



State Medical Board of Ohio

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

March 9, 2000

William C. DeSouza, M.D.
310 Main Street
Rutherford, TN 38369

Dear Doctor DeSouza:

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 9, 2000.

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 281 981 271
RETURN RECEIPT REQUESTED

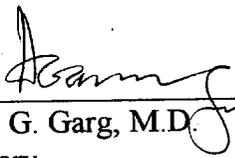
Mailed 3/9/00

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 9, 2000, constitute a true and complete copy of the Findings, Order and Journal Entry in the Matter of William C. DeSouza, 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

MARCH 9, 2000
Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

WILLIAM C. DESOUZA, M.D.

*
*
*

FINDINGS, ORDER AND JOURNAL ENTRY

By letter dated January 12, 2000, notice was given to William C. DeSouza, 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 address of record of Dr. DeSouza, that being 310 Main Street, Rutherford, TN 38369.

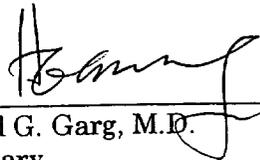
No hearing request has been received from Dr. DeSouza's and more than thirty (30) days have now elapsed since the mailing of the aforesaid notice.

WHEREFORE, for the reasons outlined in the January 12, 2000 letter of notice, which is attached hereto and incorporated herein, it is hereby ORDERED that the license of William C. DeSouza, 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 9TH day of MARCH 2000, and the original thereof shall be kept with said Journal.

(SEAL)



Anand G. Garg, M.D.
Secretary

MARCH 9, 2000

Date

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 William C. DeSouza, M.D.
- 5) That based on such examination, I have found the last known address of record of William C. DeSouza, M.D. to be:

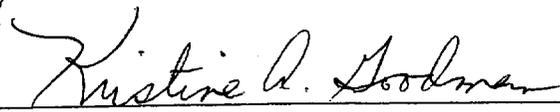
310 Main Street
Rutherford, TN 38369

- 6) Further, Affiant Sayeth Naught.



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

Sworn to and signed before me, Kristine A. Goodman, Notary
Public, this 2nd day of February, 2000.



Notary Public



KRISTINE A. GOODMAN
Notary Public, State of Ohio
My Commission Expires
11/9/2002



State Medical Board of Ohio

77 S. High Street, 17th Floor • Columbus, Ohio 43266-0313 • 614/ 466-3934 • Website: www.state.oh.us/med/

January 12, 2000

William C. DeSouza, M.D.
310 Main Street
Rutherford, Tennessee 38369

Dear Doctor DeSouza:

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, permanently 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 June 14, 1999, the Board of Medical Examiners of the Tennessee Department of Health (hereinafter the "Tennessee Board") issued a letter which informed you that your conduct in prescribing controlled substances to a particular patient was in violation of Tennessee law. The letter further informed you that your license would be reprimanded if you did not request a hearing. You did not contest this action and, on or about July 27, 1999, the Tennessee Board ratified this Reprimand.

The Tennessee Board found that you over-prescribed Xanax, Soma, Hydrocodone and Darvocet to a patient on the basis of his complaints alone and without relevance to his medical conditions. Further, after the patient was hospitalized for polysubstance abuse, you continued to prescribe Xanax and Ultram. A copy of the Tennessee Board Reprimand is attached hereto and fully incorporated herein.

The Tennessee Board Reprimand as alleged in paragraph (1) above, constitutes "[a]ny of the following actions taken by the state agency responsible for regulating the practice of medicine and surgery, osteopathic medicine and surgery, podiatry, or the limited branches of medicine in another state, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand;" as that language is used in Section 4731.22(B)(22), Ohio Revised Code.

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

Mailed 1/13/00

William C. DeSouza, M.D.

Page 2

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, permanently revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation.

Please note that, whether or not you request a hearing, Section 4731.22(L), Ohio Revised Code, effective March 9, 1999, provides that "[w]hen the board refuses to grant a certificate to an applicant, revokes an individual's certificate to practice, refuses to register an applicant, or refuses to reinstate an individual's certificate to practice, the board may specify that its action is permanent. An individual subject to a permanent action taken by the board is forever thereafter ineligible to hold a certificate to practice and the board shall not accept an application for reinstatement of the certificate or for issuance of a new certificate."

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Anand G. Garg, M.D.
Secretary

AGG/jag
Enclosures

CERTIFIED MAIL # Z 233 896 554
RETURN RECEIPT REQUESTED

cc: 120 Davy Crockett Mall
Trenton, Tennessee 383382

CERTIFIED MAIL # Z 233 896 555
RETURN RECEIPT REQUESTED

cert. # P506 224 074

Certified Copy



STATE OF TENNESSEE
DEPARTMENT OF HEALTH
26TH FLOOR, TENNESSEE TOWER
312 - 8TH AVENUE, NORTH
NASHVILLE, TENNESSEE 37243
(615) 741-1611 / FAX: (615) 532-7749

FREDIA S. WADLEY, MD, MSPHA
COMMISSIONER

MARY JO PRICE
GENERAL COUNSEL

June 14, 1999

William C. DeSouza, M.D.
120 Davy Crockett Shopping Center
Hwy. 45 By Pass
Trenton, TN 38382



Dear Dr. DeSouza:

As a result of a complaint which was filed against you, an investigation was conducted and forwarded to the Board for disposition.

It is the position of the Board that your conduct in this matter constitutes a violation of Tennessee Code Annotated 63-6-214 (4)...ignorance, negligence or incompetence in the course of medical practice and (13) dispensing, prescribing or otherwise distributing to any person a controlled substance or other drug if such person is addicted to the habit of using controlled substances without making a bona fide effort to cure the habit of such patient...

You overprescribed to a patient on the basis of his complaints alone and without relevance to his medical condition which was arthritis, osteoporosis, chronic back pain, and neuropathy. Prescriptions of Xanax, Soma, Hydrocodone, and, at times, Darvocet was given this patient on monthly intervals and after the patient was hospitalized at lakeside for polysubstance abuse, you continued to prescribe Xanax and Ultram.

This conduct is not consistent with the high standards of professional practice which are requisite for a licensed health care professional. Accordingly, this letter is to REPRIMAND you for engaging in such conduct.

ACW bbb

BOARD

This letter is to serve as a proposed settlement of this matter in lieu of a notice of charges and formal hearing. If you wish to reject this settlement, you are entitled to a contested case hearing pursuant to the Uniform Administrative Procedures Act. T.C.A. 4-5-101 et. seq. A request for a contested case must be made in writing and received at the office address below within (30) days of your receipt of this letter

If no request for hearing is received within the allotted time, it will be assumed that you accept this reprimand. Upon your acceptance of this reprimand or your failure to timely request a hearing this reprimand shall be presented to the Board for ratification. If the Board ratifies the reprimand it shall become final and placed in your official file. This reprimand is a formal disciplinary action and is reportable to the Data Bank. If the Board rejects this reprimand further action will be required.

By accepting this reprimand or failing to request a hearing you are also consenting to the disclosure of information concerning this matter sufficient for the Board to make an informed decision in the ratification process. You are also waiving your challenge to the Board as to the information disclosed should this matter eventually result in a hearing. You are encouraged to consult legal counsel on this matter. You may be eligible for free or low cost counsel from a legal services organization in your area.

You are admonished that any further of like conduct on your part could result in the filing of formal charges against you, which could result in the suspension or revocation of your license.

Address and direct hearing requests to the following:

Angela S. Bonovich
Assistant General Counsel
Dept. of Health
26th Floor, Snodgrass Tower
312 Eighth Avenue North
(615) 741-1611

Sincerely,



Angela S. Bonovich
Assistant General Counsel



1 NOV 19 10:46

RECEIVED



STATE OF TENNESSEE
DEPARTMENT OF HEALTH
HEALTH RELATED BOARDS
FIRST FLOOR, CORDELL HULL BUILDING
425 FIFTH AVENUE NORTH
NASHVILLE, TENNESSEE 37247-1010

AFFIDAVIT

My name is Andrew Yarnell Beatty and I am over the age of eighteen. In my position as Medical Board Director for the Tennessee Department of Health Division of Health Related Boards, I am personally familiar with, and competent to testify as to the following facts:

1. William De Souza, M.D., Tennessee license number 8493, was issued a Tennessee medical license on February 18, 1974.
2. During its July 27, 1999 meeting, the Tennessee Board of Medical Examiners voted to ratify a reprimand against Dr. William De Souza.
3. Attached hereto is a true and accurate copy of the reprimand approved by the Board on that date.

Further the affiant sayeth not.


Andrew Yarnell Beatty
Medical Board Director

Sworn to and subscribed before me this 5th day of January 2000.


Vickie Adenecost
Notary Public

My commission expires: My Commission Expires NOV. 25, 2000

