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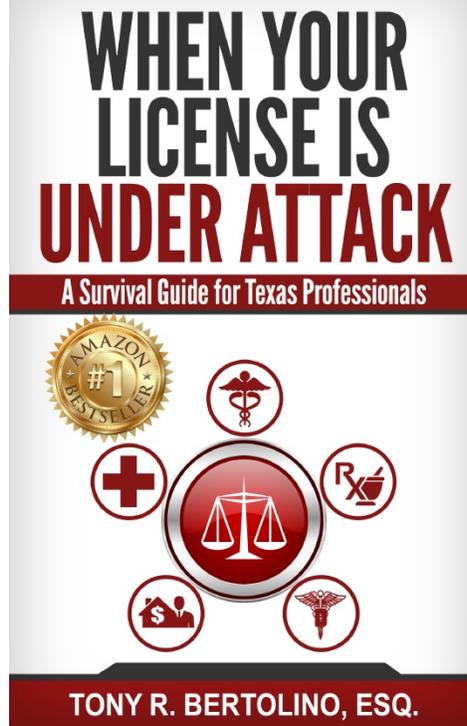
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ANNOUNCEMENT



My book, "When Your License is Under Attack: A Survival Guide for Texas Professionals," has become an Amazon #1 Bestseller within a week! I want to thank and extend my appreciation to everyone who purchased my book. And if you are aware of anyone who can benefit, please let them know. Thanks again!

The Texas Medical Board & Temporary Suspension Hearings

The [Texas Medical Board](#) (TMB) receives over 7,000 complaints each year. Every complaint made against a medical professional licensed by the TMB, including doctors, physician assistants, acupuncturists, and surgical assistants, is reviewed to determine if adequate evidence exists demonstrating a violation of the Medical Practice Act. Make no mistake, the TMB takes all complaints seriously.

Complaints filed with the TMB can cover a wide range, from minor to serious allegations. For example, complaints may allege inadequate health care, unprofessional conduct, unethical behavior, inappropriate relationships, or other allegations of misconduct.

If you have been notified of a complaint filed against you, or notified of a Temporary Suspension hearing, it is critical for you to understand the TMB's process and to know your rights.

Temporary Suspension Hearing: With or Without Notice

Pursuant to the [Texas Occupations Code §164.059](#) the board may temporarily suspend or restrict a license. An appointed 3-member disciplinary panel presides over the Temporary Suspension hearing. If the disciplinary panel "determines from the evidence presented to the panel that a person licensed to practice medicine would, by the person's continuation in practice, constitute a continuing threat to the public welfare," then they will issue an Order immediately suspending the license. Tex. Occ. §164.059(b).

Further, the TMB has the authority to temporarily suspend a license without giving the licensee any notice. If the board suspends a license without prior notice, it must then: immediately provide notice of the suspension to the license holder and schedule a Temporary Suspension hearing as early as possible after giving 10-days notice of the hearing. Tex. Occ. §164.059(c).

In cases where the TMB gives advance notice of the Temporary Suspension hearing, it is only required that the licensee be given 10-days notice. Without question, this is a short amount of time to mount a defense against an attack on your medical license. This is a full evidentiary hearing, which involves presenting evidence, examination of witnesses, and other procedures. If you have received notice of a Temporary Suspension hearing, we strongly encourage you to immediately seek the help of an [experienced medical license defense attorney](#).

Informal Settlement Conference (ISC)

A suspension handed down by the disciplinary panel will remain in effect until an Informal Settlement Conference (ISC) is held. The [TMB states](#) the purpose of the ISC hearing is "to provide an informal forum for the panel to review the information and for the licensee to show that he or she is in compliance with the Medical Practice Act." At this stage, the board may offer an Agreed Order, which would set out the sanctions and disciplinary action against the licensee. However, if it is not possible to reach a resolution at the ISC, then the case moves to the State Office of Administrative Hearings (SOAH). Note that a temporary suspension placed on the license remains in effect while the case is pending, as it moves through the [TMB enforcement process](#).

Hire An Experienced Medical License Defense Attorney

We understand that medical professionals dedicated years of training in order to serve our health care needs. When a complaint is filed against a doctor, nurse, or any other medical professional, their reputation and career are on the line. Any complaint, even if seemingly unfounded, must be taken seriously and addressed immediately.

As we noted above, notice of a Temporary Suspension hearing is as little as 10-days. You have the right to have an attorney represent you at the hearing. Having an attorney to review the complaint against you and prepare your defense, including preparation of witnesses, evidence, and exhibits, will help ensure the best possible outcome at the hearing.

The consequences of having your license to practice medicine temporarily suspended are dire. Further, it can be more costly and time consuming to get your license reinstated after a suspension. As soon as you are notified of a complaint against you, exercise your right to have an advocate on your side by hiring an attorney.

If you have been notified of a complaint filed against you with the Texas Medical Board, or notified of a temporary license suspension, or notified of a Temporary Suspension hearing, [Bertolino LLP](#) can help. We are experienced medical license defense attorneys and we know how to navigate the Texas Medical Board's complaint process. We are prepared to represent you at any legal hearing or proceeding regarding your professional license, including:

- Temporary Suspension Hearings
- Informal Settlement Conferences (ISC)
- Show Compliance Proceedings
- State Office of Administrative Hearings (SOAH) Proceedings

[Our firm](#) believes that immediately consulting an experienced medical license defense attorney to review allegations of misconduct helps ensure the most favorable outcome in your case. [Our results](#) speak for themselves.

[Bertolino LLP](#) represents licensed professionals across the entire State of Texas. If you are facing disciplinary action from a professional licensing board, [contact us](#) today or call (800) 210-0126 and schedule a case evaluation.

Hallmark Achievements | April 2017

...and the Dismissals Keep Coming

The Firm secures maximum results at minimal cost

Texas Board of Dental Examiners v. C.B.

Our Client, an Orthodontist ("DMD C.B."), was alleged to have breached the standard of care by.... The Firm shut down this allegation immediately, securing an outright dismissal after submitting its proprietary case-opener - the notorious Response Packet. The Firm warded off a complaint and thereby protected DMD C.B.'s license at minimal cost.

Take-away:The Firm secured a dismissal with a single move.

Texas Board of Social Worker Examiners v. T.H.

Our Client, a Licensed Clinical Social Worker (LCSW T.H.), was alleged to have had a sexual relationship with a former patient. The Firm shut down the Board's allegation immediately, securing an outright dismissal after submitting a Response Packet. The Firm protected LCSW T.H.'s license at minimal cost.

Take-away: The Firm secured a dismissal with a single move.

Q & A

[Q: I recently applied to renew my license and the Board has either denied it entirely or is telling me I have to enter some sort of probationary or continuing education program. Do I have to do what they say in order to practice?](#)

A: You cannot practice without the proper license. If the board won't renew your license or won't renew it until you agree with their terms, you may immediately contest their action. You should not practice your profession without the proper license as doing so will likely open you up to violation of Texas law and substantial penalties.

"Our law firm helps professionals, like you, keep their licenses when those licenses are under attack by a state agency or board."

-Tony R. Bertolino, Managing Partner

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