

TEXAS STATE BOARD OF MEDICAL EXAMINERS

TEXAS STATE BOARD OF  
MEDICAL EXAMINERS

VS.

ANN BHUKET, M. D.

X DULY IN SESSION AT THE  
X LOEWS ANATOLE HOTEL, DALLAS,  
X TEXAS, AND THE AMFAC HOTEL,  
X DALLAS/FORT WORTH AIRPORT,  
X TEXAS

ORDER

On the 27th day of June, 1984, came on to be heard before the Texas State Board of Medical Examiners, duly in session, a certain complaint filed with the Board on the 24th day of April, 1984, in which it was complained that Ann Bhuket, M. D., had violated Article 4495b, Section 3.08, Subdivision (4), Subpart (E), and Subdivision (18), Texas Civil Statutes, such violation being grounds for the cancellation, revocation or suspension of the license to practice medicine in the State of Texas by Ann Bhuket, M. D., and that the said Ann Bhuket, M. D., having appeared in person and through her attorneys, Mike Aranson and Frank Shor, Legal Arts Center, 600 Jackson Street, Dallas, Texas 75202, and the charges having been read, and a denial of the allegations in the complaint having been entered, and the evidence on said complaint and charges having been presented to the Board in open hearing at the Loews Anatole Hotel, Dallas, Texas, on June 27, 28, 29, and 30, 1984, and the said hearing having been recessed and scheduled for additional presentation of evidence in open hearing at 9:00 A. M., August 22, 1984, at the Amfac Hotel, Dallas/Fort Worth Airport, Texas, and the Board having reconvened at the Amfac Hotel, Dallas/Fort Worth Airport, Texas, and that the said Respondent again having appeared in person and through her attorneys, Mike Aranson and Frank Shor, and agreement having been reached between the Board and Respon-

TEXAS STATE BOARD OF MEDICAL EXAMINERS

dent whereby Respondent agrees to the dismissal of a lawsuit styled Ann Bhuket, M. D. vs. Texas State Board of Medical Examiners, Cause Number 84-6297-C/K, in the 192nd Judicial District Court of Dallas County, Texas, and dismissal of any other legal actions brought by Ann Bhuket, M. D. against the Board, and the Board having agreed to the dismissal of the complaint against Ann Bhuket, M. D., filed with the Board on the 24th day of April, 1984, and dismissal of any other complaints and investigative matters involving action or conduct on Respondent's part occurring prior to August 22, 1984, whether such action or conduct be known or unknown to the Board, and in lieu of continuation of the hearing and in settlement of the allegations contained in the complaint, Respondent accepts the following order of the Board and agrees that no appeal of said order shall be made by or on behalf of Respondent:

IT IS ACCORDINGLY ORDERED, ADJUDGED AND DECREED that the license to practice medicine in the State of Texas heretofore held by Ann Bhuket, M. D., is indefinitely suspended from August 22, 1984, and during the time of such suspension, Respondent shall not practice medicine in the State of Texas and such suspension shall be terminated and Respondent's license to practice medicine shall be reinstated on probation with the hereinafter stated terms and conditions of probation, provided, such termination of suspension and reinstatement of license shall not occur prior to August 22, 1985, and, in addition, not prior to the occurrence of the following events:

- (a) Respondent shall have taken and passed with a grade required by the Board for applicants for licensure by examination in this State, Day III of the Federation Licensing

TEXAS STATE BOARD OF MEDICAL EXAMINERS

Examination (FLEX), or the FLEX II examination, or its equivalent as defined by the Board;

(b) A supervising physician acceptable to the Executive Director of the Board shall have been selected from a list of three (3) or more supervising physicians nominated by Respondent, such physicians having previously agreed in writing to perform the duties and fulfill the responsibilities of supervising, monitoring, and overseeing the medical practice of Respondent during the term of the probation and in accordance with the terms and conditions of the probation as hereinafter set out in this order, provided that if none of the physicians initially nominated by Respondent have been approved by the Executive Director of the Board, then Respondent shall nominate other physicians until a mutually acceptable physician shall have been selected and agreed to serve as a supervising physician, and provided further, that approval by the Executive Director of one of the nominated physicians shall not be unreasonably withheld;

(c) Respondent shall have presented evidence to the Board of successful completion of one (1) year of postgraduate training as either a Resident or a Fellow in an institution approved by either the Liaison Committee on Medical Education or the American Osteopathic Association for postgraduate medical training, or, alternatively, until Respondent has submitted satisfactory proof to the Board of completion of at least 250 hours of continuing medical education, which hours shall have

TEXAS STATE BOARD OF MEDICAL EXAMINERS

been approved by the Executive Director of the Board prior to Respondent taking such courses.

After the expiration of at least one (1) year from August 22, 1984, and the occurrence of the events described in paragraphs 1(a), 1(b), and 1(c) above, the license of Ann Bhuket, M. D., shall be reinstated and Respondent shall be placed on probation for a period of ten (10) years under the following terms and conditions of probation, a violation of which terms and conditions could result in revocation of probation and cancellation of Respondent's license to practice medicine following a hearing in accordance with the Medical Practice Act and the Administrative Procedures Act, and at the conclusion of the said term of probation, if Respondent has fulfilled all terms and conditions of said probation, her license shall be reinstated without condition or restriction:

- (a) Respondent shall not practice homeopathic medicine or prescribe, administer or dispense medication in homeopathic dosages;
- (b) Respondent shall not utilize electro-medical devices or instruments in diagnosis or treatment except for utilization of such devices or instruments which are approved by the Texas Department of Health for usage in a hospital in this State, or which are approved for Medicare reimbursement or which have been approved by the Board at the request of Respondent prior to her utilization of such electro-medical devices or instruments;
- (c) Respondent shall not utilize in any manner in her medical practice, chelation therapy or IV (intravenous) infusion therapy except for IV infusion of standard electrolyte solutions;

TEXAS STATE BOARD OF MEDICAL EXAMINERS

(d) Respondent shall not utilize in any manner in her medical practice megadose vitamin therapy;

(e) Respondent shall not utilize in any manner in her medical practice acupuncture, acupressure or electro-acupuncture except for the purpose of relieving pain;

(f) Respondent shall not utilize in any manner in her medical practice any instrument or device which has not been approved by the supervising physician;

(g) Respondent and the supervising physician shall personally confer at least weekly for review by the supervising physician of Respondent's patient charts, Respondent's medical office record keeping, Respondent's professional fee schedules, Respondent's specialist referral plans and practices, and Respondent's other office procedures and practices, and the supervising physician shall make recommendations regarding the reviewed items to Respondent and shall make monthly written reports to the Board regarding his or her (1) review of Respondent's practice, (2) recommendations made to Respondent, and (3) Respondent's compliance with such recommendations.

(h) Respondent shall not sell or dispense medications or devices to her patients through her office or any office in which she has a direct or indirect financial or business interest, provided, however, Respondent is not prohibited from writing usual and customary prescriptions for medications to be filled elsewhere;

(i) Respondent shall personally appear before the Board two (2) times per year at the Board's regular meetings in February and August of each year during the term of her probation;

TEXAS STATE BOARD OF MEDICAL EXAMINERS

(j) Respondent shall present prior to August 1 of each year of the probation, satisfactory proof of attendance of at least fifth (50) hours of continuing medical education approved by the American Medical Association for the Physician's Recognition Award.

(k) Respondent shall keep a copy in chronological order of each prescription written for drugs, medications, or medical devices issued to patients during the period of probation and shall make such copies available to the Board and its investigation staff for review and/or copying upon request.

(l) Respondent shall cooperate with the Texas State Board of Medical Examiners, its attorneys, investigators, and other employees, in the investigation of her practice to verify that she has complied with terms and conditions of probation and with the Texas Medical Practice Act.

(m) Respondent shall apply for County Medical Society membership and apply for hospital staff privileges as soon as practicable following termination of the suspension of her medical license.

(n) Respondent shall not violate any provisions of the Texas Medical Practice Act as it is presently codified or as such Act may be amended, or violate any provisions of any State or Federal laws regulating the practice of medicine and shall not be found guilty of violating any of the laws of the grade of a felony or misdemeanor involving the practice of medicine or moral turpitude of this State, any other State, or of the United States.

TEXAS STATE BOARD OF MEDICAL EXAMINERS

(o) The running of this period of probation shall be tolled for any periods of time of six (6) months or longer during which Respondent either resides or practices medicine outside of Texas, and, therefore, any period of time of six (6) months or longer during which Respondent either resides or practices medicine outside the State of Texas shall not be applied to the probationary period herein assessed. In the event Respondent leaves Texas for either of these purposes, she shall immediately notify the Board of the dates of departure from and return to Texas. On Respondent's return to Texas, if such period of time out of the State exceeds six (6) months, the remainder of the probationary period herein assessed shall begin and shall continue until the terms of such period has been completed.

Upon full compliance with the terms and conditions set forth, and upon expiration of the term of probation, the said license of Ann Bhuket, M. D., shall have full privileges, free and clear of the terms of the probationary period herein imposed, provided, however, in the event Ann Bhuket, M. D., violates or fails to comply with any of the terms or conditions of this order during said probation, the Board, upon receipt by it of said evidence thereof, may, after notice and hearing, immediately and forthwith terminate said probation, cancel and revoke said stay of execution, and direct that an Order of Revocation of her medical license become effective and that such license be cancelled.

TEXAS STATE BOARD OF MEDICAL EXAMINERS

RENDERED AND ENTERED this the 22nd day of August, 1984.

*Carlton A. Dickinson*

President

*A. Clifford Burrows, M.D.*

*James K. Pedey, M.D.*

*Paul H. Kelly, D.O.*

*Del Zimmerman, M.D.*

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*Gene W. Williams*

Secretary-Treasurer

*Robert L. M. Williams, M.D.*

*M. A. Williams, M.D.*

*Suzanne Ann, M.D.*

*Cynthia J. Jenkins*

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TEXAS STATE BOARD OF MEDICAL EXAMINERS

Accepted this the 17 day of Sept, 1984.



Mike Aranson, Attorney at Law

THE STATE OF TEXAS    X  
                              X  
COUNTY OF TRAVIS     X

COMPLAINT

BEFORE ME, on this day personally appeared Gerald O. Glenn, who after being by me duly sworn, did depose and say:

COUNT I

1. Ann Bhuket, M. D., of Plano, Collin County, Texas (hereinafter referred to as Dr. Bhuket), did treat Jo Ellen Marek beginning on or about November 6, 1978, and continuing through May, 1979, and during this period did administer drugs and render treatment, including the administration of vitamin therapy and PABA (Para-Aminobenzoic Acid) and EDTA (Edetate Disodium) which were nontherapeutic and not medically beneficial nor medically indicated for the diagnosis of diabetes mellitus which had been previously made on the said Jo Ellen Marek and which drug therapy constituted a professional failure to practice medicine in an acceptable manner consistent with public health and welfare.

2. Dr. Bhuket did treat Eileen Dowd, a patient with diagnosed metastatic carcinoma of the breast with possible liver involvement, from on or about October 6, 1983, to on or about December 8, 1983, with the administration of dimethyl sulfoxide (hereinafter called "DMSO"), with the administration of large dosages of vitamins, with the administration of a substance called "Viscum" and with a multitude of other substances of unknown composition and content, with the administration of edetate disodium (hereinafter called "EDTA"), with the application of a plastic cone-like object (which medical device Dr. Bhuket sold to Mrs. Dowd for \$150.00), and which was to be applied

to portions of the patient's body to draw the pain from the said area, and with other treatments and medication, none of which treatments or drug therapies were medically indicated or medically beneficial for the patient or any patient suffering from cancer, and which treatments constituted professional failure to practice medicine in an acceptable manner consistent with public health and welfare.

3. Dr. Bhuket did treat Gene Hunter, a cancer patient, from on or about July 18, 1983, to on or about December 15, 1983, and during this period did administer drugs and render treatment, including the administration of "Viscum" injections, "Bach", "Nux Vomica", other substances referred to as "drainages", and with many other drugs or substances which were not medically indicated for treatment of a patient who had been diagnosed as suffering from cancer, such drugs and treatments having been prescribed or administered without Dr. Bhuket's prior careful and personal evaluation of the patient's condition or the taking of an adequate history or physical examination of the patient, and which medical treatments constituted professional failure to practice medicine in an acceptable manner consistent with public health and welfare.

4. Dr. Bhuket did treat Carrie Lynn Nicholson, a 17-year-old female patient with an ovarian cyst, beginning on or about October 8, 1981, and continuing until on or about January 18, 1982, and during this period administered drugs or treatments, including the treatment with a prong-like device inserted into the patient's vagina for the purpose of dissolving the ovarian cyst with a patient-controlled electrical current, and with the injection or administration of various unknown substances, none of which injections and treatments were medically indicated for the

treatment of an ovarian cyst in a 17-year-old female patient and which treatments constituted professional failure to practice medicine in an acceptable manner consistent with public health and welfare.

5. Dr. Bhuket did treat Edwin B. Smith, a patient who had previously suffered from a myocardial infarction, and who was suffering from hypertension, angina and gout, from on or about January 15, 1979, to September 25, 1979, by removing the patient from previously prescribed antihypertensive medications and by substituting therefore acupuncture treatment, multivitamin injections, adrenal cortical extract injections, and other medications which were not medically indicated for a patient previously treated for and diagnosed as suffering from myocardial infarction, hypertension, angina and gout, and which treatments were harmful to the health and welfare of the said patient and which constituted a professional failure to practice medicine in an acceptable manner consistent with public health and welfare.

6. Dr. Bhuket did treat David L. Miller beginning on or about May 17, 1983, and continuing until on or about August 29, 1983, and during the period did make a diagnosis and render treatment based upon her diagnosis of: "1. Anemia, 2. Liver Enzyme abnormality, 3. Pan Hypogamma globulin, 4. Vitamin and Mineral deficiency, 5. Calcium Magnesium Deficiency, 6. Thiamine Deficiency, 7. Amino Acid Deficiency, 8. Allergic Environmental Toxins and Chemicals, 9. Allergic to Fungus and dormant of Viruses and Bacteria (sic), 10. Pancreas Hypofunction, 11. High tendency of abnormal function of Glucose Metabolism, and 12. Colitis", none of which diagnoses by Dr. Bhuket were supported by adequate laboratory tests or evaluations, and such findings or diagnoses

with regard to David L. Miller constituted professional failure to practice medicine in an acceptable manner consistent with public health and welfare.

The above and foregoing actions constitute violations of Subdivision (18) of Section 3.08 of Article 4495b, Texas Civil Statutes, and constitute grounds for the Texas State Board of Medical Examiners to cancel, revoke or suspend the medical license of Ann Bhuket, M. D., to practice medicine in the State of Texas or to impose any other authorized means of discipline as provided in Subchapter D, Article 4495b, Texas Civil Statutes.

#### COUNT II

That the medical care rendered to the patients by Dr. Bhuket at the times and in the manner set forth in Count I, paragraphs 1 through 6, was nontherapeutic in nature or nontherapeutic in the manner administered or prescribed and such action constitutes unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public.

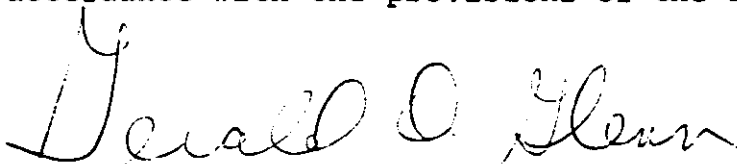
The foregoing constitutes a violation of Article 4495b, Section 3.08, Subdivision (4)(E), Texas Civil Statutes, and constitute grounds for the Texas State Board of Medical Examiners to cancel, revoke or suspend the medical license of Ann Bhuket, M. D., to practice medicine in the State of Texas or to impose any other authorized means of discipline as provided in Subchapter D, Article 4495b, Texas Civil Statutes.

#### COUNT III

That the medical care rendered by Dr. Bhuket at the times and in the manner set forth in Count I, paragraphs 1 through 6, evidences

medical incompetency and lack of medical judgment which result or which would have resulted in patients suffering physical injury, pain, expense, physical deterioration, or other untoward consequences of treatment that Dr. Bhuket's continuation in medical practice constitutes an immediate danger to the public and imminent peril to the public health, safety and welfare requiring immediate effect of an order cancelling and revoking the license to practice medicine currently held by Dr. Bhuket.

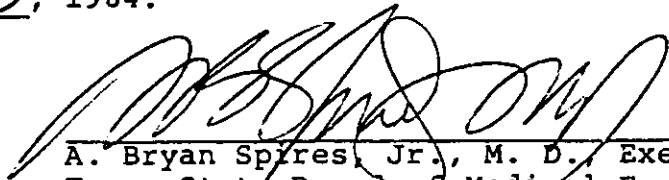
Wherefore, I, Gerald O. Glenn, do hereby suggest and request the Texas State Board of Medical Examiners to immediately take appropriate action to cancel, revoke, or suspend the medical license of Ann Bhuket, M. D., of Plano, Collin County, Texas, to practice medicine in the State of Texas or to impose any other authorized means of discipline upon Ann Bhuket, M. D., in accordance with the provisions of the laws of the State of Texas.

  
Gerald O. Glenn

SUBSCRIBED AND SWORN to before me by the said Gerald O. Glenn, this the 24th day of April, 1984.

  
Notary Public in and for the State of Texas

Filed with the Texas State Board of Medical Examiners this the 24th day of April, 1984.

  
A. Bryan Spires, Jr., M. D., Executive Director  
Texas State Board of Medical Examiners