

IN THE MATTER OF §
§
THE COMPLAINT OF HELLFRIED § BEFORE THE
ERWIN SARTORI, M.D., § TEXAS STATE BOARD OF
RESPONDENT § MEDICAL EXAMINERS
§

BOARD ORDER

On the 15th day of June, 1987, came on to be heard for final action by the Texas State Board of Medical Examiners (hereinafter simply "the Board"), duly in session, the matter of Hellfried Erwin Sartori, M.D., Respondent herein, whose last known address was Washington, D.C. The Board was represented by Douglas D. Behrendt. Respondent failed to appear and was unrepresented. A complaint filed with the Board alleged that Respondent had violated Tex. Rev. Civ. Stat. Ann. art. 4495b (1987), particularly Section 3.08(21) by the suspension, revocation, or restriction by another state of his license to practice medicine based upon acts by him similar to those described in Section 3.08 of the Texas Medical Practice Act. The matter was heard in public hearing on April 27, 1987, before the hearing officer duly appointed by the Board, sitting in Austin, Travis County, Texas.

After consideration of the Proposal for Decision submitted to the Board by the hearing officer and having heard the arguments of the parties, the Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Dr. Sartori was granted license no. E9973 on December 5, 1977, by the Texas State Board of Medical Examiners.

2. On September 26, 1984, the Commission on Medical Discipline of the State of Maryland revoked Respondent's license to practice medicine in Maryland on grounds that Respondent violated Article 43, Section 130(h)(18) [recodified at Section 14-504(4) of the Health Occupations Article] of the Annotated Code of Maryland, on grounds of professional incompetency.

3. Respondent was charged by the Commission on Medical Discipline of Maryland with the following acts of professional incompetency:

- (a) Use of unvalidated diagnostic techniques;
- (b) Use of unvalidated treatment modalities;
- (c) Inadequate medical records;
- (d) Overutilization of standard diagnostic tests;
- (e) Unsupported diagnoses;
- (f) Inadequate provisions for after-hours office coverage;
- (g) Serious deficiencies of cognitive knowledge.

Board Exhibit 6.

4. On July 12, 1985, after hearing on May 30, 1985, the State of Pennsylvania revoked Respondent's Medical License No. MD-038627-L by virtue of the revocation of

Respondent's license to practice medicine by the State of Maryland on September 20, 1984, pursuant to violation of the Pennsylvania Medical Practice Act of July 20, 1974, P.L. 551, as amended, 63 P.S. 421.15(a)(4). Board Exhibit 7.

5. On or about June 5, 1985, Respondent's license to practice medicine in the State of Virginia was revoked by the Virginia State Board of Medicine pursuant to Section 54-316(6) of the Code of Virginia (1950), as amended, based on the revocation of Respondent's license by the State of Maryland. Dr. Sartori received due notice of such hearing, but was not present and was not represented by counsel. Board Exhibit 8.

6. On June 21, 1985, Respondent's license to practice medicine in the State of Washington was revoked pursuant to RCW 18.72.030(10), RCW 18.72.150, RCW 18.72.170 and RCW 18.72.230 based on the revocation of Dr. Sartori's license to practice medicine in the State of Maryland. Said revocation constitutes unprofessional conduct as that term is defined by Washington statute at RCW 18.72.030(10). Dr. Sartori was present and testified at the hearing in the State of Washington. Board Exhibit 9.

7. Neither Dr. Sartori nor anyone on his behalf was present at the Texas State Board of Medical Examiners at the time appointed for hearing on April 27, 1987.

8. Respondent's license to practice medicine was revoked by the State of Maryland for professional incompetence, reason for revocation similar to a basis for revocation of a license to practice medicine in the State of Texas pursuant to Section 3.08(18) of the Medical Practice Act.

9. Respondent's license to practice medicine in the State of Pennsylvania was revoked because of the revocation of his license to practice medicine in Maryland, a ground similar to Section 3.08(21) of the Medical Practice Act, establishing as a ground for refusal to admit persons to examination or to issue a license and renewal license "suspension, revocation, or restriction by another state of a license to practice medicine... based upon acts by the licensee similar to acts described in (Section 3.08). A certified copy of the record of the state taking the action is conclusive evidence of it."

10. Respondent's license to practice medicine in the State of Virginia was revoked based on the revocation of Respondent's license to practice medicine in the State of Maryland, a ground similar to Section 3.08(21) of the Medical Practice Act.

11. Respondent's license to practice medicine in the State of Washington was revoked based on the revocation of

his license to practice medicine in the State of Maryland, a ground similar to Section 3.08(21) of the Medical Practice Act.

CONCLUSIONS OF LAW

1. Respondent has violated the Texas Medical Practice Act, at Section 3.08(21), by the revocation of his medical license by the states of Maryland, Pennsylvania, Virginia, and Washington, for conduct similar to that authorizing revocation of Respondent's license to practice medicine in the State of Texas, specifically Sections 3.08(18) and (21).

2. Pursuant to Section 4.01 of the Medical Practice Act, except as otherwise provided, the Board

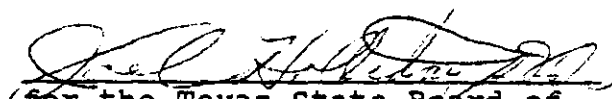
"...may cancel, revoke, or suspend the license of any practitioner of medicine or impose any other authorized means of discipline upon proof of the violation of this act in any respect or for any cause for which the Board is authorized to refuse to admit persons to its examination and to issue a license and renewal license."

3. In addition, pursuant to Section 4.12 of the Medical Practice Act, if the Board finds "any person to have committed any of the acts set forth in Section 3.08 of [the] Act," it may, inter alia:

(4) revoke the person's license or other authorization to practice medicine....

It is accordingly ORDERED, ADJUDGED, AND DECREED that the license of Hellfried Erwin Sartori, M.D., to practice medicine in the State of Texas be and it is hereby REVOKED.

SIGNED this 15th day of June, 1987.


for the Texas State Board of
Medical Examiners