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TX BOARD MEDICAL EXAMINERS

TEL: 5123057007

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H-0856

IN THE MATTER OF  
THE LICENSE OF  
NANCY SELLARS, D.O.

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BEFORE THE  
TEXAS STATE BOARD  
OF MEDICAL EXAMINERS

AGREED ORDER

On this the 30 day of March, 2001, 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 Nancy Sellars, D.O. ("Respondent"). By the signature of Respondent on this Order, Respondent waived an Informal Settlement Conference/Show Compliance Proceeding and instead agrees to the entry of this Order to resolve the matters addressed herein. Upon recommendation of the Board's staff and with the consent of Respondent, after consultation with her attorney, the Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Respondent, Nancy Sellars, D.O., holds Texas medical license H-0856.
2. The Board has jurisdiction of over the subject matter and Respondent. Respondent received all notices which may be required by law and by the rules of the Board. All jurisdictional requirements have been satisfied under TEX. OCC. CODE ANN. Subtitle B (Vernon 2000) (hereinafter the "Act"). By entering into this Agreed Order, Respondent waives any defect in the notice and any further right to notice and hearing under the Act; TEX. GOVT. CODE ANN. Sections 2001.051 through 2001.054; and the Rules of the Texas State Board of Medical Examiners (22 TEX. ADMIN. CODE Chapter 187).
3. On October 18, 2000, an Order Deferring Adjudication of Guilt was entered against Respondent in Cause No. 853130, in the 232<sup>nd</sup> District Court of Harris County, Texas, for the offense of delivery of prescription form for other than a valid medical purpose. Respondent was placed on deferred adjudication for a period of five (5) years community supervision.
4. Respondent acknowledges that she violated a law of this state connected to her practice of medicine; to wit: Delivery of a Prescription Form For Other Than a Valid Medical Purpose.

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5. As a condition of Respondent's community supervision, Respondent is required to immediately surrender her medical license. As a further condition, Respondent is prohibited from practicing medicine or applying for reinstatement during the term of her community supervision.

6. Respondent has cooperated with Board staff in the investigation of the allegations related to this Agreed Order.

7. Respondent has entered into this Agreed Order pursuant to the provisions of Section 164.002 of the Medical Practice Act ("the Act").

**CONCLUSIONS OF LAW**

Based on the above Findings of Fact, the Board concludes the following:

1. Respondent is subject to disciplinary action by the Board pursuant to Section 164.051(a)(1), 164.052(a)(5), and 164.053(a)(1) of the Act due to Respondent's commission of an act which violated the laws of this state which was connected to the Respondent's practice of medicine, to wit: Delivery of a Prescription Form For Other Than a Valid Medical Purpose.

2. Section 164.061 of the Act and 22 TAC section 196.2 authorizes the Board to accept a voluntary surrender of Respondent's license.

3. Section 164.002 of the Act authorizes the Board to resolve and make a disposition of this matter through an Agreed Order.

4. Section 164.002(d) of the Act provides that this Agreed Order is a settlement agreement under the Texas Rules of Civil Evidence for purposes of civil litigation.

**ORDER**

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS the following:

1. Respondent's voluntary surrender of her Texas medical license is hereby accepted by the Board effective from the signing of this Order by the presiding officer of the Board.

2. Respondent's Texas medical license shall be cancelled upon the signing of this Order by the presiding officer of the Board.

3. Upon the signing of this Order by the presiding officer of the Board, Respondent shall immediately cease practice in Texas. Should Respondent practice medicine after this date,

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it shall constitute a violation of this Order subjecting Respondent to prosecution for practicing medicine without a license.

4. Respondent shall not become eligible for reinstatement of her license until release from her community supervision referenced in Finding of Fact 4 above. Respondent's reinstatement request shall then be made according to the standards and procedures of Section 164.151 and 22 TAC 196.2(6).

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. RESPONDENT AGREES THAT THIS IS A FINAL ORDER.

THIS ORDER IS A PUBLIC RECORD.

I, NANCY SELLARS, D.O., 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: March 29, 2001.

Nancy Sellars D.O.  
NANCY SELLARS, D.O.  
RESPONDENT

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STATE OF TEXAS  
COUNTY OF HARRIS

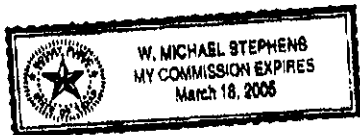
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BEFORE ME, the undersigned Notary Public, on this day personally appeared NANCY SELLARS, D.O. known to me to be the person whose name is subscribed to this instrument, an Agreed Order, and who after being by me duly sworn, on oath, stated that she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

Given under my hand and official seal and office this 29th day of March, 2001.

W. Michael Stephens  
Signature of Notary Public

(Notary Seal)



\_\_\_\_\_  
Printed or typed name of Notary Public

My commission expires: \_\_\_\_\_

SIGNED AND ENTERED by the presiding officer of the Texas State Board of Medical Examiners on this 30 day of March, 2001.

Lee S. Anderson  
Lee S. Anderson, M.D.  
President, Texas State Board of  
Medical Examiners