



TEXAS STATE BOARD OF
PODIATRIC MEDICAL EXAMINERS

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January 23, 2001

Richard T. Dudzinski, D.P.M., P.C.
4126 S.W. Freeway, Suite 320
Houston, Texas, 77027

Re: Private Reprimand, dated October 17, 1994, and the Texas Public Information Act.

Dear Dr. Dudzinski:

This letter is sent in response to recent discussions we have had regarding the agreed order of private reprimand dated October 17, 1994. The order is a governmental record subject to the provisions of the Texas Public Information Act (TPIA), Tex. Gov't Code Ann., §552.001 et. seq. As a result, a written request this agency receives for information about any disciplinary action taken by this agency against your license must be responded to by sending a copy of the agreed order or related information, as requested.

The disciplinary action taken in your case was an agreed private reprimand. As a result, we will only release a copy of the letter of agreement between us on written request, under the TPIA. Because this was a private reprimand, your name was not published in the Board's Newsletter and the contents of the reprimand are not discussed during phone inquiries. While we had hoped to keep this matter confidential, subsequent to the reprimand being issued, we found that we could not do so without being in violation of the TPIA. We therefore were forced to provide this information under circumstances dictated by the TPIA.

While we understand your concern about the disciplinary action being made known to hospitals, insurance companies, and other third parties, this agency is required to comply with the law regarding public records. However, we will continue to include with any copy of the private reprimand that we send out, a statement that you have complied with all the terms of the agreed order.

Please call if you have further questions or concerns.

Sincerely,

Allen M. Hymans
Executive Director



CALL TO ORDER: The meeting of the Texas State Board of Podiatry Examiners was called to order at 9:35 a.m., October 21, 1994 at the John H. Reagan Building, in Austin, Texas with W. Preston Goforth, D.P.M. presiding.

INVOCATION: the invocation was given by Dr. Goforth.

ROLL CALL: Members present were Drs. Goforth, Williams, Valenza, and Garrison. Dr. Clark and Dr. Schwarzentraub joined the meeting later. General Member present was Mr. Mervin E. Perry. Also present were office staff Mr. Allen Hymans and Ms. Misty Sherrod. Ms. Janie Alonzo and Assistant Attorney General Janet Monteros joined the meeting later. Also in attendance were members of the Exam Development Committee, which are as follows: Richard Odom, D.P.M., Billy Westbrook, D.P.M., Jimmy Lummus, D.P.M., Richard Bellacosa, D.P.M., Kirk Koepsel, D.P.M., and Ed Singleton, D.P.M. Absent were Board Members Mr. Rick Sorrells, Ms. Ana Maria Laborde Valdez, and Carla Emery, D.P.M. who is a member of the Exam Development Committee.

READING OF THE MINUTES: The minutes of the previous meeting were read by the Board Members who were present. A motion was made by Dr. Valenza to accept.

2nd by - Dr. Williams

Dr. Goforth asked that corrections, such as spelling, be made.

CARRIED:

PRESIDENT'S REPORT: Dr. Goforth explained to all in attendance that the purpose of this meeting today was for the Exam Development Committee to meet.

VICE-PRESIDENT'S REPORT: Dr. Williams reported to the Board the disciplinary process system and how he is continuing to define the role of the Podiatric Medical Assistant.

EXECUTIVE DIRECTOR'S REPORT: Allen welcomed everyone and thanked them for their time and skill. He informed the Board of the annual report of HUB (Historically Underutilized Businesses) and how this agency was on the list of the top 10. Mr. Hymans stated that his Executive Director report would continue after the Executive Session.

held pending verification from the Kansas Board of Healing Arts, was discussed. Ms. Monteros informed the Board that this should be turned over to an investigative liaison for an investigation, and then turned over to the Board if Dr. Turner wants to appeal it.

Dr. Clark moved to accept.

2nd by - Valenza

CARRIED:

Dr. Clark reported to the Board on adding the word "Surgical" to Rule §371.3(f) which requires a "one year residency", effective July 1, 1995. Ms. Monteros explained the process of the Texas Register when changing/adding/submitting a rule. Dr. Schwarzentraub was told to report to Dr. Clark, who is the Rule Changing Coordinator, on any rule changes that he has for Continuing Medical Education. Dr. Clark stated that he would come down to Austin one day to go over rule changes with Ms. Monteros. It was decided that the word "Surgical" and any CME changes be put on the agenda for the next meeting to be discussed.

Ms. Monteros announced that Dr. Williams would be recusing himself from voting on the case of Richard Dudzinski, D.P.M. A motion was made by Dr. Garrison to accept the settlement agreement on Dr. Dudzinski as follows:

IT IS HEREBY ORDERED that the Texas license issued to Richard Dudzinski, D.P.M., be given a private reprimand and additionally would require the matter to remain open until a complete psychiatric evaluation is performed on Dr. Dudzinski.

2nd by - Dr. Valenza

CARRIED:

Dr. Clark stated the Board should try and help their colleagues get help, but if they stopped their treatment before completion, then the Board should act with force.

Dr. Garrison explained the Board Order on Robert Alvarez, D.P.M. He then recused himself from voting on the Board Order. After a discussion by the Board, a motion was made by Dr. Clark to accept the recommendation.

2nd by - Dr. Williams

Voting for the motion was Dr. Clark & Dr. Williams

Voting against the motion was Dr. Valenza

Dr. Schwarzentraub abstained from voting