AND UNRESOLVED IN ANY STATE OR FEDERAL COURT? (A SUMMARY TRAFFIC VIOLATION SHOULD NOT BE CONSIDERED AS A CRIMINAL OFFENSE.)
- () 4. SINCE YOUR LAST RENEWAL, FOR DISCIPLINARY REASONS HAVE YOU WITHDRAWN AN APPLICATION FOR A LICENSE, HAD AN APPLICATION FOR A LICENSE DENIED OR REFUSED, OR AGREED NOT TO REAPPLY FOR A LICENSE IN ANOTHER STATE, TERRITORY OR COUNTRY? A LICENSE INCLUDES A REGISTRATION OR CERTIFICATION.
- () 5. SINCE YOUR LAST RENEWAL, HAVE YOU HAD PRACTICE PRIVILEGES DENIED, REVOKED, SUSPENDED, RESTRICTED, SURRENDERED IN LIEU OF DISCIPLINE OR EMPLOYMENT TERMINATED IN A HOSPITAL OR ANY HEALTH CARE FACILITY?
- () 6. SINCE YOUR LAST RENEWAL, HAVE YOU HAD YOUR DEA REGISTRATION DENIED, REVOKED OR RESTRICTED OR HAVE YOU HAD YOUR PROVIDER PRIVILEGES TERMINATED BY ANY MEDICAL ASSISTANCE AGENCY FOR CAUSE?

IF YOU WANT YOUR LICENSE PLACED ON "INACTIVE" STATUS PLACE AN "X" IN THE BLANK TO THE RIGHT.
NO FEE IS REQUIRED. YOU ARE STILL REQUIRED TO ANSWER THE QUESTION, SIGN AND DATE BELOW.

MY REPRESENTATIONS AND RESPONSES IN THIS DOCUMENT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND THAT THEY ARE SUBJECT TO THE PENALTIES OF 18 PA. C.S. 4904, RELATING TO UNLAWFUL FALSIFICATION TO AUTHORITIES.

SIGNATURE

Michael Basco MD

DATE

10/17/98

00000430

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND
OCCUPATIONAL AFFAIRS

Official Use Only

05-103

M D - 0 5 5 8 3 6 - D
B A S C O R N E W

THIS IS YOUR RENEWAL NOTICE - REQUIRED FEE - \$125.00

STATE BOARD OF MEDICINE
P.O. BOX 8414
HARRISBURG, PA. 17105-8414

MICHAEL ANGELO BASCO

YOUR CURRENT LICENSE TO PRACTICE MEDICINE AND SURGERY IN PENNSYLVANIA WILL EXPIRE ON DECEMBER 31, 2000. TO RENEW YOUR LICENSE THROUGH DECEMBER 31, 2002, COMPLETE THE QUESTIONS BELOW AND RETURN WITH A CHECK OR MONEY ORDER IN THE AMOUNT OF \$125.00 MADE PAYABLE TO THE COMMONWEALTH OF PA. WRITE YOUR LICENSE NUMBER ON THE FRONT OF THE PAYMENT. A LATE FEE OF \$5.00 PER MONTH WILL BE CHARGED FOR RENEWALS POSTMARKED AFTER DECEMBER 31, 2000. A PROCESSING FEE OF \$20.00 WILL BE CHARGED FOR ANY CHECK OR MONEY ORDER UNPAID BY YOUR BANK REGARDLESS OF THE REASON. IF YOU HAVE A CHANGE IN NAME AND/OR ADDRESS, INDICATE THE CHANGE NEXT TO THE PRE-PRINTED NAME AND ADDRESS ABOVE. A NAME CHANGE REQUIRES SUBMISSION OF A COPY OF A COURT ORDER, MARRIAGE CERTIFICATE, DIVORCE DECREE OR OTHER OFFICIAL DOCUMENT.

NOTICE: IF YOU PRACTICE IN PENNSYLVANIA, YOU MUST MAINTAIN THE REQUIRED AMOUNT OF PROFESSIONAL LIABILITY INSURANCE AND PAY THE REQUIRED FEE AND CAT FUND SURCHARGE. FAILURE TO DO SO WILL RESULT IN SUSPENSION OR REVOCATION OF YOUR LICENSE.

ANY DISCIPLINARY ACTION TAKEN IN ANOTHER STATE, TERRITORY OR COUNTRY SHALL BE REPORTED TO THE BOARD ON THE BIENNIAL RENEWAL NOTICE OR WITHIN 30 DAYS OF FINAL DISPOSITION, WHICHEVER IS SOONER.

THE FOLLOWING QUESTIONS MUST BE ANSWERED. IF YOU ANSWER "YES" TO QUESTIONS 2, 3, 4, OR 5 BELOW, YOU MUST PROVIDE COMPLETE DETAILS ON 8 1/2 X 11 SHEETS OF PAPER AND INCLUDE COPIES OF LEGAL DOCUMENTS, IF ANY. FAILURE TO PROVIDE DOCUMENTS WILL DELAY THE PROCESS.

YES NO

- () 1. DO YOU HOLD A LICENSE TO PRACTICE MEDICINE AND SURGERY (ACTIVE OR INACTIVE, CURRENT OR EXPIRED) IN ANY OTHER JURISDICTION? IF YES, LIST EACH ONE: Texas H5151
- () 2. SINCE YOUR LAST RENEWAL, HAS ANOTHER STATE, TERRITORY OR COUNTRY TAKEN ANY DISCIPLINARY ACTION (INCLUDES VOLUNTARY SURRENDER OF A LICENSE) AGAINST YOU OR FILED CHARGES AGAINST YOU THAT HAVE NOT BEEN RESOLVED IN YOUR FAVOR?
- () 3. SINCE YOUR LAST RENEWAL, HAVE YOU BEEN CONVICTED, FOUND GUILTY, PLEADED NOLO CONTENDERE, RECEIVED PROBATION WITHOUT VERDICT, OR RECEIVED ANY OTHER DISPOSITION (EXCLUDING ACQUITTAL OR DISMISSAL), WITH RESPECT TO ANY CRIMINAL OFFENSE, INCLUDING ANY DRUG LAW VIOLATIONS, OR DO YOU HAVE ANY CRIMINAL CHARGES PENDING AND UNRESOLVED IN ANY STATE OR FEDERAL COURT? (A SUMMARY TRAFFIC VIOLATION SHOULD NOT BE CONSIDERED AS A CRIMINAL OFFENSE.)
- () 4. SINCE YOUR LAST RENEWAL, FOR DISCIPLINARY REASONS HAVE YOU WITHDRAWN AN APPLICATION FOR A LICENSE, HAD AN APPLICATION FOR A LICENSE DENIED OR REFUSED, OR AGREED NOT TO REAPPLY FOR A LICENSE IN ANOTHER STATE, TERRITORY OR COUNTRY? (A LICENSE INCLUDES A REGISTRATION OR CERTIFICATION.)
- () 5. SINCE YOUR LAST RENEWAL, HAVE YOU HAD PRACTICE PRIVILEGES DENIED, REVOKED, SUSPENDED, RESTRICTED, SURRENDERED IN LIEU OF DISCIPLINE OR EMPLOYMENT TERMINATED IN A HOSPITAL OR ANY HEALTH CARE FACILITY?
- () 6. SINCE YOUR LAST RENEWAL, HAVE YOU HAD YOUR DEA REGISTRATION DENIED, REVOKED OR RESTRICTED OR HAVE YOU HAD YOUR PROVIDER PRIVILEGES TERMINATED BY ANY MEDICAL ASSISTANCE AGENCY FOR CAUSE?

IF YOU WANT YOUR LICENSE PLACED ON "INACTIVE" STATUS PLACE AN "X" IN THE BLANK TO THE RIGHT.
NO FEE IS REQUIRED. YOU ARE STILL REQUIRED TO ANSWER THE QUESTION, SIGN AND DATE BELOW.

MY REPRESENTATIONS AND RESPONSES IN THIS DOCUMENT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND THAT THEY ARE SUBJECT TO THE PENALTIES OF 18 PA. C.S. 1901, RELATING TO UNSWORN FALSIFICATION TO AUTHORITIES.

SIGNATURE

Michael Angelo Basco MD

DATE

9/15/2000

00000048



Regular Mailing Address
STATE BOARD OF MEDICINE
P.O. BOX 2649
HARRISBURG, PA 17105-2649
717-783-1400
717-787-2381

Courier Delivery Address
STATE BOARD OF MEDICINE
124 PINE STREET
HARRISBURG, PA 17101

950140 0295

OFFICIAL USE ONLY

| | | | | | | | | | |
|-------|---|---|---|---|---|---|---|---|---|
| M | D | 0 | 5 | 5 | 8 | 3 | 6 | L | |
| BASCO | | | | | | A | P | P | L |

APPLICATION FOR A LICENSE TO PRACTICE
MEDICINE WITHOUT RESTRICTION
For Graduates of ACCREDITED Medical Schools

Official Use Only
Amount 25.00
Date 4-13-95

Application Fee: \$20.00 *not refundable*

NO 70

Note: A processing fee of \$20.00 will be charged for any check or money order returned unpaid by your bank, regardless of the reason for non-payment

Please print or type.

NAME: BASCO MICHAEL ANGGLO
Last First Middle

Permanent Address: [REDACTED]
Street
[REDACTED]
City State Zip Code

Date of Birth: [REDACTED] Social Security Number: [REDACTED]

If your medical/licensure records are listed under another name or names list below:

| | |
|-----------------------------------|---|
| LIST MEDICAL SCHOOL(S) ATTENDED: | DATES OF ATTENDANCE |
| <u>Univ. of Calif - San Diego</u> | From: <u>9/83</u> to <u>6/87</u> Mo. & Yr. Mo. & Yr. |
| | From: _____ to _____ Mo. & Yr. Mo. & Yr. |

Date of Graduation: 6/7/87

List all states, territories and countries in which you have ever possessed a license without restriction to practice medicine and surgery (active or inactive, current or expired). If you never possessed a license, write "NONE"
Texas

Check licensing examination(s) passed:

- FLEX - indicate state where taken: Texas Date taken: Dec 6-8, 1988
- FLEX COMPONENT 1 - indicate state where taken: _____ Date taken: _____
- FLEX COMPONENT 2 - indicate state where taken: _____ Date taken: _____
- NATIONAL BOARD - PART I 85 PART II 87 PART III 3/2/88
- USMLE - STEP 1 _____ STEP 2 _____ STEP 3 _____
- LMCC - Canadian _____
- STATE BOARD - indicate state where taken: Texas

Post Graduate Education:

PGY1 Hospital: UNIV. OF TEXAS - SOUTHWESTERN
MEDICAL CENTER at Dallas (Parkland) Hospital From: 7/1/87 to: 6/30/88

PGY2 - PGY4 Hospital: Same as above From: 7/1/88 to: 6/30/91

Answer the following questions, if "YES" to any of them, provide complete details on a separate sheet as well as certified copies of relevant documents. Sign and date below.

- | | YES | NO |
|---|-------|---------|
| 1. Has any disciplinary action been taken against your license in another state, territory, or country? | _____ | _____ ✓ |
| 2. Have you been convicted, found guilty, or pleaded guilty or nolo contendere, or received probation without verdict as to any felony or misdemeanor, including any drug law violation, in any state or federal court? | _____ | _____ ✓ |
| 3. Have you had practice privileges denied, revoked or restricted in a hospital or other health care facility? | _____ | _____ ✓ |
| 4. Have you had your DEA registration denied, revoked or restricted or have you had your provider privileges terminated by any medical assistance agency for cause? | _____ | _____ ✓ |
| 5. Are you, or have you ever been, addicted to the intemperate use of alcohol or to the habitual use of narcotics or other habit-forming drugs? (Note: You may answer "NO" if you are currently a participant in or have successfully completed the requirements of the Board's Impaired Professional Program.) | _____ | _____ ✓ |

I verify that the statements in this application are true and correct to the best of my knowledge, information and belief. I understand that false statements are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities and may result in the suspension or revocation of my license. I hereby authorize all hospitals, institutions or organizations, my references, personal physicians, employers (past and present), and all governmental agencies and instrumentalities (local, state, federal or foreign) to release to the Pennsylvania State Board of Medicine any information, files or records requested by the Board.

Signature of Applicant: Michael A. Basio MD

Date: 3/27/95

State Board of Medicine
P.O. Box 2649
Harrisburg, PA 17105-2649

950140 0255

Certification of Moral Character

To be completed by two physicians with a license without restriction in good standing in the United States or Canada.

Name of Applicant: Michael Angelo Basco M.D.

I hereby certify that I know the applicant to be of good moral character and to the best of my knowledge, he/she is not addicted to the intemperate use of alcohol or to the habitual use of a narcotic or other habit forming drug. I recommend the applicant for a license to practice medicine in the Commonwealth of Pennsylvania.

I have been personally acquainted with the applicant for 5 year(s) month(s).

SIGNATURE: [Signature] Date: 26 November 95

Print or type name as signed above: LARRY K. GREEN M.D.

State in which licensed: TX License Number: F-7269

Name of Applicant: Michael Angelo Basco M.D.

I hereby certify that I know the applicant to be of good moral character and to the best of my knowledge, he/she is not addicted to the intemperate use of alcohol or to the habitual use of a narcotic or other habit forming drug. I recommend the applicant for a license to practice medicine in the Commonwealth of Pennsylvania.

I have been personally acquainted with the applicant for 2 year(s) month(s).

SIGNATURE: [Signature] Date: March 27, 96

Print or type name as signed above: HUGH T. LEFFLER JR, M.D.

State in which licensed: TX License Number: F-2277
E 2272

Return Completed form to Applicant

Return Completed form to Applicant

Regular Mailing Address
State Board of Medicine
P.O. Box 2649
Harrisburg, PA 17105-2649

Courier Delivery Address
State Board of Medicine
124 Pine Street
Harrisburg, PA 17101

950140-0255
D55830

VERIFICATION OF ACGME APPROVED GRADUATE MEDICAL TRAINING
Accredited Medical School Graduates
TO BE COMPLETED BY APPLICANT

NAME: BASCO Michael Angelo
Last First Middle

1. If training began before July 1, 1987, one year of approved training at a first (PGY 1) or second (PGY 2) year level must be verified. If the training began on or after July 1, 1987, two (2) years of approved training are required, one at first (PGY 1) year level and one at second (PGY 2) year level.
2. Training at a first (PGY 1) year must be ACGME approved entry level (training which requires no previous training). Training at a second (PGY 2) year must be ACGME approved and can be any specialty. See listing on back.
3. If training was completed at more than one hospital, duplicate this form and submit to each hospital.

To be completed by the program director at the hospital where the graduate training occurred. If training was in Pennsylvania, information must coincide with data on graduate license. For applicants still in the second year of training, this form may be completed and signed by the program director fifteen (15) days prior to the completion of the approved training. Forms postmarked or signed prior to the fifteen days will not be accepted.

Name of Hospital: Parkland Memorial Hospital - UT Southwestern Medical School

Located in: Dallas Texas
City State

1st Year from 7 / 1 / 87 To 6 / 30 / 88 Specialty OB/GYN Level (PGY) 1

2nd Year from 7 / 1 / 88 To 6 / 30 / 89 Specialty OB/GYN Level (PGY) 2

→ "I certify that Michael A. Basco, M.D. successfully completed/will
(Name of Applicant)
successfully complete this graduate medical training and that there was/is no disciplinary action outstanding against this applicant. If this applicant does not complete this training, the Board will be notified."

→ "I further certify that the above program was ACGME accredited at the time Michael Basco, M.D.
completed the training."
(Name of Applicant)

Signature of Program Director: George D. Wendely Jr.

[Seal of Hospital] Date: April 21, 1995 George D. Wendely Jr., M.D.

If the hospital has no seal complete the following section and have this form notarized:

I hereby certify that this hospital has no seal or stamp and that this form was completed by this hospital.

Program Director's Signature: _____

Date: _____ [notary seal]

RETURN COMPLETED FORM DIRECTLY TO THE BOARD IN OFFICIAL HOSPITAL ENVELOPE.

State Board of Medicine
717-783-1400
717-787-2381

950140 0255

OFFICIAL USE ONLY

| | | | | | | | | | |
|---|---|---|--|--|--|---|---|---|---|
| M | D | - | | | | | | | |
| | | | | | | E | D | U | C |

VERIFICATION OF MEDICAL EDUCATION
For Graduates of Accredited Medical Schools

D 55836

SECTION 1: To be completed by applicant:

Name: BASCO MICHAEL ANGELO
Last First Middle

Name of medical school: Univ. of California - San Diego

Location: San Diego California

SUBMIT THIS VERIFICATION OF MEDICAL EDUCATION FORM TO YOUR MEDICAL SCHOOL AND REQUEST YOUR SCHOOL TO RETURN COMPLETED FORM DIRECTLY TO THE BOARD.

SECTION 2: To be completed by Dean or Registrar of medical school:

Name of medical student: Michael A. Basco, M.D.

Date student began to attend this medical school: September 19 1983
Month Day Year

Date of graduation: June 7 1987
Month Day Year

[Seal of School]

I certify that all of the above information is correct.

Signature of

Dean or Registrar:

Deborah Anderson

Deborah Anderson, Acting Registrar

Date:

4/28/95

Upon completion, school must return this completed form directly to the Pennsylvania State Board of Medicine in official school envelope. **DO NOT RETURN TO APPLICANT.**

Regular Mailing Address
 State Board of Medicine
 P.O. Box 2649
 Harrisburg, PA 17105-2649
 U.S.A.

Courier Delivery Address
 State Board of Medicine
 Room 612, Transportation & Safety Bldg
 Commonwealth Ave. & Forster St.
 Harrisburg, PA 17120 U.S.A.



NATIONAL BOARD OF MEDICAL EXAMINERS®

ENDORSEMENT OF CERTIFICATION

D 256110 0255

Note: The embossed seal of the National Board of Medical Examiners (NBME) in the lower left corner certifies the authenticity of this document.

RECEIVED DIRECT

Diplomate Name: Michael Angelo Baggio, MD

Date of Birth: 10/05/1959

Certification Date: 07/01/1988

Certificate #: 336653

It is certified that the physician named above has successfully completed the examination, education, and training requirements for certification by the NBME as of the certification date shown above.

| Exam | Test Date | Total Test | Min. Pass | Pass/Fail | Anat | Phys | Bioc | Path | Micr | Phar | Beh Sci |
|---------------|-----------|------------|-----------|-----------|------|------|--------|-------|------|-------|---------|
| NBME PART I | Jun 1985 | 385 | 380 | PASS | 385 | 545 | 420 | 370 | 325 | 390 | 410 |
| | | 75 | 75 | | 73 | 83 | 75 | 72 | 69 | 75 | 75 |
| | | | | | Med | Surg | Ob/Gyn | PM/PH | Ped | Psych | |
| NBME PART II | Sep 1986 | 425 | 290 | PASS | 465 | 475 | 565 | 330 | 335 | 460 | |
| | | 79 | 75 | | 80 | 81 | 85 | 75 | 75 | 80 | |
| NBME PART III | Mar 1988 | 405 | 290 | PASS | | | | | | | |
| | | 78.6 | 75 | | | | | | | | |

DATE: 04/17/1995

SEE OTHER SIDE FOR SCORE INFORMATION

Curriculum Vita

MICHAEL A. BASCO, M.D.



Home
Beeper

EDUCATION:

University of Southern California
Los Angeles, California
Degree: Bachelor of Science, Biological Sciences
June, 1982

University of California, San Diego
School of Medicine
La Jolla, California
Degree: M. D.
June, 1987

HONORS:

Honors, Organ Physiology and Pharmacology
Recipient, National Medical Fellowships 1983-1985
Recipient, National Hispanic Scholarship 1985-1986

INTERNSHIP:

University of Texas Southwestern Medical Center at Dallas
Parkland Memorial Hospital
Department of Obstetrics and Gynecology July 1987 - July 1988

RESIDENCY:

University of Texas Southwestern Medical Center at Dallas
Parkland Memorial Hospital
Department of Obstetrics and Gynecology
July 1988 - July 1991

ADDITIONAL TRAINING AND CERTIFICATION:

American Board of Obstetrics and Gynecology (November, 1993)

Advanced Trauma Life Support (April, 1989)

Advanced Cardiac Life Support Course (February, 1989)

Diplomate, Federation of State Medical Boards (December, 1988)

Diplomate, National Board of Medical Examiners (July, 1988)

Emergency Medical Technician I Certification (July, 1981)

PROFESSIONAL ASSOCIATION MEMBERSHIP:

American College of Obstetrics and Gynecology, Member

The Texas Association of Obstetricians and Gynecologists, Member

Texas Medical Association, Member

American Medical Association, Member

The American Association of Gynecologic Laparoscopists, Member

Fort Worth Obstetrical and Gynecology Society, Member

EMPLOYMENT HISTORY:

March 23, 1992 - Present

Private Practice
800 8th Avenue, Suite 616
Fort Worth, Texas 76104
(817) 335-5333

July 15, 1991 - March 20, 1992

Kaiser Permanente
4201 Brook Spring Dr.
Dallas, Texas 75224
(214) 302-1000

November, 1989 - May 1991

Emergency Room Physician
EMCARE, Inc.
1717 Main Street Suite 5200
Dallas, Texas 75201

December, 1988 - May, 1992

U.S. Army Reserve Medical Corps
94th General Hospital
612 E. Davis St.
Mesquite, Texas 75149-4798

June 1984 - September 1986

Resident Assistant
University of California, San Diego, La Jolla, California

October 1982 - June 1983

Air Pollution Inspector
South Coast Air Quality Management District, El Monte, California

September 1977 - September 1983

Sergeant/Machine Gun Section Leader
United States Marine Corps Reserves, Los Alamitos, California

June 1981 to February 1982

Research Assistant
Department of Biology, Univ. of Southern
California, Los Angeles, California

June 1980 to September 1980

Computer Consultant
Job Development Division - EO/AA, Univ. of Southern California
Los Angeles, California

PERSONAL DATA:

Date of Birth: [REDACTED]
Birthplace: Los Angeles, California
Marital Status: Married (3 children)



Texas State Board of Medical Examiners

1812 CENTRE CREEK DRIVE, SUITE 300
P.O. BOX 149134
AUSTIN, TEXAS 78714-9134

(512) 834-7728
FAX (512) 834-4597

PENNSYLVANIA STATE BOARD OF
MEDICAL EDUCATION & LICENSURE
P.O. BOX 2649
HARRISBURG, PA 17105-2649

APRIL 21, 1995

FOR: PENNSYLVANIA STATE BOARD OF MEDICAL EDUCATION & LICENSURE

In response to a recent request, we verify the following information:

 Physician: MICHAEL ANGELO BASCO, MD
 License: H5151
 Date Issued: 02-24-89
 Licensed By: Examination
 Date of Birth: [REDACTED]
 Medical School: UNIV OF CALIFORNIA, SAN DIEGO SCH OF MED, LA JOLLA
 Graduation Year: 1987
 Permit Expires: 08-31-95

Registration Status:

This is to certify that the above-named physician is licensed to practice medicine in Texas.

Disciplinary Status:

The board has not filed any formal complaints or statements of charges against this physician.

Investigation Status:

Not applicable.

If you have any further questions, please contact the verification division.

Sincerely,

Patricia Pinehart
Verification Division

BOARD SEAL

NATIONAL PRACTITIONER DATA BANK
P.O. BOX 6048, CAMARILLO, CA 93011

250140-1255
5/28/96

RESPONSE TO INFORMATION DISCLOSURE REQUEST - SELF
(DOCUMENT NO. 3019951040350001)

PROCESS DATE: APR 17, 1995

SECTION A: REQUESTOR MAILING ADDRESS

NAME: MICHAEL BASCO

ADDRESS: [REDACTED]

SECTION B: PRACTITIONER ON WHOM DISCLOSURE IS REQUESTED - SELF

NAME:

BASCO, MICHAEL ANGELO

OTHER NAME:

ORGANIZATION: MICHAEL ANGELO BASCO
WORK ADDRESS: 800 8TH AVE SUITE 616
FORT WORTH, TX 76034

HOME ADDRESS: [REDACTED]

DATE OF BIRTH: [REDACTED]

SOCIAL SECURITY NO.: [REDACTED]

| LICENSE NUMBER | FIELD | STATE | LICENSE NUMBER | FIELD | STATE |
|----------------|-------|-------|----------------|-------|-------|
| H5151 | 010 | TX | | | |

FEDERAL DEA NUMBERS:
BB1794797

SCHOOL AND YEAR OF GRADUATION: UNIV OF CALIFORNIA SAN DIEGO - 1987

SECTION C: SEARCH RESULT

AS OF THE PROCESS DATE SPECIFIED ABOVE, THE NATIONAL PRACTITIONER DATA BANK
CONTAINED NO INFORMATION FOR THE PRACTITIONER IDENTIFIED IN SECTION B.