

AGREED BOARD ORDER #91-11-003

RE: IN THE MATTER OF
GARY MELLON, D.P.M.,
License No. 647

BEFORE THE TEXAS STATE
BOARD OF PODIATRY
EXAMINERS

On this day came on to be considered by the Texas State Board of Podiatry Examiners the matter of Gary Mellon, Respondent, 423 West Wheatland Rd., #102, Duncanville, Texas 75116.

By the letter dated April 5, 1991, the Texas State Board of Podiatry Examiners gave preliminary notice to Dr. Mellon of its intent to investigate an adverse Hospital Review Action (complaint) against him. This complaint alleged that Respondent may have violated Board Rules §375.2, "General", §375.8, "Relationships with Other Practitioners", and §375.12, "Violations". No formal complaint has been filed against Respondent by the Texas State Board of Podiatry Examiners.

This Order is executed under the authority of Section 13(a) of the Administrative Procedures and Texas Register Act (APTRA), article 6252-13a, TEX.REV.CIV.STAT.ANN., which allows contested cases to be resolved informally. Dr. Mellon, agrees to waive his right to a formal hearing on this matter upon the signing of this order.

Dr. Mellon, having been provided written notice of the complaint against him on April 5, 1991, by the Texas State Board of Podiatry Examiners acting under the mandate of §18(c), art. 6252-13a, V.T.C.S. and following an informal conference April 22, 1991, with the Enforcement Committee of the Board recognized that bona fide disputes and controversies remain between the parties. It being expressly agreed by Dr. Mellon and the Texas State Board of Podiatry Examiners [1] that the entry of this Agreed Order and the agreement of the parties as evidenced herein is not a finding or admission of any wrongdoing whatsoever and [2] that the parties each hereby stipulate that such was done to facilitate a compromise and settlement of this unresolved claim, the parties agree as follows: ...

Dr. Mellon -

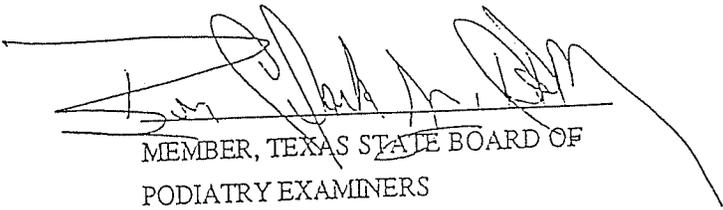
To accept Board suspension for two (2) years beginning July 1, 1991, with all such suspension probated except for thirty (30) days. The 30 day suspension period will run from August 5, 1991 through September 3, 1991 provided that Dr. Mellon complies with the following conditions:

Gary Mellon, D.P.M.

1. To keep Board notified of current status at all hospitals at all times (especially any new hospitals he joins - any kind of hospital and out patient surgery centers. We will send out a letter of request each quarter for two (2) years - requesting a copy of any and all histories & physicals from the institutions (not the doctor's office). It will be the responsibility of the doctor to make sure the information is received;
2. To complete sixteen (16) hours of CME within the next six (6) months of the entry of this order. Eight (8) of these hours will be on the subject of histories & physicals and the other eight (8) will be on ethics. Said courses must be pre-approved by the Board or its representatives and taken from a major medical institution. These will be in addition to the required fifteen (15) hours per year;
3. that during the thirty (30) day suspension period, Dr. Mellon shall not perform any tasks or duties which require a license from the Board;
4. that during the two (2) year period of suspension and probation, Dr. Mellon will obey and abide by all laws of the Board; and
5. Dr. Mellon agrees that a serious violation of this Order within the two year period of suspension and probation may result in a hearing and that hearing may result in revocation of the probation and the imposition of the remaining portion of the suspension or other disciplinary action. The Board represents that there are no informal or formal complaints pending or in its files that it deems potentially violative of this probation.

In turn, the Board agrees that upon successful completion of the terms of this agreement there will be no further action regarding this matter. Both parties agree to dispense with this case informally and without further hearings or appeals.

SIGNED AND ENTERED this the 5th day of June, 1991.


MEMBER, TEXAS STATE BOARD OF
PODIATRY EXAMINERS

Agreed Board Order #91-11-003

Gary Mellon, D.P.M.

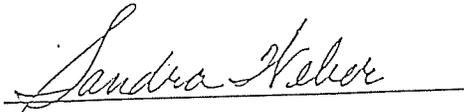
ATTEST:



D. Elliot Branson,
Executive Director
Texas State Board of Podiatry Examiners

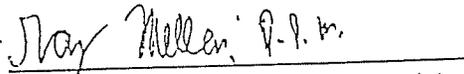
APPROVED AS TO FORM AND AGREED TO:

For the Board:

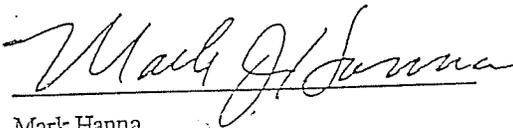


Sandra Weber
Assistant Attorney General

For Dr. Mellon:



Gary Mellon, D.P.M.



Mark Hanna
Legal Counsel for Respondent

Texas State Board of Podiatry Examiners
3420 Executive Center Drive, Suite 305
Austin, Texas 78731

Re: Agreed Board Order #91-11-003

Concerning the above Agreed Board Order, this is to advise you that I:

- 1) Have read the Order;

Gary Mellon, D.P.M.

- 2) Understand the Order;
- 3) Have knowingly and freely signed the Order; and
- 4) Request the Board enter the Order

Gary Mellon, D.P.M.

Gary Mellon, D.P.M.
423 West Wheatland Rd., #102
Duncanville, Texas 75230

6/18/91

Date

In addition, please complete the following information:

Are you licensed in a similar capacity in another state?

Yes

No

If applicable, list the other states in which you are licensed, as well as your status and license number in that state.

STATE

PA.

LICENSE NO.

1954

STATUS

(active, inactive, etc.)

INACTIVE