

IN THE MATTER OF
THE LICENSE OF
NGOC XUAN NGUYEN, M.D.

BEFORE THE
TEXAS MEDICAL BOARD

AGREED ORDER OF VOLUNTARY SURRENDER

On the 30 day of August, 2013, came on to be heard before the Texas Medical Board (the Board), duly in session, the matter of the license of Ngoc Xuan Nguyen, M.D. (Respondent).

On June 4, 2013, Respondent appeared in person, without counsel, 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 Stanley Wang, M.D., a member of the Board, and Larry Buehler, a member of a District Review Committee (Panel). Lee Bukstein represented Board staff.

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

FINDINGS

The Board finds that:

1. Respondent received all notice required by law. All jurisdictional requirements have been satisfied. Respondent waives any defect in notice and any further right to notice or hearing under the Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code (the Act) or the Rules of the Board.
2. Respondent currently holds Texas Medical License No. J-3173. Respondent was originally issued this license to practice medicine in Texas on February 27, 1993.
3. Respondent is primarily engaged in the practice of physical medicine and rehabilitation. Respondent has been board certified by a member board of the American Board of Medical Specialties.
4. Respondent is 72 years of age.

5. Respondent is currently under investigation by the Board regarding allegations that he operated a pain management clinic that non-therapeutically prescribed controlled substances to patients and that he operated this pain management clinic in violation of Board rules.

6. At this time, Respondent wishes to retire due to a medical condition which makes it difficult for him to practice medicine.

7. By Respondent's signature on this Agreed Order, Respondent requests that the voluntary surrender of his Texas Medical License be accepted in lieu of further disciplinary proceedings and that the voluntary surrender of his Texas Medical License be effective on the date of the entry of this Agreed Order.

8. 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 164.061 of the Act and 22 TEX. ADMIN. CODE 196.1 and 196.2 authorize the Board to accept the voluntary and permanent surrender of Respondent's Texas Medical License.

3. This Order is based on Finding Nos. 5 and 6 and the specific authority of Sections 164.052(a)(5) and 164.053(a)(5) of the Act.

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

ORDER

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

1. The voluntary and permanent surrender of Respondent's Texas Medical License should be, and is, accepted by the Board effective on the date this Order is signed by the President of the Board.

2. Respondent's Texas Medical License J-3173 is, therefore, permanently canceled.

3. Respondent shall immediately cease practice in Texas. Respondent's practice in the state of Texas after the date of entry of this Agreed Order shall constitute a violation of this Order, subjecting Respondent to disciplinary action by the Board or prosecution for practicing without a license in Texas.

4. Respondent shall not petition the Board for reinstatement of his Texas Medical License.

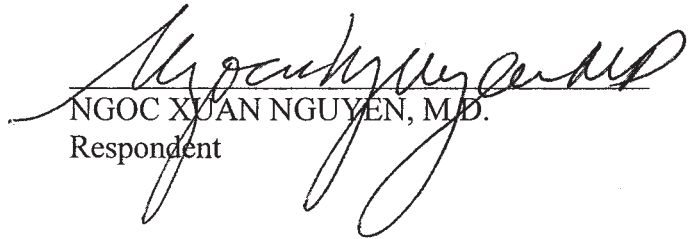
5. By this voluntary and permanent surrender of Respondent's Texas Medical License, Respondent resolves any and all complaints currently before the Board.

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.

[SIGNATURE PAGES FOLLOW]

I, NGOC XUAN NGUYEN, 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.

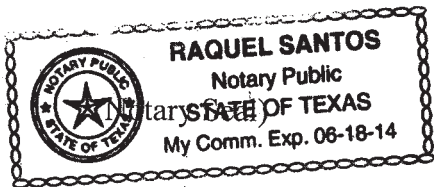



NGOC XUAN NGUYEN, M.D.
Respondent

STATE OF Texas
COUNTY OF Fort Bend.

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SWORN TO AND ACKNOWLEDGED BEFORE ME, the undersigned Notary Public,
on this 10th day of June, 2013.





Signature of Notary Public

SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this
30 day of August, 2013.



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