

BOARD ACTIONS

(Actions taken between March 1, 2022 through June 30, 2022)

Lawrence Abramson, MD – MD2012-0711– Agreed Order for Voluntary Surrender of License While Under Investigation was issued based on the best interest of Dr. Abramson, the Board, and the public. (April 2022)

Johnathon Eck, MD – RS2020-0516 - Order of Release from Stipulation. Licensee has a full and unrestricted license. (June 2022)

Rosemarie Freymark, MD - PGT – Agreed Order for Stipulation of Licensure mandating that Dr. Freymark abstain from the use of mind-altering substances, alcohol and non-prescribed controlled substances and must enter into a treatment contract with NM Health Professional Wellness Program. This is not considered a restriction on the license. (April 2022)

Kenneth Kelly, MD – MD2010-0081 – Agreed Order Imposing Stipulations on License, issuance of a Censure and to pay a fine of \$3000.00. This action is based on failure to report an arrest and charge in connection with the January 6, 2021, insurrection at the Capitol in Washington, DC and on September 1, 2021, Dr. Kelly pled guilty to petty misdemeanor and was sentenced on February 7, 2022, to 12 months' probation, including 60 days of home detention, and \$500 in restitution. The conduct underlying the conviction for which Dr. Kelly was convicted, establishes violations of the Medical Practice Act. (April 2022)

Sher Ali Khan, MD – RS2020-0468 - Order of Release from Stipulation. Licensee has a full and unrestricted license. (April 2022)

James Martin, MD – RS2021-0130 - Order of Release from Stipulation. Licensee has a full and unrestricted license. (June 2022)

Caleb Mcvey, DN –Applicant– Agreed Order Accepting Respondent's Voluntary Withdrawal of Initial Application for License While Under Investigation was issued based on the best interest of Dr. Mcvey, the Board, and the public. (May 2022)

Robert Smaltz, MD – 2001-312– Letter of reprimand was issued for violation of the Board's Ethics Regulations. This action is based on Dr. Smaltz ordering pephentermine, a schedule IV-controlled substance medication, multiple times throughout 2020-2021 from a wholesaler that was intended for personal use. (May 2022)

Martin Somervill, DN – 01033 – Decision and Order Revoking Respondent's License based on sexual contact with a patient; conduct likely to harm the public; interaction with a patient that interferes or could reasonably be expected to adversely impact the quality of care rendered to a patient; failure to adhere to the AMA code of medical ethics as evidence of conduct unbecoming in a member of the profession and violation of the Medical Practice Act (MPA) and/or Board Rules. (June 2022)

Mark Standley, PA – PA2018-0080 - Order of Release from Stipulation. Licensee has a full and unrestricted license. (June 2022)

Joanna Teufel, MD – 2001-113 – Agreed Order Imposing Stipulations on License, issuance of a letter of reprimand and payment of a \$12,000.00 fine. Dr. Teufel must enroll and successfully complete an ethics course at CPEP (Center for Personalized Education for Professionals) . Dr. Teufel must also accept and agree to a permanent restriction on her license prohibiting her from certifying qualified patients for medical cannabis. This action is based on violating the MPA by making false statements in a document connected with the practice of medicine; obtaining a fee by fraud, engaging in and likely to deceive, defraud or harm the public, and conduct unbecoming in a person licensed to practice or detrimental to the best interests of the public. (May 2022)

Jason Trujillo, MD – MD2014-0752 – Agreed Order for Stipulation of Licensure mandating that Dr. Trujillo abstain from the use of mind-altering substances, alcohol and non-prescribed controlled substances and must enter into a treatment contract with NM Health Professional Wellness Program. This is not considered a restriction on the license. (May 2022)

Jennifer Tso, PA – PA2006-0036 - Order of Release from Stipulation. Licensee has a full and unrestricted license. (June 2022)

Flanagan Whitsitt, PA – PA2011-0007 – Agreed Order Imposing Stipulations on License was issued. Mr. Whitsitt must participate in a clinical skills assessment at CPEP (Center for Personalized Education for Professionals) or a comparable program within six months which will be reviewed by the Board and may lead to further conditions being placed on Mr. Whitsitt’s license by the Board at their discretion. This action is based on failure to report adverse action to the board as required by the MPA, Board Rules and the Code of Ethics. (April 2022)

Douglas Zischkau, MD – 92-381 – Notice of Contemplated Action was issued based on conduct likely to harm; failure to furnish the board, its investigators or representatives with information requested by the board; injudicious prescribing, administering, or dispensing of a drug or medicine; conduct unbecoming in a person licensed to practice or detrimental to the best interests of the public; improper management of medical records, including failure to maintain timely, accurate, legible, and complete medical records; interaction with physicians, hospital personnel, patients, family members or others that interferes with patient care or could reasonably be expected to adversely impact the quality of care rendered to a patient; violating a narcotic or drug law; failure to maintain a current address with the Board as required; violation of the Prescription Monitoring Program requirement rules and violation of the management of pain and other conditions rule. (June 2022)