

BEFORE THE TEXAS STATE BOARD OF PODIATRY EXAMINERS
AUSTIN, TEXAS

IN RE:)

PAUL RESIGNATO, D.P.M.)

ORDER

BE IT REMEMBERED that on the 17th day of June, 1992, pursuant to Section 100 of Texas Administrative Procedures Act, an informal conference was held at the office of the Attorney General in Austin, Texas regarding a draft complaint filed by the TEXAS STATE BOARD OF PODIATRY EXAMINERS (hereinafter referred to as "Board") against PAUL RESIGNATO, D.P.M. (hereinafter referred to as "Dr. Resignato"). Also in attendance was Mr. Chris Maczka, Assistant Attorney General.

During the hearing, each of the items in the draft complaint was thoroughly discussed and Dr. Resignato was given an opportunity to respond to each item. Following the conference, and after several telephone conversations and exchange of correspondence between the Board and Dr. Resignato's attorney, the Compromise and Settlement Agreement set forth herein was reached. The Board and Dr. Resignato have agreed that all charges against Dr. Resignato other than the abandonment claim will be dropped, and that Dr. Resignato will enter a plea of "no contest" to the abandonment claim. The Board and Dr. Resignato have agreed that the following Order is appropriate:

I.

All charges other than the charge of abandonment of patients are dropped.

II.

Dr. Resignato pleads "no contest" to the charge of abandonment of patients.

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III.

Dr. Realignato will be assessed a fine of Five Thousand and No/100 (\$5,000.00) Dollars, of which the sum of Three Thousand and No/100 (\$3,000.00) Dollars will be probated and discharged upon Dr. Realignato's successful completion of all terms of this settlement agreement. The sum of Two Thousand and No/100 (\$2,000.00) Dollars shall be due and payable on or before November 30, 1992.

IV.

Dr. Realignato shall serve a period of three (3) years probated license suspension commencing September 1, 1992.

V.

During the period of probated license suspension, Dr. Realignato shall attend in person one (1) Board meeting each year to report to the Board concerning the general management of his practice, focusing especially on arrangements for covering his practice when he is away from it. Such reporting will specifically include reporting to the Board who has agreed to cover his office during any period of time when he is absent from his practice for more than twenty-four (24) hours.

VI.

During the period of probation, the Board shall inform Dr. Realignato of any future complaints, inquiries, or other matters which come to its attention which may affect his probationary status. The Board shall do so within sixty (60) days of receipt of any such material so that Dr. Realignato has an opportunity to evaluate, monitor, and take any necessary corrective action on a timely basis which, the Board finds, will serve the interests of both Dr. Realignato and the Board.

VII.

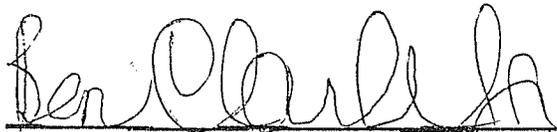
In addition to the annually required hours of Continuing Medical Education, Dr. Resignato will take an additional six (6) hours in Medical Ethics and an additional six (6) hours in Medical Legal Responsibilities, with such additional courses to be completed within two (2) years of September 1, 1992. Each course must be pre-approved by the Board and proof of attendance must be submitted to the Board office within thirty (30) days following attendance at such course.

VIII.

The Board finds that Dr. Resignato has applied for approval of a course on Biomedical Ethics to be presented in El Paso, Texas on August 7, 1992, and it is ORDERED by the Board that such presentation meets the requirements of this Settlement Agreement and is hereby approved. Dr. Resignato shall report to the Board the length of such course and submit to the Board proof of attendance along with relevant materials documenting the contents of the presentation by September 6, 1992.

Having found that the foregoing settlement is appropriate and agreed to by all parties, it is ORDERED that the foregoing be, and it is hereby ADOPTED as the Order of the Texas State Board of Podiatry Examiners.

SIGNED this 6th day of August, 1992.



BEN CLARK, D.P.M., PRESIDENT
TEXAS STATE BOARD OF PODIATRY EXAMINERS

APPROVED AND AGREED TO:

Paul Resignato, D.P.M.
PAUL RESIGNATO, D.P.M.

Robert E. Wales
ROBERT E. WALES
Attorney for PAUL RESIGNATO, D.P.M.