



State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43266-0315 • (614) 466-3934 • Website: www.state.oh.us/me

March 11, 1998

Manuel F. Castaneda, M.D.
P. O. Box 671448
Houston, TX 77267

Dear Doctor Castaneda:

Please find enclosed a certified copy of the Findings, Order and Journal Entry approved and confirmed by the State Medical Board meeting in regular session on March 11, 1998.

Section 119.12, Ohio Revised Code, may authorize an appeal from this Order. Such an appeal may be taken to the Franklin County Court of Common Pleas only.

Such an appeal setting forth the Order appealed from the grounds of the appeal must be commenced by the filing of a Notice of Appeal with the State Medical Board of Ohio and the Franklin County Court of Common Pleas within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

Very truly yours,

Anand G. Garg, M.D.
Secretary

AGG:jam
Enclosures

CERTIFIED MAIL RECEIPT NO. Z 233 895 299
RETURN RECEIPT REQUESTED

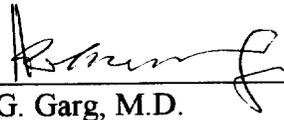
Mailed 3/12/98

CERTIFICATION

I hereby certify that the attached copy of the Findings, Order and Journal Entry, approved by the State Medical Board, meeting in regular session on March 11, 1998, constitute a true and complete copy of the Findings, Order and Journal Entry in the Matter of Manuel F. Castaneda, M.D., as it appears in the Journal of the State Medical Board of Ohio.

This Certification is made by the authority of the State Medical Board of Ohio in its behalf.

(SEAL)



Anand G. Garg, M.D.
Secretary

03/12/98

Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

*

*

MANUEL F. CASTANEDA, M.D.

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FINDINGS, ORDER AND JOURNAL ENTRY

By letter dated January 14, 1998, notice was given to Manuel F. Castaneda, M.D., that the State Medical Board intended to consider disciplinary action regarding his license to practice medicine and surgery in Ohio, and that he was entitled to a hearing if such hearing was requested within thirty (30) days of the mailing of said notice. In accordance with Section 119.07, Ohio Revised Code, said notice was sent via certified mail, return receipt requested, to the last known address of to Manuel F. Castaneda, M.D., that being P.O. Box 671448, Houston, TX, 77267. The certified mail receipt was signed and returned to the State Medical Board, documenting service.

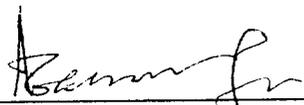
No hearing request has been received from to Manuel F. Castaneda, M.D., and more than thirty (30) days have now elapsed since the mailing of the aforesaid notice.

WHEREFORE, for the reasons outlined in the January 14, 1998 letter of notice, which is attached hereto and incorporated herein, it is hereby ORDERED that the license of to Manuel F. Castaneda, M.D., to practice medicine and surgery in the State of Ohio be _____
REVOKED

This Order shall become effective IMMEDIATELY.

This Order is hereby entered upon the Journal of the State Medical Board of Ohio for the 11TH day of MARCH, 1998, and the original thereof shall be kept with said Journal.

(SEAL)



Anand G. Garg, M.D.
Secretary
03/12/98

Date

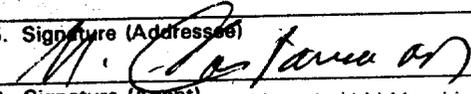
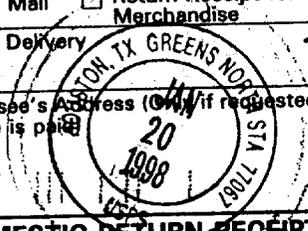
CITE P 152 984 789 JAM

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to	Manuel F Castaneda, MD	
Street & Number	P.O. Box 671448	
Post Office, State, & ZIP Code	Houston, TX 77267	
Postage	\$	1.47
Certified Fee		1.35
Special Delivery Fee		
Restricted Delivery Fee		
Return Receipt Showing to Whom & Date Delivered		1.10
Return Receipt Showing to Whom, Date, & Addressee's Address		
TOTAL Postage & Fees	\$	3.12
Postmark or Date		

PS Form 3800, April 1995

Is your RETURN ADDRESS completed on the reverse side?

SENDER: <ul style="list-style-type: none"> • Complete items 1 and/or 2 for additional services. • Complete items 3, and 4a & b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered. 		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: MANUEL F. CASTANEDA, MD P O BOX 671448 HOUSTON, TX 77267		4a. Article Number P 152 984 789	
5. Signature (Addressee) 		4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
6. Signature (Agent)		7. Date of Delivery 	
8. Addressee's Address (Only if requested and fee is paid)		CITE	

Thank you for using Return Receipt Service.

AFFIDAVIT

I, Debra Jones, being duly cautioned and sworn, do hereby depose and say:

- 1) That I am employed by the State Medical Board of Ohio (hereinafter, "The Board")
- 2) That I serve the Board in the position of Chief, Continuing Medical Education, Records, and Renewal;
- 3) That in such position I am the responsible custodian of all public licensee records maintained by the Board pertaining to individuals who have received certificates issued pursuant to Chapter 4731., Ohio Revised Code;
- 4) That I have this day carefully examined the records of the Board pertaining to Manuel F. Castaneda, M.D.;
- 5) That based on such examination, I have found the last known address of record of Manuel F. Castaneda, M.D., to be:

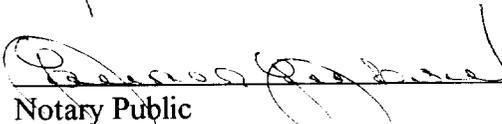
P.O. Box 671448
Houston, TX 77267

- 6) Further, Affiant Sayeth Naught.



Debra L. Jones, Chief
Continuing Medical Education,
Records and Renewal

Sworn to and signed before me, Lauren Lubow, Notary
Public, this 26th day of February, 1998



Notary Public

LAUREN LUBOW, Attorney At Law
NOTARY PUBLIC, STATE OF OHIO
My commission has no expiration date.
Section 147.03 R.C.



State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43266-0315 • (614) 466-3934 • Website: www.state.oh.us/med/

January 14, 1998

Manuel F. Castaneda, M.D.
PO Box 671448
Houston, TX 77267

Dear Doctor Castaneda:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio intends to determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery, or to reprimand or place you on probation for one or more of the following reasons:

- (1) On or about November 16, 1996, you entered into an Agreed Order with the Texas State Board of Medical Examiners (hereinafter Texas Board) that stayed a suspension of your license and placed you on probation for a period of five years. The Agreed Order was based upon the findings of fact that you had been arrested and charged with four counts of indecency with a child and one count of assault with intent to cause bodily injury; that you had inappropriately self-prescribed controlled substances and dangerous drugs; and that you had inappropriately prescribed a controlled substance to a patient without adequate medical indication. A copy of the November 1996 Agreed Order is attached hereto and incorporated herein.

On or about November 22, 1997, the Texas Board modified the November 1996 Agreed Order to reflect that you had been found not guilty of the aforementioned criminal charges. The Texas Board also eliminated paragraph sixteen of the November 1996 Agreed Order that required you to have a third party present when performing physical examinations on female and minor patients. All other provisions of the November 1996 Agreed Order remain in effect. A copy of the November 1997 Order of modification is attached hereto and incorporated herein.

The Order as alleged in paragraph (1) above, individually and/or collectively, constitutes "[t]he limitation, revocation, or suspension by another state of a license or certificate to practice issued by the proper licensing authority of that state, the refusal to license, register, or reinstate an applicant by that authority, the imposition of probation by that authority, or the issuance of an order of censure or other reprimand by that authority for any reason, other than nonpayment of fees," as that clause is used in Section 4731.22(B)(22), Ohio Revised Code.

Mailed 1/16/98

Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, the request must be made in writing and must be received in the offices of the State Medical Board within thirty (30) days of the time of mailing of this notice.

You are further advised that you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing received within thirty (30) days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation.

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Anand G. Garg, M.D.
Secretary

AGG/bjm
Enclosures

CERTIFIED MAIL # P 152 984 789
RETURN RECEIPT REQUESTED

IN THE MATTER OF

THE LICENSE OF

MANUEL FRANCO CASTANEDA, M.D.

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BEFORE THE

TEXAS STATE BOARD

OF MEDICAL EXAMINERS

AGREED ORDER

On this the 16 day of November, 1996, came on to be heard before the Texas State Board of Medical Examiners ("the Board" or "the Texas Board"), duly in session the matter of the license of Manuel Franco Castaneda, M.D. ("Respondent"). On October 24, 1996, Respondent appeared in person with counsel, Michael J. Hinton and June E. Cullom, at an Informal Settlement Conference/Show Compliance Proceeding in response to a letter of invitation from the staff of the Board.

The Board was represented at the Informal Settlement Conference/ Show Compliance Proceeding by William A. Pollan, D.O., a member of the Board, and Larry Hufford, Ph.D., a district review committee member. Upon recommendation of the Board's representatives, and with the consent of Respondent, the Board makes the following findings of fact and conclusions of law and enters this Order as set forth herein:

FINDINGS OF FACT

1. Respondent, Manuel F. Castaneda, M.D., holds Texas medical license G-6798.
2. The Board has jurisdiction over the subject matter and Respondent. Respondent received all notice which may be required by law and by the rules of the Board. All jurisdictional requirements have been satisfied.
3. Respondent is 60 years old.
4. Respondent is certified by the American Board of Medical Specialties in emergency medicine.

5. Respondent has been licensed to practice medicine in Texas for approximately 12 years.

6. On or about June 28, 1996, Respondent was arrested for 4 counts of indecency with a child and 1 count of assault with intent to cause bodily injury in Houston, Texas. The allegations stem from Respondent's relationship with his estranged wife and two step-daughters. Respondent denies the allegations and plans to contest the allegations at a future criminal trial.

7. Respondent has inappropriately self-prescribed controlled substances and dangerous drugs for pain control regarding his right leg and polio he suffered as a child.

8. In January, 1994, Respondent inappropriately prescribed a controlled substance, Lortab, to patient A.L., an emergency room patient, without adequate medical indication.

9. In regard to the above allegations and findings, Respondent voluntarily submitted to a physical exam by Manus J. O'Donnell, M.D., and a psychiatric exam by Richard Pesikoff, M.D. The physical exam noted the need for Respondent to not self-medicate. The psychiatric exam report indicated no evidence of psychiatric disorder.

10. While not admitting that he has violated the Medical Practice Act ("the Act"), V.A.C.S., article 4495b, Respondent has chosen to avoid the expense and difficulties associated with litigation by entering into this Agreed Order, and agreeing to comply with the terms and conditions set forth herein.

11. Respondent has not previously been the subject of disciplinary action by the Board.

12. Respondent has entered into this Agreed Order pursuant to the provisions of Sections 4.02(h) and (i) of the Medical Practice Act ("the Act"), V.A.C.S., article 4495b.

CONCLUSIONS OF LAW

Based on the above findings of fact, the Board concludes the following:

1. Respondent has violated Section 3.08(4)(E) of the Medical Practice Act ("the Act"), V.A.C.S., article 4495b, which authorizes the Board to take disciplinary action against Respondent based on Respondent's prescribing or administering a drug or treatment that is nontherapeutic in nature or nontherapeutic in the manner the drug or treatment is administered or prescribed.

2. Respondent has violated Section 3.08(4)(F) of the Medical Practice Act ("the Act"), V.A.C.S., article 4495b, which authorizes the Board to take disciplinary action against Respondent based on Respondent's prescribing, administering, or dispensing in a manner not consistent with public health and welfare dangerous drugs as defined by Chapter 483 of the Texas Health and Safety Code, controlled substances scheduled in the Texas Controlled Substances Act (Chapter 481 of the Texas Health and Safety Code), or controlled substances scheduled in the Federal Comprehensive Drug Abuse Prevention and Control Act of 1970, 21 U.S.C.A. Section 801 et seq. (Public Law 91-513).

3. Respondent has violated Section 3.08(18) of the Medical Practice Act ("the Act"), V.A.C.S., article 4495b, which authorizes the Board to take disciplinary action against Respondent based on Respondent's professional failure to practice medicine in an acceptable manner consistent with public health and welfare.

4. Section 4.02(h) of the Act authorizes the Board to resolve and make a disposition of this matter through an agreed order.

5. Section 4.02(i) of the Act provides that this Agreed Order is a settlement agreement under the Texas Rules of Civil Evidence for purposes of civil litigation.

6. Section 4.12 of the Act authorizes the Board to impose the remedial measures and sanctions set forth below.

Based on the above findings of fact and conclusions of law, the Board ORDERS that Respondent's Texas medical license is hereby SUSPENDED; however, the suspension is STAYED and Respondent is placed on PROBATION under the following terms and conditions for five (5) years from the date of the signing of this Agreed Order by the presiding officer of the Board:

1. Except as otherwise provided for by the terms of this Agreed Order, Respondent shall not treat or otherwise serve as a physician for Respondent's immediate family, and Respondent shall not prescribe, dispense, or administer controlled substances, dangerous drugs with addictive potential or potential for abuse, to Respondent or Respondent's immediate family. Respondent may self-administer or administer to Respondent's immediate family only such drugs and as prescribed by other physicians for a legitimate medical purpose and in compliance with the orders and directions of such physicians.

2. Respondent shall abstain from the consumption of dangerous drugs, or controlled substances in any form unless prescribed by another physician to Respondent for a legitimate and therapeutic purpose. In the event that Respondent receives dangerous drugs or controlled substances from another physician for the purpose of treating Respondent, Respondent shall cause the treating physician to immediately report in writing to the Board the medical condition being treated, the substance prescribed, dispensed or administered, the amount of such substance and any refills authorized, or shall have the treating physician provide the Board with a copy of Respondent's medical record which substantially reflects this information. Respondent shall give the treating physician a copy of this Agreed Order and shall ensure that a report to the Board is made by the treating physician or that a copy of Respondent's medical record is provided by the treating physician to the Board. Respondent shall immediately report by telephone to Respondent's compliance officer, the Director of Hearings, or the Assistant Administrator of Hearings and Compliance of the Board, to be followed by a letter within twenty-four (24) hours, an explanation of any incident in which Respondent ingests any controlled substances or dangerous drugs in any manner not prescribed by another physician for a legitimate medical purpose.

3. Respondent shall submit himself for appropriate examinations, including screening for drugs either through a urine, blood, or hair specimen, at the request of a representative of the Board, without prior notice, to determine chemically through laboratory analysis that Respondent is free of prohibited drugs. Respondent shall pay for the costs of these chemical analyses. A positive screen for drugs consumed in violation of the terms of this Agreed Order, or a refusal to submit to random screenings shall constitute a violation of this Agreed Order and may result in further disciplinary action pursuant to Sections 4.01(a) and 3.08 of the Medical Practice Act.

4. Respondent shall be solely responsible for the payment of all costs and charges by any facility which conducts screens on Respondent pursuant to this Agreed Order to determine whether or not Respondent has ingested drugs in violation of the terms set forth herein. Respondent shall promptly pay all such costs and charges. Respondent's failure to promptly pay the legitimate costs and charges associated with such screens shall constitute unprofessional and dishonorable conduct, a violation of this Agreed Order, and grounds for disciplinary action under Sections 3.08(4), 4.01, 4.11, and 4.12 of the Act.

5. Respondent shall submit in writing to the Director of Hearings of the Board the names of three (3) American Board Certified psychiatrists for the Executive Director's approval and, when such approval is received, shall expeditiously submit himself for evaluation and treatment by the approved psychiatrist. Respondent shall follow the psychiatrist's recommendations, if any, regarding continuing care and treatment, whether ingestion of alcohol is appropriate, and shall see the approved psychiatrist for follow-up care and counseling at least once each month.

The Board and Respondent shall furnish a copy of this Agreed Order to the psychiatrist as authorization for the psychiatrist to make reports to the Board regarding Respondent's psychiatric evaluation and such other reports as the Board may request. Board staff may furnish to the approved psychiatrist any Board information which may be helpful or required for the evaluation and treatment of Respondent. Respondent's failure to cooperate with the psychiatrist shall constitute a violation of this Agreed Order.

6. Respondent shall not unilaterally withdraw from the evaluation, care, or treatment required by this Agreed Order, and shall request and authorize in writing that Respondent's physician or any other

individuals involved in Respondent's care and treatment immediately report to the Board any unilateral withdrawal from treatment by Respondent.

7. Respondent shall immediately notify the Director of Hearings for the Board or a Board Compliance Officer or Investigator upon discontinuation for any reason of any care and treatment required by the terms of this Agreed Order.

8. Respondent's unilateral withdrawal from evaluation, treatment, or medical care required by this Agreed Order shall constitute unprofessional and dishonorable conduct, a violation of this Agreed Order, and grounds for disciplinary action under Sections 3.08(4), 4.01, 4.11, 4.12 and 4.13 of the Act. Section 4.13 authorizes the Board to temporarily suspend the license of a physician who in the determination of the Disciplinary Panel of the Board constitutes a continuing threat to the public welfare.

9. In addition to any other requirements in this Agreed Order, Respondent shall submit to alcohol and drug screens by any of the physicians required and authorized to evaluate or treat Respondent pursuant to the terms of this Agreed Order. A copy of this Agreed Order shall be provided by Respondent to the approved physician as authorization for the physician to provide to the Board any and all records and reports related to the evaluation and treatment of Respondent to include, but not limited to, immediate transmission of the results of any drug or alcohol screens which may indicate Respondent has ingested alcohol or drugs in violation of this Agreed Order. Respondent shall execute any releases of medical records necessary to effectuate the provisions of this paragraph. Respondent's failure to promptly submit to such screens, or a test result which indicates that Respondent has ingested alcohol or drugs in violation of the terms of this Agreed Order, shall constitute unprofessional and dishonorable conduct, a violation of this Agreed Order, and grounds for disciplinary action under Sections 3.08(4), 4.01, 4.11, 4.12, and 4.13 of the Act. Section 4.13 authorizes the Board to temporarily suspend the license of a physician who in the determination of the Disciplinary Panel of the Board constitutes a continuing threat to the public welfare.

10. When requested by the Board or Board staff, Respondent shall provide to Board staff complete legible written reports regarding any aspect of Respondent's physical or mental condition and Respondent's compliance with the terms of this Agreed Order.

11. Upon request by the Board or a member of the Board staff, Respondent shall immediately execute, and provide as needed, any and all medical releases as may be requested by the Board or Board staff to obtain copies of medical treatment records of Respondent to include, but not limited to, any such releases required to obtain treatment records of Respondent protected by 42 C.F.R. subchapter A, part 2, and any subsequent amendments. Failure to execute and provide such releases shall constitute a basis for disciplinary action against Respondent pursuant to Sections 3.08, 4.01, and 4.11 of the Act.

12. Within six (6) months following the signing of this Agreed Order by the presiding officer of the Board, Respondent shall take and pass the Medical Jurisprudence Examination (JP Exam) given by the Texas State Board of Medical Examiners. In the event that Respondent does not take and pass the JP Exam within six (6) months following signing of this Agreed Order by the presiding officer of the Board, Respondent's medical license shall be immediately suspended pursuant to correspondence to Respondent from the Executive Director or Secretary-Treasurer of the Board indicating that Respondent has not fulfilled the requirements of this provision by passage of the JP Exam within the allotted time period. **THIS SUSPENSION SHALL BE EFFECTIVE WITHOUT THE NEED FOR A HEARING OR OTHER ADMINISTRATIVE DUE PROCESS UNDER THE MEDICAL PRACTICE ACT OR THE ADMINISTRATIVE PROCEDURE ACT, AND RESPONDENT SPECIFICALLY WAIVES ANY SUCH HEARING OR DUE PROCESS.** Respondent shall be notified of any such suspension by certified mail, return receipt requested, to his last known address on file with the Board. If Respondent's medical license is suspended on such a basis, the suspension shall remain in effect until such time as Respondent takes and passes the JP Exam and subsequently appears before the Board in person and provides sufficient evidence which, in the discretion of the Board, is adequate to show that Respondent possesses the skills and knowledge to safely practice medicine in Texas and is otherwise physically and mentally competent to resume the practice of medicine in this state.

13. Respondent shall obtain at least fifty (50) hours per year of Continuing Medical Education (CME) approved for Category I credits by the American Medical Association or by the American Osteopathic Association. Each year Respondent shall submit to the Board proof of the prior year's CME attendance by the Order's anniversary date. Respondent shall submit proof to the Board of CME hours attended in the current year even though such may not meet the 50 hour requirement. A copy of the attendance certificate issued or a detailed report which can be readily verified by the Board shall satisfy this requirement.

14. Within 6 (six) months from the signing of this Agreed Order by the presiding officer of the Board, Respondent shall enroll in and successfully complete a course in the area of conflict resolution, or a substantially equivalent course, approved in writing in advance by the Executive Director of the Board. To obtain approval for the course, Respondent shall submit in writing to the Director of Hearings for the Board information on the course, to include a reasonably detailed description of the course content and faculty, as well as the course location and dates of instruction. Documentation of attendance and successful completion to this requirement shall be delivered to the Director of Hearings for the Board on or before the expiration of the time limit set forth for completion of the course.

15. The training or course requirements set forth in paragraph 14, above, shall be in addition to all other educational requirements provided for in this Agreed Order.

16. Anytime Respondent performs a physical examination on a female or minor patient, whether male or female, Respondent shall have a third party present in the room during the examination of the patient who is able to directly observe Respondent. Respondent shall make a notation on the patient's chart indicating that a third party was present, and Respondent shall ensure that the third party initials the entry made by Respondent to indicate that the third party was present and observed the examination or treatment.

17. To verify that Respondent has complied with and is in compliance with the terms and conditions of this Agreed Order, Respondent shall fully cooperate with the Board and the Board staff, including but not limited to, Board attorneys, investigators, compliance officers, consultants, and other such

employees or agents of the Board in any way involved in investigation, review, or monitoring associated with Respondent's compliance with this Agreed Order. Failure to cooperate as required by this paragraph and the terms of this Agreed Order shall constitute a basis for disciplinary action against Respondent pursuant to Sections 3.08, 4.01, and 4.11 of the Act.

18. Respondent shall personally appear before the Board, a committee of the Board, or a panel of Board representatives, at least two (2) times each year that Respondent is under the terms and conditions of this Agreed Order. Such appearances shall be for the purpose of reporting on and addressing issues related to Respondent's compliance with the terms and conditions of this Agreed Order.

19. Respondent shall give a copy of this Agreed Order to all hospitals, nursing homes, treatment facilities, and other health care entities where Respondent has privileges, has applied for privileges, or applies for privileges.

20. Respondent shall ensure that any inquiries which are made by any person or entity through any means to Respondent or Respondent's employees regarding Respondent's Texas medical licensure status are answered by accurate reference to this Agreed Order.

21. The time period of this Order shall be extended for any period of time in which Respondent subsequently resides or practices medicine outside the State of Texas, is in official retired status with the Board, or for any period during which Respondent's license is subsequently cancelled for nonpayment of licensure fees. If Respondent leaves Texas to live or practice medicine elsewhere, Respondent shall immediately notify the Board in writing of the dates of Respondent's departure from and subsequent return to Texas. Upon Respondent's return to practice in Texas or Respondent's relicensure, Respondent shall be required to comply with the terms of this Order for the period of time remaining on the Order when Respondent left the practice of medicine in Texas, retired, or had his license cancelled for nonpayment of licensure fees.

22. Respondent shall comply with all the provisions of the Medical Practice Act ("the Act"), V.A.C.S., article 4495b, and other statutes regulating the practice of medicine, as is required by law for physicians licensed by the Board.

23. Respondent shall inform the Board in writing of any change of Respondent's office or mailing address within ten (10) days of the address change. This information shall be submitted to the Verification Department and the Director of Hearings for the Board. Failure to provide such information in a timely manner shall constitute a basis for disciplinary action by the Board against Respondent pursuant to Sections 3.08, 4.01, and 4.11 of the Act.

24. Any violation of the terms, conditions, or requirements of this Order by Respondent shall constitute a basis for disciplinary action by the Board against Respondent pursuant to Sections 3.08, 4.01, and 4.11 of the Act. Any violation of the terms, conditions, or requirements of this Order by Respondent shall constitute evidence of unprofessional or dishonorable conduct likely to deceive or defraud the public or injure the public.

25. The above-referenced conditions shall continue in full force and effect without opportunity for amendment, except for clear error in drafting, for 12 months following entry of this Order. If, after the passage of the 12 month period, Respondent wishes to seek amendment or termination of these conditions, Respondent may petition the Board in writing. The Board may inquire into the request and may, in its sole discretion, grant or deny the petition. Petitions for modifying or terminating may be filed only once a year thereafter.

26. Upon initial conviction, finding of guilt or guilty plea related to any underlying findings of fact or allegations referenced in this Order, Respondent's license shall automatically be revoked upon receipt of court documentation indicating same received by the Executive Director of the Board. Said revocation shall take effect regardless of any appeal taken and shall continue in full force and effect until such time as the conviction may be reversed. If Respondent is placed on deferred adjudication or pre-trial diversion, the

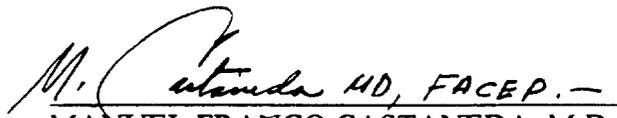
Board reserves the right to proceed with a contested case proceeding as to any or all the allegations or findings addressed in this Order.

RESPONDENT WAIVES ANY FURTHER HEARINGS OR APPEALS TO THE BOARD OR TO ANY COURT IN REGARD TO ALL TERMS AND CONDITIONS OF THIS AGREED ORDER. NOTHING IN THIS ORDER SHALL BE DEEMED A WAIVER OF RESPONDENT'S RIGHTS UNDER STATUTE OR THE UNITED STATES OR TEXAS CONSTITUTIONS TO APPEAL AN ORDER OR ACTION OF THE BOARD SUBSEQUENT TO THIS AGREED ORDER EXCEPT AS RESPONDENT MAY HAVE OTHERWISE AGREED TO HEREIN. RESPONDENT AGREES THAT THIS IS A FINAL ORDER.

THIS ORDER IS A PUBLIC RECORD.

I, MANUEL FRANCO CASTANEDA, M.D., HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND THAT BY SIGNING, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THIS AGREED ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

DATED November 12 - 1996

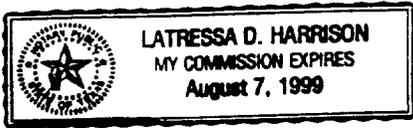

MANUEL FRANCO CASTANEDA, M.D.
RESPONDENT

STATE OF TEXAS
COUNTY OF HARRIS

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BEFORE ME, the undersigned Notary Public, on this day personally appeared Manuel Franco Castenada, M.D., known to me to be the person whose name is subscribed to this instrument, an Agreed Order, and who after being by me duly sworn, on oath, stated that he executed the same for all purposes expressed therein.

Given under my hand and official seal and office this 12th day of November, 1996.



(Notary Seal)

Latressa D. Harrison
Signature of Notary Public

Latressa D. Harrison
Printed or typed name of Notary Public

My commission expires: 8/7/99

SIGNED AND ENTERED by the presiding officer of the Texas State Board of Medical Examiners on this 16 day of November, 1996.

William H. Fleming, III, M.D.
William H. Fleming, III, M.D.
President, Texas State Board of
Medical Examiners

