



TEXAS MEDICAL BOARD

REMEDIAL PLAN
PATRICIA DENISE SALVATO, M.D., LICENSE NO. G-0049

On the 10 day of June, 2016, this matter came on to be heard before the Texas Medical Board (Board). On February 22, 2016, Respondent appeared at an Informal Show Compliance Proceeding and Settlement Conference (ISC) in response to a letter of invitation from the staff of the Board. This Remedial Plan was offered by James "Scott" Holliday, D.O., a member of the Board, and Penny Angelo, a member of a District Review Committee (Panel), and was prepared by Ketan Patel. Respondent was represented by counsel, Mary Kathleen Evans.

FINDINGS

Respondent failed to adequately document physical examination findings for several patients.

Respondent does not admit or deny the Findings and Conclusions of Law contained herein but, rather, has agreed to settle in good faith to avoid the cost, expense, and uncertainty of litigation.

BOARD HISTORY

Respondent has not had a prior Remedial Plan with the Board and has not previously been the subject of disciplinary action by the Board.

MITIGATING FACTORS

Respondent has not prior Board history. In addition, Respondent appeared highly organized and has a good working knowledge of each of the patients at issue in this matter. Respondent handles difficult cases. Respondent's documentation reflected that she requested testing, labs, and made the appropriate diagnoses for the patients at issue. Respondent also tailored each patient's treatment plan to the individual. The medical records reflect that

Respondent made referrals to other practitioners; and other, more conservative modalities were considered, recommended, and tried. In addition, Respondent's documentation reflected that she has each patient sign a pain contract and tests each patient through the use of blood tests and/or urine drug screens.

Respondent cooperated in the investigation of the allegations that resulted in this Remedial Plan.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over the subject matter and Respondent pursuant to Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code (Act).

2. Section 164.051(a)(3) of the Act authorizes the Board to take disciplinary action against Respondent based on Respondent's violation of a rule adopted under this Act, specifically Board Rule 165.1.

3. Section 164.052(a)(6) of the Act authorizes the Board to take disciplinary action against Respondent based upon Respondent's failure to practice medicine in an acceptable professional manner consistent with the public health and welfare as defined by Board Rule 190.8(1)(C).

4. Section 164.0015 of the Act authorizes the Board to resolve this matter with a Remedial Plan.

5. Section 164.002(d) of the Act provides that this Remedial Plan is a settlement agreement under the Texas Rules of Evidence for purposes of civil litigation.

REMEDIAL PLAN TERMS

Based on the above, Respondent shall:

1. Within one year following the date of the entry of this Remedial Plan, Respondent shall enroll in and successfully complete at least 16 hours of continuing medical education (CME), to be divided as follows: eight hours in the topic of risk management and eight hours in the topic of medical record-keeping. The CME shall be approved for Category I credits by the American Medical Association and approved in writing in advance by the Executive Director or

a designee. To obtain approval for the course, Respondent shall submit in writing to the Compliance Division of the Board information on the course, to include at least a reasonably detailed description of the course content and faculty, as well as the course location and dates of instruction. Respondent shall submit documentation of attendance and successful completion of this requirement to the Compliance Division of the Board on or before the expiration of the time limit set forth for completion of the course. The CME requirements set forth in this paragraph shall be in addition to all other CME required for licensure maintenance.

2. In order for the Board to recover the cost of administering this Remedial Plan, payment of \$500 per year must be made by Respondent. Payment of this cost is due no later than 60 days from the date of entry of this Remedial Plan. The cost shall be paid in a single payment by cashier's check or money order payable to the Texas Medical Board and shall be submitted to the Executive Director for the Board for routing so as to be remitted to the Comptroller of Texas for deposit in the general revenue fund.

3. The terms of this Remedial Plan are not subject to modification and or termination prior to the completion of all terms outlined in the Remedial Plan.

4. Respondent shall comply with all the provisions of the Act and other statutes regulating Respondent's practice.

5. Respondent shall fully cooperate with the Board attorneys, investigators, compliance officers, consultants, and other employees or agents of the Board in any way involved in investigation, review, or monitoring associated with Respondent's compliance with this Remedial Plan.

6. Any violation of the terms, conditions, or requirements of this Remedial Plan by Respondent shall constitute unprofessional conduct likely to deceive or defraud the public, or to injure the public, and shall constitute a basis for disciplinary action by the Board against Respondent pursuant to the Act.

7. This Remedial Plan shall automatically terminate upon Respondent's submission to the Board of evidence deemed to be sufficient by the Compliance Division of the Board that Respondent successfully completed the requirements set forth in the Remedial Plan Terms Paragraph Nos. 1 and 2.

THIS REMEDIAL PLAN IS A PUBLIC RECORD.

THIS REMEDIAL PLAN IS NON-DISCIPLINARY.

I, PATRICIA DENISE SALVATO, M.D., HAVE READ AND UNDERSTAND THE FOREGOING REMEDIAL PLAN. I UNDERSTAND THAT BY SIGNING, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THIS REMEDIAL PLAN IS A FINAL, NON-APPEALABLE AGREEMENT THAT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.



PATRICIA DENISE SALVATO, M.D.
Respondent

3-14-16
DATE

SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this
10 day of June, 2016.



Michael Arambula, M.D., Pharm. D., President
Texas Medical Board