



# TEXAS MEDICAL BOARD INVESTIGATIONS

A Physician's Guide Through the Disciplinary Process

**Missy Atwood, JD**

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Upon completion of this enduring material, readers should be able to:

- Describe the disciplinary function of the Texas Medical Board (TMB) and outline the legal process of an investigation;
- Recognize the most common violations reported by TMB and implement procedures to avoid them; and
- Explain the Physician Health Program and detail the steps in the evaluation process.

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## INTRODUCTION

The Texas Medical Board (TMB) is a state agency that oversees the practice of medicine in Texas. Under the authority of the Texas Legislature, it is responsible for licensing and disciplining physicians, and adopting board rules that regulate the practice of medicine in Texas. TMB enforces these rules and also carries out many other functions assigned to it by the legislature. TMB's mission is to protect the citizens of Texas and ensure an adequately trained physician workforce. TMB thus views its responsibility as being to the people of Texas, first, and to the physicians it oversees, second. This often places the board in a seemingly adversarial position to physicians. This seems particularly true to physicians who find themselves the subject of a disciplinary investigation by the board.

The purpose of this publication is to discuss the Texas Medical Board's disciplinary function. It also provides a roadmap of what to expect should you find yourself the subject of a disciplinary investigation. Finally, it provides several case studies demonstrating conduct that could result in a TMB disciplinary action.



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