

IN THE MATTER OF

THE LICENSE OF

PIETER JUAN DE WET, M.D.

BEFORE THE

TEXAS MEDICAL BOARD

ADMINISTRATIVE AGREED ORDER

On the 8 day of June, 2007, came on to be heard before the Texas Medical Board (the "Board"), duly in session, the matter of the license of Pieter Juan De Wet, M.D. ("Respondent").

On March 13, 2007, Respondent appeared in person, with counsel Timothy E. Weitz, at an Informal Show Compliance Proceeding and Settlement Conference in response to a letter of invitation from the staff of the Board. Oscar San Miguel represented Board staff. The Board's representatives were Charles E. Oswalt, M.D., a member of the Board, and Noe Fernandez, a member of the District Review Committee.

Upon the recommendation of the Board's representatives and with the consent of Respondent, the Board makes the following Findings of Fact and Conclusions of Law and enters this Agreed Order.

FINDINGS OF FACT

The Board finds that:

1. Respondent received all notice required by law. All jurisdictional requirements have been satisfied. Respondent waives any defect in notice and any further right to notice or hearing under the Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code (the "Act") or the Rules of the Board.

2. Respondent currently holds Texas Medical License No. J-0470. Respondent was originally issued this license to practice medicine in Texas on December 4, 1991. Respondent is not licensed to practice in any other state.

3. Respondent is primarily engaged in family practice. Respondent is board certified in this specialty by the American Board of Family Practice, a member of the American Board of Medical Specialties.

4. Respondent is 45 years of age.

5. Respondent has previously been the subject of disciplinary action by the Board. Respondent was the subject of an Agreed Order entered December 9, 2005 as a result of an alleged improper and misleading advertisement. The Order terminated upon payment of an administrative penalty.

6. Respondent's advertisements included a reference to his certification by the American Board of Holistic Medicine. The American Board of Holistic Medicine is not a member board of the American Board of Medical Specialties.

7. Respondent presented evidence showing that the American Board of Holistic Medicine (ABHM) met the related advertising rule provisions of Texas Medical Board Rule 164.4(b)(1)-(5), but did not show that the ABHM is a member Board of the American Board of Medical Specialties, the Bureau of Osteopathic Specialists, or appropriate Royal College of Physicians and Surgeons. Consequently, Respondent was not able to show compliance with Texas Medical Board Rule 164.4(a)(2) requiring the ABHM to be a member board of one of the listed specialty boards. These two rules must be read together, applied in conjunction with one another, and met in all respects to authorize use of the ABHM board certification designation in advertising.

8. Respondent believed that use of the designation was consistent with Texas Medical Board Rules and did not intend to violate the advertising rules. Respondent has modified the website reference in a manner consistent with recommendations from the ISC Panel that considered this matter on March 13, 2007.

9. Respondent has cooperated in the investigation of the allegations related to this Agreed Order. Respondent's cooperation, through consent to this Agreed Order, pursuant to the provisions of Section 164.002 of the Act, will save money and resources for the State of Texas. To avoid further investigation, hearings, and the expense and inconvenience of litigation, Respondent agrees to the entry of this Agreed Order and to comply with its terms and conditions.

CONCLUSIONS OF LAW

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

1. The Board has jurisdiction over the subject matter and Respondent pursuant to the Act.
2. Section 164.051(a)(3) of the Act authorizes the Board to take disciplinary action against Respondent based upon Respondent's violation of a Board Rules 164.4(a)(2) and 164.4(b) as further defined by Board Rule 190.8(2)(I).
3. Section 164.001 of the Act authorizes the Board to impose a range of disciplinary actions against a person for violation of the Act or a Board rule. Such sanctions include: revocation, suspension, probation, public reprimand, limitation or restriction on practice, counseling or treatment, required educational or counseling programs, monitored practice, public service, and an administrative penalty.
4. Section 164.002(a) of the Act authorizes the Board to resolve and make a disposition of this matter through an Agreed Order.

ORDER

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

1. Respondent shall pay an administrative penalty in the amount of \$500 within 60 days of the date of the entry of this Order. The administrative penalty shall be paid in a single payment by cashier's check or money order payable to the Texas Medical Board and shall be

submitted to the Director of Compliance for the Board for routing so as to be remitted to the Comptroller of Texas for deposit in the general revenue fund. Respondent's failure to pay the administrative penalty as ordered shall constitute grounds for further disciplinary action by the Board, and may result in a referral by the Executive Director of the Board for collection by the Office of the Attorney General.

2. This Order shall automatically terminate upon the payment of the administrative penalty by Respondent.

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, PIETER JUAN DE WET, M.D., 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.

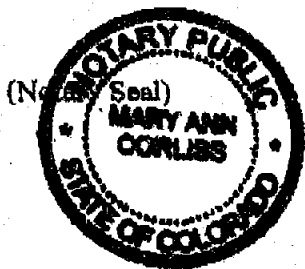
DATED: 5/30/ 2007.


PIETER JUAN DE WET, M.D.
Respondent

STATE OF Colorado
COUNTY OF Larimer

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SWORN TO AND ACKNOWLEDGED BEFORE ME, the undersigned Notary Public, on this
30th day of May, 2007.



Mary Ann Corliss
Signature of Notary Public

My Commission Expires
9/28/2010

8 SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this
day of June, 2007.

Roberta M. Kalafut MD

Roberta M. Kalafut, D.O., President
Texas Medical Board