LICENSE NO. T4740

IN THE MATTER OF	BEFORE THE
THE LICENSE OF	
ANDREW MICHAEL EPSTEIN, D.O.	TEXAS MEDICAL BOARD

WAIVER ORDER

On the 22 day of March, 2024, came on to be heard before the Texas Medical Board (the Board), duly in session, the matter of Andrew Michael Epstein, D.O. (Respondent). This Order was drafted by Board Staff Attorney Germaine Jones.

AGREEMENTS

1. Staff is authorized to offer this Waiver Order to resolve this Complaint.

2. Respondent expressly agreed to waive their right to an Informal Settlement and instead agrees to the entry of this Waiver Order.

3. The jurisdiction of the Board over this matter, including the entry of this Waiver Order, is undisputed.

4. Respondent was the subject of disciplinary action by another state board. Respondent entered into a Consent Order with the North Carolina Medical Board for unprofessional conduct. Specifically, Respondent failed to conform to the standards of acceptable and prevailing medical practice in his treatment of patients in all aspects of his care, including diagnosis, treatment, records, and overall care, especially as it pertained to Respondent prescribing Ketamine to patients. The North Carolina Medical Board ordered that Respondent is (1) reprimanded; (2) restricted and prohibited from using his North Carolina medical license to prescribe the drug Ketamine and any other drug that may contain Ketamine; and (3) required to complete four hours of continuing medical education on medical record documentation.

5. Staff asserts the allegation in Paragraph No. 4 is a violation of §164.051(a)(9) of the Act.

6. Respondent does not admit or deny the Board staff's allegation or claimed violations.

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

TERMS

1. Respondent shall comply with all terms, conditions, and requirements of the agreement entered on or around January 4, 2024, with the North Carolina Medical Board and shall document such compliance with the Board. Respondent agrees to provide documentation showing compliance with the terms, conditions, and requirements of the probation agreement to the Compliance Department of the Board within a reasonable time, and shall sign any authorization required for the Board to obtain such documentation of compliance.

2. Any violation of the terms of this Waiver Order, including failure to cooperate, shall be a basis for disciplinary action by the Board. Respondent agrees that any proceeding related to this Waiver Order may be held in person, by teleconference, or by videoconference at the discretion of the Board.

3. This Waiver Order shall automatically terminate upon Respondent's submission of sufficient evidence to the Compliance Division of the Board that Respondent successfully completed the terms required in Paragraph No. 1.

THIS WAIVER ORDER IS A PUBLIC RECORD.

(SIGNATURE PAGES FOLLOW)

I, ANDREW MICHAEL EPSTEIN, D.O., HAVE READ AND UNDERSTAND THE FOREGOING WAIVER ORDER. I UNDERSTAND THAT BY SIGNING, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THIS WAIVER ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

DATED: March 4, 2024

Andrew Michael Epstein, D.O.
Respondent

State of Arizona **County of Pima**
The Foregoing Instrument was acknowledged
before me this 4 **day of** March **20** 24
Notary Public Jordan Board
My commission Expires 09/30/2024

JORDAN BOARD
Notary Public - Arizona
Pima County
Commission # 589725
My Commission Expires September 30, 2024

SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this 22 day of March, 2024.

Sherif Z. Zaafran, M.D, Presiding Officer
Texas Medical Board