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- TONY R. BERTOLINO, MANAGING PARTNER



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Texas Medical Board Two-Stage Application Process: Pre-Licensure and Licensing

The Texas Medical Board (TMB) has a two-stage application process for applicants seeking licensure. The first stage is pre-licensure and the second stage is licensing. Only after you complete the second stage will the TMB grant your license to be a health care professional in Texas.

The TMB is tasked with the licensure and regulation of a number of health care professionals in Texas, including physicians, physician assistants (PAs), Psychiatrists, Surgical Assistants, Acupuncturist. Since the passage of Senate Bill

202 the TMB also regulates Medical Physicists, Medical Radiologic Technologists, Perfusionists, and Respiratory Care Practitioners.

Pre-Licensure

This is the beginning stage of the TMB application process. During pre-licensure you will submit necessary documents to the TMB. In most cases the Board will request additional items based on your application. If you are asked to submit additional items or documentation, do not panic and know that it is common.

The TMB offers the option of utilizing the Uniform Application for Physician State Licensure (UA) for physician applicants seeking licensure in multiple states. The UA is an online application that eliminates the need for physicians and physician assistants (PAs) to re-enter information when applying for licenses in more than one state.

After your application materials are received, you will be issued a username and password for the Licensure Inquiry System of Texas (LIST). In LIST you will be able to track receipt of items, check the status of your application, and communicate with your Licensing Analyst. The TMB encourages applicants to check LIST often to stay abreast of licensure application updates.

Licensing

Only after all necessary documents have been provided will your application be moved to the licensure stage for processing.

Your application will be assigned a Licensing Analyst to review and verify all the information contained in the application and the supporting documentation. He or she may post requests for additional items in the "Lacking Reasons" section in LIST.

So long as you qualify for licensure, once your application is complete and vetted by the Licensing Analyst, you will be ready to be licensed! The TMB issues new licenses twice a month. You are required to register your license and will receive a postcard from the Board with registration instructions.

The Texas Medical Board Application Process

Individual application processing time varies based on the complexity of the application. The pre-licensure stage takes longer than the licensing stage. The TMB reports that the average time for an applicant to complete the pre-licensure stage is 134 days. Once an application moves to the licensing stage the average time to completion is 36 days.

The Licensure Department of the TMB operates to further the Board's mission to ensure quality healthcare for Texans. It processes licensure applications in furtherance of the Board's mission, not in furtherance of your goal to become a licensed medical professional in Texas. During the licensing process, if a complaint is ever filed against you, or if you ever face disciplinary action by the TMB, understand that the Board's mission is to protect the public, not your interests.

Hire An Experienced TMB License Defense Attorney

If you are denied licensure or facing a complaint filed against you with the TMB, BERTOLINO LLP can help. We are experienced TMB license defense attorneys and

we know how to navigate the TMB's licensure process and complaint enforcement process. We are prepared to represent you at any legal hearing or proceeding regarding your professional license.

With offices in Austin, Houston, and San Antonio, we serve clients all over the state. As experienced attorneys, well-versed in state and federal laws, we know how to win. Our results speak for themselves!

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

If you are facing disciplinary action from a professional licensing board, contact us today or call (800) 210-0126 and schedule a case evaluation.

Follow BERTOLINO LLP on Facebook!

View free videos & subscribe to our YouTube channel!

Get a copy of Tony R. Bertolino's #1 Bestselling book *When Your License is Under Attack: A Survival Guide for Texas Professionals* in hardcover or for Kindle [here](#).

Hallmark Achievements | April 2018

A Record Month of Dismissals

IMO Texas Medical License Application of A.C., M.D.

After more than five (5) months of zealous representation, we helped our Client, A.C., M.D., secure a full Texas Medical License. There were several snags along the way, but we were able to overcome same, and help A.C. get to work. He is now happily serving Medicare and Medicaid patients.

Texas Board of Nursing v. C.O.

The Texas Board of Nursing ("Board") prosecuted a complaint ("Complaint") against our Client, C.O., LVN, which alleged she was responsible for a patient death, which was caused by discontinued seizure medication. While C.O. inadvertently discontinued the seizure medication, she was not responsible for the patient's death. C.O. was a PRN nurse, who only visited the pertinent facility twice a month.

The facility had a number of policies and procedures in place, designed to catch medication errors before they caused serious patient harm. At least ten full-time employees at the facility were charged with carrying out these policies, but all ignored same. The patient did not begin to experience seizures until thirteen days after the medication was discontinued - which means that the medication error policies were ignored for the same span. The error was not caught until sixteen days after the discontinuation - the next shift C.O. worked at the facility. By then, the patient had to be transferred to a larger facility, and soon expired.

Through providing the Board with a thorough explanation of the willful violations of the facility's medication error policies and expounding the details of C.O.'s stellar ten-year career as a nurse, we secured a remedial, non-disciplinary settlement for our Client.

The Texas Medical Board ("Board") began prosecuting our Client, G.V., M.D., after he self-reported an arrest which occurred on Christmas of 2015. The arrest was purportedly based on driving while intoxicated, but there were a number of acts committed by the charging police department, which called the integrity of their claims into question. After receiving the self-report, the Board ran a drag-net, searching for further bases to prosecute our Client. The Board found records, suggesting that our Client had been improperly prescribing medications to his wife. While G.V.'s criminal attorney worked to secure a dismissal, based on an utter lack of evidence (chain of custody was non-existent for blood sample, which took a month to arrive at the lab, and dash video of the field sobriety test, which would have exculpated our Client, was conspicuously missing), we explained the Board that our Client was engaged in a successful regimen of collaborative medicine; he did not write the original prescriptions, but, rather, issued refills, with the full knowledge and consent of the original prescribers.

After G.V.'s attorney secured a dismissal of the criminal charges, we convinced the Board to take non-disciplinary action. Instead of the severe discipline originally proposed by the Board, G.V. need only enroll in continuing education courses related to proper prescribing practices, and pay a fine.

Bertolino Team Highlights



Keeping licensed professionals informed with complimentary and valuable information via our website is another way that Bertolino LLP continues to give back to the state of Texas and beyond. Pictured here is Tony R. Bertolino recently giving his time to the State Bar of Texas for a live webcast titled [When Your Law License is Under Attack: Survival Guidance for Texas Attorneys](#). The webcast was also recorded and is available in the State Bar's CLE library archives for any licensed Texas attorney to access at any time.

"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](#)

