

Dear Fellow Physician,

Recently the Association of American Physicians and Surgeons (AAPS) filed a Federal lawsuit against the Texas Medical Board (TMB) as a whole and individually against each member. Thus far, two of the TMB members have resigned - Keith Miller MD, the former Director of the Disciplinary Review Committee, and S. Donald Patrick MD JD, the Executive Director of the TMB (effective 08-31-2008).

The State Legislature is doing their part by forming committees to investigate the activities of the TMB (House, Senate, and Sunset Commission).

Next week I will be giving lectures at the National Semmelweis Society meeting in Washington D.C. These lectures deal with the psychological and physical manifestations of those physicians who have faced retaliation from the TMB, hospitals, and bad faith peer review.

Your answers will be shared not only with those in attendance, but at a series of Congressional Tribunals in front of the U.S. House and Senate.

### **QUESTIONNAIRE**

Posed to Physicians Regarding  
Dealings with the Texas Medical Board (TMB)

If you could take a moment; fill out this Questionnaire, and fax or email back, this will significantly help this Federal Investigation and the Texas Legislators in regulating the TMB to give Texas physicians the fair and due process deserved.

#### **PLEASE CHECK ALL THAT APPLY**

(1) Have you ever had a complaint from the TMB filed against you?

Yes                       No

(2) What steps were required?

Response to complaint.

ISC.

SOAH Hearing.

State District Court Hearing.

(3) What was the outcome?

Agreed Order.

Fine : \$ \_\_\_\_\_ Amount.

Temporary license suspension.

License revocation.

Case dropped.

(4) What was the name of your legal counsel?

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(5) Were you happy with your Attorney?

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(6) Who was the counsel acting against you?

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(7) Any comments on their actions or behavior?

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(8) What was the nature of the initial complaint against you?

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(9) Was the complaint anonymous, or did you know who initiated the complaint?

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(10) Were TMB expert witnesses utilized?

Yes

No

(11) Who were the TMB expert witnesses?

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(12) Were they of the same specialty as yourself?

- Yes                       No

(13) Were their reports fair and unbiased?

- Yes                       No

(14) Was your outcome fair?

- Yes                       No

(15) How much were your total legal fees?

\$ \_\_\_\_\_

(16) Did your dealings with the TMB adversely effect your business?

- Yes                       No

(17) If you had a decrease in your business as a result of adverse actions by the TMB, what was the percent decrease?

\_\_\_\_\_

(18) How many patients do you actively have in your practice?

\_\_\_\_\_

(19) How did the actions by the TMB effect them?

\_\_\_\_\_

(20) What psychological implications have you had to endure as a consequence of your TMB investigation?

- depression
- anxiety
- fear and intimidation of further retaliation from the TMB
- financial hardship
- isolation from staff
- isolation from personal acquaintances
- alienation from business associates

- difficulties with family relationships
- anger, doubt, and distrust from your patients

(21) What physical health implications have you had to endure as a consequence of your TMB investigation?

- cardiac problems
- hypertension
- sexual dysfunction
- weight loss / weight gain
- loss of appetite
- insomnia
- dermatological problems
- headaches
- loss of energy
- mood swings
- dysfunctional immune system (ie. increase in infections)

Your name and demographic information **WILL BE KEPT CONFIDENTIAL.**

**YOUR ANSWERS WILL BE SHARED AT THE UPCOMING SEMMELWEIS CONFERENCE AND ASSOCIATED CONGRESSIONAL HEARINGS NEXT WEEK.**

Thank you for your **IMMEDIATE RESPONSE.**

Please return by fax or email.

fax. (281) 592-6855

Or email your own testimony to:  
[mwbmd2008@gmail.com](mailto:mwbmd2008@gmail.com)

If you have any questions, please contact me at the office at (281) 592-8007, or by cell phone at (281) 799-9248.

Warmest Regards,

A handwritten signature in black ink, appearing to read 'MWBaker MD', with a long horizontal flourish extending to the right.

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