

IN THE MATTER OF
PAUL RESIGNATO, D.P.M.

LICENSE NO. 871

§
§
§
§
§
§

BEFORE THE TEXAS STATE
BOARD OF PODIATRIC
MEDICAL EXAMINERS

SITTING IN AUSTIN

TRAVIS COUNTY, TEXAS

AGREED ORDER

BE IT REMEMBERED that on October 20, 1995, came on to be considered the allegations against Paul Resignato, D.P.M. By letter dated October 2, 1995, the Texas State Board of Podiatric Medical Examiners gave preliminary notice to Dr. Resignato of its intent to investigate complaints, concerns, or reports filed against him. Dr. Resignato was duly notified of the allegations against him. Dr. Resignato has cooperated with the Board and presented information in rebuttal.

An informal conference was held between the parties on October 20, 1995, and with Dr. Resignato and the following representatives of the Texas State Board of Podiatric Medical Examiners in attendance: Mr. Allen Hymans, Executive Director; Peter Williams, D.P.M., Board Member; Thomas Garrison, D.P.M., Board Member; Janie Alonzo, Administrative Assistant, and Janet Monteros and Melissa Juarez, Assistant Attorneys General.

By his appearance at the informal conference and by his signature on this Order, and upon acceptance and entry of this Order by the Board, Dr. Resignato does hereby waive his right to a formal hearing before the State Office of Administrative Hearings, and judicial review of this Order.

After discussion of the matters outlined in this Order, and subsequent communications, the Board and Dr. Resignato, in order to avoid the expense, delay and uncertainty of hearing, have agreed to the entry of an order dispensing with the need for further action in this matter.

Dr. Resignato agrees to the following order for the purpose of this proceeding only, and agrees to the findings of fact, the conclusions of law, and the order set out herein:

FINDINGS OF FACT

1. Dr. Resignato is licensed as a podiatrist in the State of Texas with License Number 871.
2. Dr. Resignato was at the time of the informal conference subject to the order adopted by the Board on August 6, 1992.
3. Dr. Resignato is required by that Board order to attend Board meetings, contact the Board reporting who will cover his office during any period of time when he is absent from his practice for more than twenty-four (24) hours, and to attend additional hours of continued medical education courses. The Order also assessed against Dr. Resignato a fine of \$5,000.00 (five thousand dollars), \$3,000.00 of which was probated and would be discharged upon Dr. Resignato's successful completion of all terms of that order.
3. Dr. Resignato, as a podiatrist licensed in the State of Texas, must comply with the provisions of the Podiatry Practice Act, the applicable rules, and Board orders.
4. Dr. Resignato complied with the requirements of the Order of August 6, 1992, with the exception of the requirement of that Order that he attend several board meetings.

CONCLUSIONS OF LAW

1. Dr. Resignato's failure to report to several of the Board meetings during the term of his probation was a violation of the Board order of August 6, 1992.

ORDER

THEREFORE, PREMISES CONSIDERED, This Order extends by one (1) year the probation period established by the Order of August 6, 1992. Paul Resignato, D.P.M. is ordered to comply with the terms of the Order of August 6, 1992 until and through August 31, 1996;

1. During the period of this probation, Dr. Resignato shall appear before the Board to discuss his compliance with the conditions of probation at the Board's summer 1996 meeting;

2. The Board shall notify Dr. Resignato about the date, time, and place of any board meeting upon receiving a written request from Dr. Resignato for that information. Failure of the Board to send Dr. Resignato personal notification does not relieve him of his obligation to attend the Board meeting.

3. Dr. Resignato shall report to the Board the name, title, address, and telephone number of the individual that will cover his office whenever he is away for more than 24 hours;

4. Dr. Resignato shall be responsible to pay the remainder of the penalty assessed in the order of August 6, 1992 if the Board determines, after this order becomes effective, that he violated the terms of this order or of the August 6, 1992 order;

5. During the period covered by this Order, Dr. Resignato will obey and abide by all laws, rules, and applicable orders of the Board; and

6. Dr. Resignato agrees that a violation of this Order within the period of probation may result in a hearing and that hearing may result in revocation of the probation and the

imposition of other disciplinary action. The Board represents that there are no informal or formal complaints pending or in its files that is potentially deemed to violate the probation as of the date of signature.

This order does not prohibit the Texas State Board of Podiatric Medical Examiners from exercising its regulatory functions. The Texas State Board of Podiatric Medical Examiners will be allowed access to the establishment of Dr. Resignato to ensure that the order is in effect.

I, Paul Resignato, D.P.M., have read and understand the foregoing Agreed Order. I understand that by signing, I waive certain rights to a formal hearing before the State Office of Administrative Hearings and judicial review of this order. 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.

THIS ORDER IS A PUBLIC RECORD.

Paul Resignato, D.P.M.

Paul Resignato, D.P.M.

3-20-96
Date

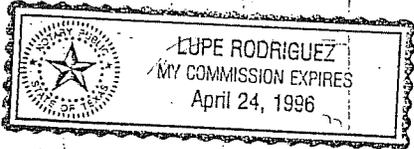
STATE OF TEXAS

COUNTY OF EL PASO

§
§
§

BEFORE ME, on this day personally appeared Paul Resignato, D.P.M. known to me, who, first, being duly sworn, signed the foregoing Agreed Order in my presence.

SIGNED on this the 20th day of MARCH, 1996.



LUPE RODRIGUEZ
Printed Name of Notary Public

Lupe Rodriguez
Notary Public, in and for
the State of Texas

SIGNED AND ENTERED by the Presiding Officer of the Texas State Board of Podiatric Medical Examiners on this the 20th day of MARCH, 1996.

W. Preston Goforth, D.P.M.
President, Texas State Board of Podiatric Medical Examiners