

No. **DWC-10-0022**

OFFICIAL ORDER
of the
COMMISSIONER OF WORKERS' COMPENSATION
of the
STATE OF TEXAS
AUSTIN, TEXAS

Date: **MAR 22 2010**

Subject Considered:

CHRISTOPHER GARRISON, M.D.
Seton Brain & Spine Institute
1400 N. I-35, Ste. 300
Austin, Texas 78701

CONSENT ORDER
DISCIPLINARY ACTION
TDI ENFORCEMENT FILE NO. 55454

General remarks and official action taken:

On this date came on for consideration by the Commissioner of Workers' Compensation, the matter of whether disciplinary action should be taken against Dr. Christopher Garrison, M.D. ("Dr. Garrison"). The Texas Department of Insurance, Division of Workers' Compensation Staff ("Division Staff") alleges that Dr. Garrison violated the Texas Labor Code and that such conduct constitutes grounds for the imposition of sanctions pursuant to TEX. LAB. CODE ANN., ch. 415.

Division Staff and Dr. Garrison announce that they have compromised and settled all claims and agree to the entry of this Consent Order. The parties request that the Commissioner of Workers' Compensation informally dispose of this case pursuant to TEX. GOV'T CODE ANN. § 2001.056, TEX. LAB. CODE ANN. §§ 401.021 and 402.00128(b)(7), and 28 TEX. ADMIN. CODE § 180.8(h).

JURISDICTION

The Commissioner of Workers' Compensation has jurisdiction over this matter pursuant to TEX. LAB. CODE ANN. §§ 402.001, 402.00111, 402.00114, 402.00116, 402.00128, 402.072, 408.0041, 408.123, 414.002, 414.003, 415.003, 415.021, and 415.023; and 28 TEX. ADMIN. CODE §§ 126.7, 130.1, 130.3, 130.6, 180.1, 180.2, 180.3, 180.7, 180.8, 180.10, 180.21, 180.22, 180.23, and 180.26; and TEX. GOV'T CODE ANN. §§ 2001.051-2001.178.

WAIVER

Dr. Garrison acknowledges the existence of certain rights provided by the Texas Labor Code and other applicable law, including the right to receive a written notice of possible administrative violations as provided for by TEX. LAB. CODE ANN. § 415.032, the right to request a hearing as provided for by TEX. LAB. CODE ANN. § 415.034, and the right to judicial review of the decision as provided for by TEX. LAB. CODE ANN. § 415.035. Dr. Garrison waives these rights, as well as any other procedural rights that might otherwise apply, in consideration of the entry of this Consent Order.

FINDINGS OF FACT

The Commissioner of Workers' Compensation makes the following findings of fact:

System Participant -- Certifying Doctor

1. In accordance with 28 TEX. ADMIN. CODE § 130.1(a)(1), only an authorized doctor may certify Maximum Medical Improvement ("MMI"), determine whether there is permanent impairment, and assign an impairment rating.
2. In accordance with 28 TEX. ADMIN. CODE § 130.1(a)(1)(A)(i)-(iii), doctors serving in the following roles may be authorized: the treating doctors (or a doctor to whom the treating doctor has referred the employee for evaluation of maximum medical improvement and/or permanent whole body impairment in the place of the treating doctor), a designated doctor, and a required medical examination doctor selected by the carrier and approved by the commission after a designated doctor has performed a maximum medical improvement and/or permanent whole body impairment exam.
3. In accordance with 28 TEX. ADMIN. CODE § 130.1(a)(1)(B)(i)-(ii), a doctor serving in one of the roles described in subsection 28 TEX. ADMIN. CODE § 130.1(a)(1)(A), is authorized as follows: a doctor whom the commission has certified to assign impairment ratings or otherwise given specific permission by exception to, is authorized to determine whether an injured employee has permanent impairment, assign an impairment rating, and certify MMI; and a doctor whom the commission has not certified to assign impairment ratings or otherwise given specific permission by exception to is only authorized to determine whether an injured employee has permanent impairment and, in the event that the injured employee has no impairment, certify MMI.
4. In accordance with 28 TEX. ADMIN. CODE § 130.1(a)(3), a doctor who is authorized under this subsection to certify MMI, determine whether permanent impairment exists, and assign an impairment rating and who does, shall be referred to as the "certifying doctor."

5. Dr. Garrison is a certifying doctor.
6. Dr. Garrison was last certified to assign impairment ratings on August 25, 2009.

**Certification of Maximum Medical Improvement and
Evaluation of Impairment Ratings**

7. In accordance with TEX. LAB. CODE ANN. § 408.123(a), after an employee has been certified by a doctor as having reached maximum medical improvement, the certifying doctor shall evaluate the condition of the employee and assign an impairment rating.
8. In accordance with TEX. LAB. CODE ANN. § 408.123(b), a certifying doctor shall issue a written report certifying that maximum medical improvement has been reached, stating the employee's impairment rating, and provide it to the Division, the employee, and the insurance carrier.
9. In accordance with 28 TEX. ADMIN. CODE § 130.1(d)(1), certification of MMI and assignment of an impairment rating requires submission of a Report of Medical Evaluation, also known as the DWC Form-69.
10. In accordance with 28 TEX. ADMIN. CODE § 130.1(d)(2), the DWC Form-69 must be filed with the Division, employee, employee's representative, and the insurance carrier no later than the seventh working day after the later of the date of the certifying examination or the receipt of all of the medical information required by 28 TEX. ADMIN. CODE § 130.1.
11. Pursuant to 28 TEX. ADMIN. CODE § 130.1(d)(3), the DWC Form-69 must be filed with the carrier via facsimile or electronic transmission.
12. In accordance with 28 TEX. ADMIN. CODE § 130.1(e)(1)-(3), the certifying doctor shall maintain the original copy of the Report of Medical Evaluation and narrative as well as documentation of the date of the examination; the date any medical records necessary to make the certification of maximum medical improvement were received, and from whom the medical records were received; and the date, addressees, and means of delivery that reports required under 28 TEX. ADMIN. CODE § 130.1 were transmitted or mailed by the certifying doctor.

System Participant – Designated Doctor

13. A "designated doctor", as defined by TEX. LAB. CODE ANN. § 401.011(15), means a doctor appointed by mutual agreement of the parties or by the Division of Workers' Compensation ("Division") to recommend a resolution of a dispute as to the medical condition of an injured employee.

14. In accordance with 28 TEX. ADMIN. CODE § 180.21(b), in order to serve as a designated doctor, a doctor must be on the Designated Doctor List (DDL).
15. In accordance with 28 TEX. ADMIN. CODE § 180.21(d)(1)-(4), to be on the DDL on or after January 1, 2007, the doctor shall at a minimum: meet the registration requirements, or the exceptions thereto, of 28 TEX. ADMIN. CODE § 180.21(c)(1) or, upon expiration or waiver of the Approved Doctor List (ADL) in accordance with TEX. LAB. CODE ANN. § 408.023(k), comply with all successor requirements, including but not limited to financial disclosure under TEX. LAB. CODE ANN. § 413.041; have filed an application to be on the DDL, which must be renewed biennially; have successfully completed Division-approved training and examination on the assignment of impairment ratings using the currently adopted edition of the American Medical Association Guides, medical causation, extent of injury, functional restoration, return to work, and other disability management topics; and have had an active practice for at least three years during the doctor's career.
16. Dr. Garrison is a designated doctor.
17. Dr. Garrison was last approved to be on the Division's Designated Doctor List on August 25, 2009.

Designated Doctor's Role and Responsibilities

18. In accordance with TEX. LAB. CODE ANN. § 408.0041(a), a designated doctor may be called upon to perform medical examinations, as requested by an insurance carrier, employee, or the Division, to resolve any question about the impairment caused by the compensable injury, the attainment of maximum medical improvement ("MMI"), the extent of the employee's compensable injury, whether the injured employee's disability is a direct result of the work-related injury, the ability of the employee to return to work, and other similar issues.
19. In accordance with 28 TEX. ADMIN. CODE § 126.7(n), a designated doctor must file a report, as required by 28 TEX. ADMIN. CODE §§ 130.1 and 130.3, when the designated doctor determines that an employee has reached MMI, when the designated doctor assigns an impairment rating, or when the designated doctor determines that the employee has not reached MMI. The report must be sent to the insurance carrier, the employee, the employee's representative, if any, the treating doctor, and the Division.
20. In accordance with 28 TEX. ADMIN. CODE § 126.7(q), the designated doctor shall maintain accurate records, including the employee records, analysis (including supporting information), and narratives provided by the insurance carrier and treating doctor, to reflect: the date and time of any designated doctor appointments scheduled with an employee; the circumstances regarding a

cancellation, no-show or other situation where the examination did not occur as initially scheduled or rescheduled; the date of the examination; the date medical records were received from the treating doctor or any other person or organization; the date the medical evaluation report, including the narrative report described in subsection 28 TEX. ADMIN. CODE § 126.7 (n), was submitted to all parties; the name of all referral health care providers, date of appointments and reason for referral by the designated doctor; and the date the doctor contacted the Division for assistance in obtaining medical records from the insurance carrier or treating doctor.

21. In accordance with 28 TEX. ADMIN. CODE § 126.7(u)(1)-(2), the Division may contact the designated doctor if it determines that clarification is necessary to resolve an issue regarding the designated doctor's report. The Division, at its discretion, may request clarification from the designated doctor on issues the Division deems appropriate. To respond to the request for clarification, the designated doctor must be on the Division's DDL at the time the request is received by the Division. The designated doctor shall respond to the letter of clarification within five days of receipt. If in order to respond to the request for clarification, the designated doctor has to reexamine the injured employee, the doctor shall: respond to the request for clarification advising of the need for an additional examination within five days of receipt and provide copies of the response to the parties specified in subsection 28 TEX. ADMIN. CODE § 126.7 (p); and conduct the reexamination within 21 days from the request by the Division at the location of the original examination.

Assignment of a Designated Doctor

22. In accordance with TEX. LAB. CODE ANN. § 408.0041(b), a medical examination requested under Subsection TEX. LAB. CODE ANN. § 408.0041 (a) shall be performed by the next available doctor on the Division's list of designated doctors whose credentials are appropriate for the issue in question and the injured employee's medical condition as determined by commissioner rule.
23. Pursuant to 28 TEX. ADMIN. CODE § 126.7(e), the Division, within 10 days after approval of a valid request, shall issue a written notice that assigns a designated doctor; requires an exam to be conducted on a date no earlier than 14 days, but no later than 21 days from the date of the written notice; and notify the designated doctor, the employee, the employee's representative, if any, and the insurance carrier that the designated doctor will be directed to examine the employee. The written notice shall indicate the designated doctor's name, license number, practice address and telephone number, and the date and time of the examination or the date range for the examination to be conducted; explain the purpose of the designated doctor examination; require the employee to submit to an examination by the designated doctor; and require the treating doctor and insurance carrier to forward all medical records.

24. Pursuant to 28 TEX. ADMIN. CODE § 126.7(f), the designated doctor's office and the employee shall contact each other if there exists a scheduling conflict for the designated doctor appointment. The designated doctor or the employee who has the scheduling conflict must make the contact at least 24 hours prior to the appointment. The 24-hour requirement will be waived in an emergency situation (such as a death in the immediate family or a medical emergency). The rescheduled examination shall be set to occur within 21 days of the originally scheduled examination. Within 24 hours of rescheduling, the designated doctor shall contact the Division's field office and the insurance carrier with the time and date of the rescheduled examination. If the examination cannot be rescheduled within 21 days, the designated doctor shall notify the Division and the Division shall select a new designated doctor.

Division Audit of Dr. Garrison

25. Dr. Garrison was audited by the Division on September 22, 2008. The audit was initiated because Dr. Garrison was identified in the 2007 Performance Based Oversight ("PBO") assessment as a poor performer.
26. The purpose of the audit was to determine if Dr. Garrison was timely in filing the DWC Form-69 with the insurance carrier and the method by which the report was submitted to the insurance carrier.
27. The audit evaluated Dr. Garrison's performance during a six month period from January 1, 2008 through June 30, 2008.
28. Dr. Garrison filed 25 DWC Form-69s, which were subject to the audit, during the period of review.
29. One report failed to meet selection criteria and was dropped from the audit sample. The remaining 24 DWC Form-69s were reviewed to determine health care provider compliance.
30. Dr. Garrison failed to provide verifiable evidence that the DWC Form-69 was timely filed with the insurance carrier in all 24 files reviewed.
31. Of the 24 DWC Form-69s identified, zero were timely sent to the insurance carrier.
32. Of the 24 DWC Form-69s identified, zero were sent to the insurance carrier via facsimile or electronic transmission.
33. Dr. Garrison's compliance rate for filing forms in a timely manner was 0.00%.
34. Dr. Garrison's compliance rate for filing forms by the proper method was 0.00%.

Complaints Filed Against Dr. Garrison

Failure to File Letters of Clarification ("LOC") in a Timely Manner

35. Dr. Garrison filed the LOC with the Division 31 days past the required deadline (Injured Employee: G.H.; Carrier Number: 047505062615; DWC Claim Number: xxxx4098).
 - a. An LOC request was sent by First Class Mail to Dr. Garrison on September 11, 2008.
 - b. Pursuant to TEX. ADMIN. CODE § 102.5(d), the letter was deemed received five days after mailing. Therefore, the LOC request was deemed received by Dr. Garrison on September 16, 2008.
 - c. Dr. Garrison was required to file the LOC by September 22, 2008, five days after receipt.
 - d. Dr. Garrison filed the LOC with the Division on October 23, 2008, or 31 days past the required deadline.

Aggravating Factors

Harm to Injured Workers

36. Pursuant to TEX. LAB. CODE ANN. § 408.121 (a)–(b), an employee's entitlement to impairment income benefits begins on the day after the date the employee reaches MMI and the insurance carrier must begin paying impairment income benefits not later than the fifth day after receiving the doctor's report certifying MMI.
37. Pursuant to TEX. LAB. CODE ANN. § 408.122, a claimant may not recover impairment income benefits unless there is evidence of impairment based on objective clinical or laboratory findings. If the finding of impairment is made by a doctor chosen by the claimant and the finding is contested, a designated doctor or a doctor selected by the insurance carrier must be able to confirm the objective clinical or laboratory finding on which the finding of impairment is based.
38. The payments of impairment income benefits to injured employees may have been delayed as a result of Dr. Garrison's inability to submit the DWC Form-69 and letters of clarification in a timely manner.
39. Dr. Garrison's failure to timely file the DWC Form-69 and letters of clarification delayed the dispute resolution process.

PBO Tier Rating

40. During the 2007 Performance Based Oversight assessment, Dr. Garrison was identified as a poor performer.
41. During the 2009 Performance Based Oversight assessment, Dr. Garrison was not tiered.

Warning Letters

42. The Division has issued four warning letters to Dr. Garrison since 2002.
 - a. On or about February 22, 2002, Dr. Garrison received one warning letter for failing to file DWC Form-69s timely.
 - b. On or about March 19, 2002, Dr. Garrison received one warning letter for failing to file DWC Form-69s timely.
 - c. On or about May 7, 2002, Dr. Garrison received one warning letter for failing to file DWC Form-69s timely.
 - d. On or about August 31, 2005, Dr. Garrison received one warning letter for failing to timely file a letter of clarification.

Previous Fines Imposed by Division

43. On or about March 19, 2004, Dr. Garrison paid an administrative penalty in the amount of \$50.00 for failing to timely file DWC Form-69s.

Mitigating Factors

44. Additional documentation provided by Dr. Garrison demonstrates an improved compliance rate for timeliness of filing and method of transmission compared to the compliance rate determined in the Division's audit. This documentation did not affect the audit results, but was considered in determining the sanctions.
45. Dr. Garrison agrees to adopt and implement a compliance plan to prevent future administrative violations, and to provide the Division with a copy of the compliance plan. The compliance plan will include, but is not limited to, the following elements:
 - a. Dr. Garrison's office manager will maintain hard copies of the electronic fax confirmation sheets.

- b. Dr. Garrison's office staff will track the reports electronically.
 - c. Dr. Garrison's office staff will keep an electronic log to document:
 - i. The date of examination;
 - ii. The date any medical records necessary to make the certification of MMI/IR were received and from whom the medical records were received; and
 - iii. The date, addressees/facsimile numbers, and means of delivery the reports were submitted.
 - d. Dr. Garrison's office manager will proactively monitor the reports to ensure timely transcription and completion.
 - e. Dr. Garrison's office staff will conduct quarterly internal audits to ensure compliance and report to the Division any anomalies identified.
 - f. Dr. Garrison agrees to train his office staff to comply with the Texas Workers' Compensation Act and Rules.
46. Dr. Garrison agrees to the suspension from the Designated Doctor List for initial designated doctor appointments for ninety (90) days. During this time, the Division will not assign nor shall he accept any initial designated doctor appointments.
47. During this ninety (90) day suspension, Dr. Garrison agrees, upon request of the Division, he will accept appointments and will timely conduct subsequent examinations of injured workers for which he was previously assigned to as a designated doctor and will timely respond to all Division requests for letters of clarification.
48. Dr. Garrison agrees that he will not modify his appointment location matrix for ninety (90) days without prior approval from the Office of the Medical Advisor. Therefore, for ninety (90) days there will be no additions or deletions of counties unless approved by the Office of the Medical Advisor.
49. Dr. Garrison agrees to file the DWC Form-69 in a timely manner as required by 28 TEX. ADMIN. CODE §§ 126.7 and 130.1.
50. Dr. Garrison agrees to file the letter of clarification in a timely manner as required by 28 TEX. ADMIN. CODE § 126.7.

DWC - 10 - 0022

COMMISSIONER'S ORDER

Dr. Christopher Garrison; CTS 55454

Page 10 of 15

51. Dr. Garrison agrees to send the DWC Form-69 to the carrier via facsimile or electronic transmission as required by 28 TEX. ADMIN. CODE § 130.1.
52. Dr. Garrison agrees to maintain proper records/documentation as required by 28 TEX. ADMIN. CODE §§ 126.7(q)(1)-(7) and 130.1(e)(1)-(3).

Other Considerations

53. This Consent Order, and the actions required hereby, is entered into in the nature of compromise and settlement and in order to avoid the time, trouble, and expense to the Division and to Dr. Garrison of resolving this dispute through administrative or judicial proceedings.
54. The violations contained in this Consent Order are solely administrative in nature and do not imply Dr. Garrison breached any standard of care.

CONCLUSIONS OF LAW

Based upon the foregoing findings of fact, the Commissioner of Workers' Compensation makes the following conclusions of law:

1. The Commissioner of Workers' Compensation has jurisdiction over this matter pursuant to TEX. LAB. CODE ANN. §§ 402.001, 402.00111, 402.00114, 402.00116, 402.00128, 402.072, 408.0041, 408.123, 414.002, 414.003, 415.003, 415.021, and 415.023; and 28 TEX. ADMIN. CODE §§ 126.7, 130.1, 130.3, 130.6, 180.1, 180.2, 180.3, 180.7, 180.8, 180.10, 180.21, 180.22, 180.23, and 180.26; and TEX. GOV'T CODE ANN. §§ 2001.051-2001.178.
2. The Commissioner of Workers' Compensation has authority to informally dispose of this matter as set forth herein under TEX. GOV'T CODE ANN. § 2001.056, TEX. LAB. CODE ANN. §§ 401.021 and 402.00128(b)(7), and 28 TEX. ADMIN. CODE § 180.8(h).
3. Dr. Garrison has knowingly and voluntarily waived all procedural rights to which he may have been entitled regarding the entry of this Order, including, but not limited to, written notice of possible administrative violations, a hearing, and judicial review.
4. In accordance with TEX. LAB. CODE ANN. § 415.021, in addition to any sanction, administrative penalty, or other remedy authorized by this subtitle, the Commissioner of Workers' Compensation may assess an administrative penalty against a person who commits an administrative violation.

5. In accordance with TEX. LAB. CODE ANN. § 415.023(a), a person who commits an administrative violation under Section 415.001, 415.002, 415.003, or 415.0035 as a matter of practice is subject to an applicable rule adopted under TEX. LAB. CODE ANN. § 415.023(b) in addition to the penalty assessed for the violation.
6. In accordance with 28 TEX. ADMIN. CODE § 180.21(m), in addition to the grounds for deletion or suspension from the ADL or for issuing other sanctions against a doctor under 28 TEX. ADMIN. CODE § 180.26, the Commissioner shall delete or suspend a doctor from the DDL, or otherwise sanction a designated doctor for noncompliance with the requirements of this section or if any of the following conduct occurs:
 - a. failure to timely respond as a pattern of practice to a request for clarification from the Division regarding an examination.
 - b. other violation of applicable statutes or rules while serving as a designated doctor.
7. In accordance with 28 TEX. ADMIN. CODE § 180.26(d)(1), the Medical Advisor may recommend a sanction against a doctor or a carrier or the deletion or suspension of a doctor from the ADL if they violate the Statute, Rules, or a commission decision or order or agreement.
8. In accordance with TEX. LAB. CODE ANN. § 415.003(5), a health care provider, like a designated doctor, commits an administrative violation each time he or she violates a commissioner's rule.
 - a. Dr. Garrison violated 28 TEX. ADMIN. CODE § 126.7(u), each time he failed to file the letter of clarification in a timely manner.
 - b. Dr. Garrison violated 28 TEX. ADMIN. CODE § 130.1(d)(2), each time he failed to file the DWC Form-69 in a timely manner.
 - c. Dr. Garrison violated 28 TEX. ADMIN. CODE § 130.1(d)(3)(A), each time he failed to send the DWC Form-69 to the carrier via facsimile or electronic transmission.
9. Dr. Garrison failed to timely file the letter of clarification in one (1) instance.
10. Dr. Garrison failed to timely file the DWC Form-69 with the insurance carrier in ten (10) instances.
11. Dr. Garrison failed to file the DWC Form-69 with the carrier via facsimile or electronic transmission in three (3) instances.

Based on the Findings of Fact and Conclusions of Law above, the Commissioner of Workers' Compensation has determined that the appropriate disposition is imposition of the following sanctions and full compliance with the terms of this Order.

IT IS THEREFORE ORDERED that thirty (30) days from the date of this Order, Dr. Christopher Garrison shall be suspended from the designated doctor list for a period of ninety (90) days. During this ninety (90) day suspension, Dr. Christopher Garrison will not be assigned nor shall he accept initial designated doctor appointments by the Division.

IT IS ALSO ORDERED that during this ninety (90) day suspension, Dr. Christopher Garrison, upon request of the Division, shall accept appointments and timely conduct subsequent examinations of injured workers for which he was previously assigned to as a designated doctor and shall timely respond to all Division requests for Letters of Clarification.

IT IS ALSO ORDERED that Dr. Christopher Garrison will not modify his appointment location matrix for ninety (90) days without prior approval from the Office of the Medical Advisor. Therefore, for ninety (90) days there will be no additions or deletions of counties unless approved by the Office of the Medical Advisor.

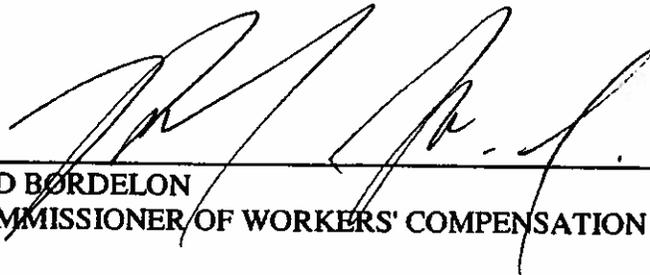
IT IS FURTHER ORDERED that Dr. Christopher Garrison will file the DWC Form-69 in a timely manner as required by 28 TEX. ADMIN. CODE § 130.1(d)(2).

IT IS FURTHER ORDERED that Dr. Christopher Garrison will file the letter of clarification in a timely manner as required by 28 TEX. ADMIN. CODE § 126.7(u)

IT IS FURTHER ORDERED that Dr. Christopher Garrison will send the DWC Form-69 to the carrier via facsimile or electronic transmission as required by 28 TEX. ADMIN. CODE § 130.1.

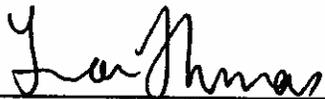
IT IS FURTHER ORDERED that by the end of the ninety (90) day suspension period, Dr. Christopher Garrison shall provide the Division with a copy of his compliance plan, which shall be directed at ensuring future compliance with the Texas Workers' Compensation Act and Rules.

IT IS ALSO ORDERED by the Commissioner of Workers' Compensation that should Dr. Christopher Garrison fail to comply with the terms of this Order that Dr. Christopher Garrison will have committed an additional administrative violation and his failure to comply with the terms of this Order may subject Dr. Christopher Garrison to further penalties as authorized by the Texas Labor Code, which, pursuant to TEX. LAB. CODE ANN. § 415.021(a), includes the right to impose an administrative penalty of up to \$25,000 per day per occurrence.



ROD BORDELON
COMMISSIONER OF WORKERS' COMPENSATION

FOR THE STAFF:

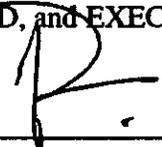


Terra Thomas
Staff Attorney, Enforcement Division
Texas Department of Insurance

DWC-10-0022

COMMISSIONER'S ORDER
Dr. Christopher Garrison; CTS 55454
Page 14 of 15

AGREED, ACCEPTED, and EXECUTED on this 4 day of JAN, ²⁰¹⁰~~2009~~ by:



Signature of Christopher Garrison, M.D.

DWC-10-0022

STATE OF TEXAS
COUNTY OF Travis

§
§
§

BEFORE ME, JOSEPHINE Collora, a notary public in and for the State of Texas, on this day personally appeared CHRISTOPHER GARRISON, known to me or proven to me through TX TDZ to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, who being by me duly sworn, deposed as follows:

1. "My name is Christopher Garrison, M.D. I am of sound mind, capable of making this statement, and personally acquainted with the facts stated in this Consent Order.
2. I have read the terms and conditions contained within this Consent Order, and I have knowingly and voluntarily entered into it.
3. I consent to the issuance and service of this Consent Order, and I am executing the same for the purposes and consideration described herein."

[Handwritten Signature]

Signature

CHRISTOPHER GARRISON
Typed/Printed Name

Given under my hand and seal of office this 4th day of January, 2009.

(NOTARY SEAL)



Josephine C Collora
Notary Public, State of Texas
My commission expires: 9/13-2011