

RADIATION CONTROL PROGRAM
DISCIPLINARY ACTIONS (in alphabetical order)

Name	Level of Licensure	License Number	City of Residence	Alleged Violation*	Disciplinary Action	Date of Action
Albracht Family Chiropractic	X-ray	R29170	Cedar Park, Texas	<p>25 TAC § 289.227 – Failure to conduct equipment performance evaluations on x-ray unit</p> <p>25 TAC § 289.227 – The x-ray field size did not coincide within $\pm 2\%$ of the source to image receptor distance on the beam limiting device</p> <p>25 TAC § 289.231 – Failure to monitor occupational exposure to personnel</p> <p>25 TAC § 231- Failure to perform surveys on radiation levels in unrestricted areas to demonstrate compliance with dose limits</p>	Administrative penalties \$11,250.00 and reduced to \$2,000	10/29/2007
Advanced Diagnostics	X-Ray	R25124	Houston, Texas	<p>25 TAC § 289.227 – Entrance exposure exceeded limits</p> <p>25 TAC § 289.227 – Light localizer did not coincide with edges of x-ray field requirements</p> <p>25 TAC § 289.227 – Center of x-ray field was not centered with image receptor requirements</p> <p>25 TAC § 289.227 – Beam limiting device was not equipped with sufficient collimation</p> <p>25 TAC § 289.227 – Source to image distance was not accurately indicated on tube support assembly</p> <p>25 TAC § 289.227 – Individuals operating x-ray equipment were not credentialed to perform mobile radiography</p>	Administrative penalty \$15,500 with \$9,000 probated and respondent pay \$6,500	10/09/07
AITEC USA, Inc.	Ram	L05718	Houston	<p>25 TAC § 289.255 – Failure to adequately secure a source from unauthorized removal or access</p> <p>25 TAC § 289.255 – Failure to monitor radiation exposure to</p>	Administrative penalties \$19,750.00 w/ \$3,000 forgiven and \$9,750.00 probated. Respondent pays remaining \$7,000.00 in full	2/19/2007

				<p>personnel</p> <p>25 TAC § 289.255 – Failure to calibrate survey instruments at required six month interval</p> <p>25 TAC § 289.255 – Failure to use collimators for panoramic exposures in all industrial radiographic operations</p> <p>25 TAC § 289.255 – Personnel were prohibited to return to work without recharging pocket dosimeters</p> <p>25 TAC § 289.255 – Failure to maintain accurate and factual records</p> <p>25 TAC § 289.257 – Failure to comply with US DOT regulations when transporting radioactive materials</p> <p>25 TAC § 289.255 – Failure to provide records required for industrial radiography</p>		
Amazing Laser, Inc.	Laser	Z01702	Austin, Texas	<p>25 TAC § 289.301 – Allowed the use of lasers to be deliberately applied to patients without supervision</p> <p>25 TAC § 289.301 – Failure to provide appropriate protective eye wear and properly label them</p>	Administrative penalties \$10,000 w/ reduction to \$2,000	8/22/2007
Aztec MFG Partnership, LTD	Ram	L05056	Crowley, Texas	25 TAC §289.252- Failure to have valid license while in possession of radioactive material	Administrative penalty \$5,000 w/ \$2,000 probated and respondent pays \$3,000	10/18/2007
Ben Taub General Hospital	Ram	L01303	Houston, Texas	<p>25 TAC §289.202 – failure to secure radioactive material from unauthorized removal or access</p> <p>25 TAC §289.202 – failure to contact the agency upon determination of loss of a sealed source</p>	Administrative penalties \$18,000.00 paid	7/5/2007

				<p>25 TAC §289.202 – Failure to secure radioactive material from unauthorized removal or access</p> <p>25 TAC §289.256 – Failure to provide instructions to personnel for the medical use and applicable requirements for the preparation of radioactive material</p>		
Burkhart Dental Supply	X-ray	R14318	Coppell, Texas	Condition 13 of the Certificate of Registration – failure to perform adequate equipment performance evaluations on dental units	Administrative penalty of \$4,000.00 w/ \$3,000 to be probated and respondent pays \$1,000.00	3/5/2007
Capital Family Practice, LLP	X-ray	R22228	Austin, Texas	<p>25 TAC § 289.227 – Failure to conduct equipment performance evaluation at required interval</p> <p>25 TAC § 289.231 – Failure to monitor the occupational exposure to radiation of personnel</p>	Administrative penalties \$12,000 and reduced to \$3,000 w/ \$2,500 probated and respondent pays \$500.00	10/29/2007
Carrollton Kinesiology & Chiropractic	X-Ray	R27788	Carrollton, Texas	25 TAC § 289.227 – Failure to conduct equipment performance evaluation at the required two year intervals	Respondent pays administrative penalty \$2,000	09/25/07
Charles D. O'Dell, DDS	X-ray	R05523	Houston, Texas	<p>25 TAC § 289.232 – Failure to complete and submit Dental Remote Inspection Form</p> <p>25 TAC § 289.232 – Failure to conduct equipment performance evaluation on x-ray units</p>	Administrative penalties \$8,000 w/ reduction to \$1,000 and respondent pays \$1,000 in full	5/28/2007
Charlotte J. Deans, D.C., d/b/a Atlas Chiropractic Center	X-Ray	R29170	Wimberley, Texas	<p>25 TAC § 289.227 – Failure to conduct equipment performance evaluations on x-ray unit at the required interval</p> <p>25 TAC § 289.231 – Failure to monitor the occupational exposure to radiation of personnel</p> <p>25 TAC § 289.231 – Failure to perform surveys of radiation</p>	Administrative penalties \$8,250.00 and reduced to \$1,000	11/7/2007

				levels in unrestricted areas to demonstrate compliance with dose limits for individuals of the public		
Chiropractic Associates, P.C.	X-Ray	R17599	League City, Texas	<p>25 TAC § 289.227 – Entrance exposure measurements exceeded the limit for x-ray unit</p> <p>25 TAC § 289.227 – Failure to conduct equipment performance evaluations at the required interval</p> <p>25 TAC § 289.227 – Light localizer did not coincide with the edges of the x-ray field</p> <p>25 TAC § 289.227 – Failure to include numerical readings for the collimation tests when recording equipment performance evaluations</p>	Administrative penalties \$22,750.00 and withdraw the full administrative penalty. X-ray unit shall be disabled and cease operation for a period of five years	10/19/2007
Chiropractic Health & Wellness Center	X-Ray	R27109	Irving, Texas	<p>25 TAC § 289.227 – failure to conduct equipment performance evaluation at the required two year interval</p> <p>25 TAC §289.231 – failure to monitor the dose exposure to radiation of personnel</p>	Administrative penalties \$8,000.00 w/ reduction to \$1,000 and respondent pays \$1,000	8/13/2007
Columbia Valley Healthcare Systems d/b/a Valley Regional Medical Center	Mammo	M00589	Brownsville, Texas	25 TAC §289.230 – failure to cease clinical image processing with the processor when the analysis of quality control tests indicated the limits were exceeded	Administrative Penalty of \$4,000 and reduced to \$1,000	10/29/2007
C3S, Inc.	Ram	L05989	Houston, Texas	25 TAC § 289.252 – Failure to have authorization and exemption by a specific or general license (reciprocity) while in possession and use of radioactive material	Administrative penalty \$8000.00 and reduced to \$1500	10/23/2007

Danny Doyle, D.C., d/b/a Doyle Chiropractic & Rehabilitation	X-ray	R22897	Fort Worth, Texas	25 TAC §289.227 – Entrance exposure limits exceed allowable amount for facility 25 TAC §289.227 – Failure to conduct equipment performance evaluation on x-ray unit	Administrative Penalty of \$1,000 and respondent pays \$1,000	
Doctor's Hospital Parkway + Tidwell	Mammo	Unregistered	Houston, Texas	25 TAC § 289.230 – Using x-ray unit to produce human mammograms without having a TX certification for mammography	Administrative penalty \$8,000 w/ \$6,000 probated and respondent pays \$2,000	10/9/07
Eduardo Bautista d/b/a Brownsville Radiologic Services	X-ray	R27982	Brownsville, Texas	25 TAC § 289.227 – The interval for dose measurements of x-ray machine exceeded 12 months	Administrative penalty of \$4,000 shall be paid in full	1/5/2007
Essent PRMC, L.P. d/b/a Paris Regional Medical Center	Mammography	M00503	Paris, Texas	25 TAC § 289.230 – Failure to maintain records verifying qualification of interpreting physicians 25 TAC § 289.230 – Failure to ensure vertical edge of compression paddle was not visible on images	Respondent paid full administrative penalty \$8,000.00	7/26/2007
Everest Exploration, Inc.	Ram	L03626	Corpus Christi, Texas	25 TAC § 289.252 – failure to provide financial security in the amount specified in the agency-approved cost estimate Violation of Condition 3 of Agreed Order issued on February 2, 2002 – failure to decontaminate or dispose of equipment piping and other contaminated items Violation of Condition 27.I of Radioactive Material License – contaminated soil and other materials stored in excess of two years at site locations Violation of Condition 27.A and 27.B of	Administrative penalties \$27,250 w/ \$4,000 withdrawn; \$5,000 used for decommission purposes; probate \$15,750 and respondent pays remaining \$2,500; Respondent was also assessed various other terms/conditions	6/7/2007

				<p>Radioactive Material License – failure to ensure that solid byproduct material was being stored in strong watertight containers on curb concrete pads</p> <p>25 TAC §289.202 – failure to develop, document and implement a radiation protection program (RPP)</p> <p>Violation of Condition 5 of Agreed Order issued February 25, 2002 – failure to submit written progress reports to this agency monthly per the agreed order</p> <p>25 TAC §289.202 – Failure to ensure that equipment calibration did not exceed 12 month interval</p>		
Executive Health Exams International	Mammography	M00708	Houston, Texas	<p>25 TAC § 289.230 – Failure to perform processor performance evaluations.</p> <p>25 TAC § 289.230 – Failure to perform image quality evaluations.</p> <p>25 TAC § 289.230 – Failure to perform darkroom fog tests</p> <p>25 TAC § 289.230 – Failure to perform analysis of fixer retention; a repeat analysis; and a screen film contact</p> <p>25 TAC § 289.230 – Lead Interpreting physician failed to provide oversight and direction in all aspects of the quality assurance program</p> <p>25 TAC § 289.230 – Failure to prepare an adequate written mammography report for all patient examinations performed at the facility and failed to include the name of the patient</p>	Administrative penalties \$29,000	8/15/2007

Floyd D. Britton, DDS	X-Ray	R09225	Kemah, Texas	<p>25 TAC §289.232 – Entrance exposure on x-ray units exceeded limits</p> <p>25 TAC § 289.232 – Entrance exposure on x-ray unit exceeded limits</p> <p>25 TAC§ 289.232 – Failure to conduct equipment performance evaluations at the required interval</p>	Administrative penalties of \$12,000 w/ reduction to \$2,000	8/15/2007
Fortuna A. Vardeman, P.C. d/b/a Randolph Family Dental	X-ray	R24788	Universal City, Texas	<p>25 TAC § 289.232 – Failure to complete and submit the Dental Remote Inspection Form by indicated deadline</p> <p>25 TAC § 289.232 – Failure to conduct equipment performance evaluations</p>	Respondent pays administrative penalty of \$500.00	7/27/2007
Gary N. Pointer, DDS	X-Ray	R08440	Fort Worth, Texas	25 TAC § 289.232 – Failure to conduct equipment performance evaluations on all x-ray units	Assess \$4,000 w/ \$3,000 probated and respondent pays \$1,000	8/15/2007
Gulf Coast MRI & Diagnostics, Inc.	X-ray	R22530	Houston, Texas	<p>25 TAC §289.227 – Interval for dose measurements exceeded 12 month interval</p> <p>25 TAC §289.227 – Failure to perform fluoroscopic entrance exposure measurements annually on x-ray unit</p>	Administrative penalty of \$9,000 w/ \$6,000 probated and respondent pays \$3,000	6/6/2007
Jack B. Walker, DDS	X-Ray	R20194	Kemah, Texas	<p>25 TAC §289.232 – failure to submit the Dental Remote Inspection Form by the indicated deadline</p> <p>25 TAC §289.232 – Failure to conduct equipment performance evaluation on x-ray unit at the required interval</p> <p>25 TAC §289.232 – Failure to provide technique chart or manual on x-ray machine</p> <p>25 TAC §289.232 – Failure to conduct equipment performance evaluation on x-ray unit at required interval</p>	Administrative penalties of \$6,500 w/ \$5,000 probated for one year and respondent pays \$1,500	1/31/2007

James D. Pinkerton, D.D.S., P.A.	X-ray	R26166	Spearman, Texas	25 TAC § 289.232 – Entrance exposure limits exceeded limit for facility 25 TAC §289.232 – Failure to conduct equipment performance evaluation on x-ray unit	Administrative penalty \$1,500.00 and respondent pays \$1,500.00	6/7/2007
James H. Webb d/b/a Preferred MRI, Inc.	X-ray	R25900	Dallas, Texas	25 TAC § 289.227 – Failure to complete dose measurements for x-ray unit 25 TAC § 227 – Dose measurements performed for x-ray unit exceeded 12 months 25 TAC § 289.227 – Failure to complete entrance exposure measurements annually	Administrative penalties \$14,000 w/ \$12,000 probated and respondent pays \$3,000	10/15/2007
Knapp Medical Center	Mammo	M00628	Weslaco, Texas	25 TAC § 289.230 – failure to complete the necessary action regarding repeat analysis within 30 days	Administrative penalty of \$5,000.00 w/ \$5,000 probated for one year	3/29/2007
Mark Mohnac, D.C., d/b/a Rocky Mountain Chiropractic	X-ray	R18210	Irving, Texas	25 TAC §289.227 – Failure to conduct equipment performance evaluation on x-ray unit at the required interval	Administrative penalty of \$4,000 w/ \$3,000 probated and respondent pays \$1,000	6/6/2007
Memorial Hermann Breast System d/b/a Hermann Breast Center	Mammo	M00528	Houston, Texas	25 TAC §289.230 – Failure to timely send written exam results to patients within 30 days from examination 25 TAC §289.230 – Failure to follow up with patient within reasonable time to notify of the need of for another examination	Administrative penalties \$18, 900.00 and reduced to \$5,000.00	10/1/2007
Michael J. Jeansonne, DDS, MS	X-ray	R18424	Beaumont, Texas	25 TAC §289.232 – Failure to submit the Dental Remote Inspection Form by the indicated deadline to the agency	Administrative Penalty \$,5000 and reduced to \$500.00	8/22/2007
Odessa Regional Hospital, LP	X-ray	R04295	Odessa, Texas	25 TAC § 289.227 – Failure to perform fluoroscopic entrance exposure measurements	Respondent paid full administrative penalty \$4,000.00	7/26/2007

Pain-Aid Chiropractic	X-ray	R21509	Houston, Texas	25 TAC § 289.227 – Failure to perform equipment performance evaluation at required interval for x-ray unit	Administrative Penalty \$5000 w/ \$4,000 probated for one year and respondent pays \$1,000	9/27/2007
Paris Regional Medical Center	Mammo	M00503	Paris, Texas	25 TAC §289.230 – failure to maintain records that verify personnel prior to employment for qualification purposes 25 TAC §289.230 – Failure to ensure the compression paddle was visible on the image	Administrative penalty \$8,000.00 shall be paid	7/26/2007
Parker College of Chiropractic	X-ray	R17937-003	Dallas, Texas	25 TAC § 289.226 – Failure to receive authorization from agency prior to initiating a mobile osteoporosis screening 25 TAC § 289.226 – Failure to notify agency within 30 days of change in RSO 25 TAC § 289.205 – Failure to respond to various notice of violation letters and submit a response in writing to the agency	Administrative penalties \$9,750.00 and reduced to \$3750.00	10/18/2007
P. Arumugham, MD, Associated d/b/a Family Clinic	X-ray	R09762	Richardson, Texas	25 TAC §289.227 – Failure to conduct equipment performance evaluation on x-ray unit at the required interval	Administrative penalty of \$4,000 and reduced to \$1,000	10/29/2007
Patricia D. Salvato, M.D., P.A.	X-ray	R19105	Houston, Texas	25 TAC § 289.227 – X-ray unit exceeded entrance exposure limits	Administrative penalties of \$5,000 probated for one year	3/23/07
Perkins Chiropractic Health Center	X-ray	R10900	Conroe, Texas	25 TAC §289.227 – failure to conduct equipment performance evaluation on x-ray unit	Administrative penalty \$5,000 and reduced to \$1,000	9/13/07
Phipps Chiropractic Clinic	X-ray	R15690	Richardson, Texas	25 TAC § 287.227- Failure to conduct equipment performance evaluations at the required interval	Administrative penalty \$5,000 and probate \$4,000 w/ \$1,000 to be paid	8/22/2007
Quantum Physicians, P.A.	X-ray	R25527	Houston, Texas	25 TAC § 289.227 – Failure to conduct equipment performance evaluation on x-ray unit	Administrative Penalty of \$2,500	8/22/2007

Randolph Family Dental	X-ray	R24788	Universal City, Texas	<p>25 TAC §289.232 - Failure to complete the remote dental inspection form and submit to agency</p> <p>25 TAC § 289.232 – Failure to conduct equipment performance evaluations on the x-ray unit machines at the required interval</p>	Administrative penalty \$500.00 shall be paid	7/27/2007
Samuel C. Spikes, M.D. d/b/a Spikes Imaging	X-ray	R27884	Lubbock, Texas	<p>25 TAC § 289.227 – Failure to perform dose measurements at the required interval for x-ray unit</p> <p>25 TAC § 289.227 – Failure to conduct equipment performance evaluations at the required interval for x-ray unit</p>	Administrative penalties of \$9,000 w/ \$7,000 probated for two years and respondent pays remaining \$2,000	7/16/2007
Simmons Chiropractic Center	Xray	R17156	Austin, Texas	<p>25 TAC § 289.227 – Entrance exposure on x-ray unit exceeded limit</p> <p>25 TAC § 289.227 – beam limitation on x-ray unit did not coincide with image receptor distance</p> <p>25 TAC § 289.227 – failure to conduct at equipment performance evaluation on x-ray unit at required interval</p> <p>25 TAC § 289.227 – X-ray unit was determined to have a half value layer aluminum that is less than the required HVL aluminum at the KVP</p>	Administrative penalties \$15,500.00 and reduced to \$4,000 w/ \$2,000 probated and remaining \$2,000 to be paid	9/21/2007
South Shore Animal Hospital, Inc. d/b/a Safari Animal Care Center	X-ray	R30387	League City, Texas	<p>25 TAC § 289.233 – Failure to submit application to agency 30 days prior to commencement of operation of a radiation machine</p> <p>25 TAC § 289.301 – Failure to submit application to agency 30 days prior to commencement of operation of Class 4 Laser</p>	Administrative penalties of \$1,000 shall be paid in full	1/5/2007

Spectrum Inspections, Inc.	Ram	L05170-000	Kilgore, Texas	25 TAC § 289.252 – Failure to renew license for radioactive materials License Condition 13 – failure to decommission facility as required by license	Administrative penalties \$5,000.00 w/ \$3,000 probated and respondent pays remaining \$2,000	9/21/2007
Spikes Imaging, Inc.	X-ray	R27884	Lubbock, Texas	25 TAC § 289.227 – failure to conduct dose measurements at the required interval 25 TAC §289.227 – failure to conduct equipment performance evaluations at the required interval	Administrative penalty of \$2,000 shall be paid	7/16/2007
Stephen S. Sims, MD, PA	X-Ray	R29335	Huntsville, Texas	25 TAC § 289.227 – Failure to conduct equipment performance evaluations on x-ray unit	Administrative Penalty \$4,000.00 and reduced to \$1,000	10/9/2007
Sulphur Springs Medical Surgical Clinic, PA	Ram/XRay	L05701/R03512	Sulphur Springs, Texas	25 TAC § 289.256 – Failure to conduct test records for accuracy for the Atom lab at least annually 25 TAC §289.202 – Radiation surveys were calibrated at intervals exceeding twelve months 25 TAC § 289.201 – Sealed sources of radioactive material were not tested for leakage/contamination at the required intervals 25 TAC §289.227 – Personnel were allowed to operate x-ray equipment and perform procedures that were outside their scope of credentialing under TOC Chapter 601 25 TAC § 289.227- X-ray field for x-ray unit was not restricted to the area of clinical interest	Administrative penalties \$16,500 w/ \$12,000 probated for two years and respondent pays \$4,500.00	10/29/2007
The Chiropractic Connection, PC	X-Ray	R24620	Allen, Texas	25 TAC § 289.227 – Failure to conduct equipment performance evaluations at the required two year interval	Administrative penalty \$17,500 w/ \$12,000 probated and respondent pays \$3,000	10/01/07

				<p>25 TAC § 289.227 – Beam limiting device did not numerically indicate x-ray field size</p> <p>25 TAC § 289.232 – Failure to terminate use of radiation machines when Certificate of Registration has expired</p>		
Tracer-Tech Services, Inc.	Ram	L05375	Midland, Texas	<p>25 TAC § 289.202 – Failure to secure radioactive material from unauthorized removal or access</p> <p>25 TAC § 289.202 – Failure to submit a telephone report to the Department after radioactive material was stolen, lost or missing</p> <p>25 TAC § 289.257 – Failure to block and brace each package of radioactive material to prevent movement during transport</p> <p>25 TAC §§ 289.257 and 289.253 – Failure to comply with applicable requirements of US DOT regulations while transporting radioactive material, failure to attach a durable, legible and clearly visible label to each transport container with required licensee information</p>	Administrative penalties of \$11,000 to be paid	3/23/07
Trinity Mother Frances Health System	X-ray	R01735	Tyler, Texas	25 TAC §289.226 – Failure to seek authorization from Agency prior to initiating a healing arts program	Administrative penalties of \$5,000	4/23/2007
Walter T. Brzozowski, DC	X-ray	R01277	Victoria, Texas	25 TAC § 289.227 – Failure to conduct equipment performance evaluation at required interval for x-ray unit	Administrative penalty \$5,000 and reduced to \$1,000	9/27/2007

West Houston Medical Center	Ram	L02224	Houston, Texas	<p>25 TAC §289.252 – Failure to maintain valid license when in possession of radioactive material</p> <p>25 TAC §289.256 – Failure to provide sufficient time and resources to the radiation safety office (RSO) to fulfill the duties of that position</p>	Administrative penalties \$22,500.00 and reduced to \$5,000.00	9/18/2007
William D. Davies, D.D.S.	X-ray	R16074	Pasadena, Texas	<p>25 TAC § 289.232 – Failure to complete and submit the Dental Remote Inspection Form by indicated deadline</p> <p>25 TAC § 289.232 – Failure to conduct equipment performance evaluations at the required interval for all x-ray units</p>	Administrative penalties of \$4,000 w/ \$3,000 probated for one year and respondent pays remaining \$1,000.00	1/18/2007
Woolverton Chiropractic Center	X-Ray	R05033	Richardson, Texas	25 TAC § 289.227 – Failure to conduct equipment performance evaluation at the required two year interval	Administrative penalty \$5,000 w/ \$4,000 probated and respondent pays \$1,000	8/13/2007