LICENSE NO. J-2612

IN THE MATTER OF

THE LICENSE OF

TIMOTHY LEBRON HUGGINS, M.D.

BEFORE THE

TEXAS MEDICAL BOARD

AGREED ORDER

On the 14th day of June, 2013, came on to be heard before the Texas Medical Board ("Board"), duly in session, the matter of the license of Timothy Lebron Huggins, M.D. ("Respondent").

On September 18, 2012, Respondent appeared in person, with counsel Angela R. Hoyt, at an Informal Show Compliance Proceeding and Settlement Conference in response to a letter of invitation from the staff of the Board. The Board’s representatives were George Willeford, M.D., a member of the Board, and Larry Buehler, a member of a District Review Committee ("Panel"). Barbara Jordan represented Board staff.

BOARD CHARGES

Board staff charged that Respondent failed to maintain adequate medical records in the case of one patient.

BOARD HISTORY

Respondent has not previously received a disciplinary order from the Board.

Upon the recommendation of the Board’s representatives and with the consent of Respondent, the Board makes the following Findings and Conclusions of Law and enters this Agreed Order.
FINDINGS

The Board finds the following:

1. General Findings:
   a. Respondent received all notice required by law. All jurisdictional requirements have been satisfied. Respondent waives any defect in notice and any further right to notice or hearing under the Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code (the “Act”) or the Rules of the Board.
   b. Respondent currently holds Texas Medical License No. J-2612. Respondent was originally issued this license to practice medicine in Texas on November 14, 1992. Respondent is not licensed to practice in any other state.
   c. Respondent is primarily engaged in the practice of gastroenterology. Respondent is not board certified.
   d. Respondent is 50 years of age.

2. Specific Panel Finding:
   Respondent’s documentation with regard to one patient inadequately discloses Respondent’s discussions with the patient and his family about the patient’s condition, prognosis, and plan of care.

3. Mitigating Factor:
   In determining the appropriate sanctions in this matter, the Panel considered that 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, the Board concludes that:
1. The Board has jurisdiction over the subject matter and Respondent pursuant to the Act.

2. Section 164.051(a)(3) of the Act authorizes the Board to take disciplinary action against Respondent based on Respondent's violation of a Board rule, specifically Board Rule 165.1, which requires the maintenance of adequate medical records.

3. Section 164.001 of the Act authorizes the Board to impose a range of disciplinary actions against a person for violation of the Act or a Board rule.

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

5. Section 164.002(d) of the Act provides that this Agreed Order is a settlement agreement under the Texas Rules of Evidence for purposes of civil litigation.

ORDER

Based on the above Findings and Conclusions of Law, the Board ORDERS that Respondent shall be subject to the following terms and conditions:

1. Within one year from the date of the entry of this Order, Respondent shall enroll in and successfully complete at least 10 hours of continuing medical education ("CME") approved for Category I credits by the American Medical Association, approved in writing in advance by the Executive Director or their designee. The CME shall be devoted to the following topics: at least six hours in medical record-keeping; and at least four hours in risk management. To obtain approval for the course, Respondent shall submit in writing to the Compliance Department information on the course, to include at least a reasonably detailed description of the course content and faculty, as well as the course location and dates of instruction. Respondent shall submit documentation of attendance and successful completion of this requirement to the Compliance Department on or before the expiration of the time limit set forth for completion of the course. The CME requirements set forth in this paragraph shall be in addition to all other CME required for licensure maintenance.
2. Respondent shall comply with all the provisions of the Act and other statutes regulating the Respondent’s practice.

3. Respondent shall fully cooperate with the Board and the Board staff, including Board attorneys, investigators, compliance officers, consultants, and other employees or agents of the Board in any way involved in investigation, review, or monitoring associated with Respondent’s compliance with this Order. Failure to fully cooperate shall constitute a violation of this order and a basis for disciplinary action against Respondent pursuant to the Act.

4. Respondent shall inform the Board in writing of any change of Respondent's office or mailing address within 10 days of the address change. This information shall be submitted to the Registration Department and the Compliance Department of the Board. Failure to provide such information in a timely manner shall constitute a basis for disciplinary action by the Board against Respondent pursuant to the Act. Respondent agrees that 10 days notice of a Probationer Show Compliance Proceeding to address any allegation of non-compliance of this Agreed Order is adequate and reasonable notice prior to the initiation of formal disciplinary action. Respondent waives the 30-day notice requirement provided by §164.003(b)(2) of the Medical Practice Act and agrees to 10 days notice, as provided in 22 Texas Administrative Code §187.44(4).

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

6. Respondent shall be permitted to supervise and delegate prescriptive authority to physician assistants and advanced practice nurses and to supervise surgical assistants.

7. This Order shall automatically terminate upon Respondent’s submission of sufficient evidence to the Compliance Division of the Board that Respondent successfully completed the requirements ordered in Ordering Paragraph No. 1.
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, TIMOTHY LEBRON HUGGINS, 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: November 5, 2012.

TIMOTHY LEBRON HUGGINS, M.D.
Respondent

STATE OF Texas
COUNTY OF Parker

SWORN TO AND ACKNOWLEDGED BEFORE ME, the undersigned Notary Public, on this 5 day of November, 2012.

Signature of Notary Public

CHARITA L. HUGGINS GARNER
Notary Public
STATE OF TEXAS
SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this 14th day of June, 2013.

Irvin E. Zeitler, Jr., D.O., President
Texas Medical Board