

No. DWC - 10 - 0116

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

Date: DEC 03 2010

**Subject Considered:**

ALEXANDER STOCK, M.D.  
1220 N. Pacific Street, Suite 2  
Mineola, Texas 75773

**CONSENT ORDER**  
**DISCIPLINARY ACTION**  
TDI ENFORCEMENT FILE NO. 54687

**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 Alexander Stock, M.D. (Dr. Stock). The Texas Department of Insurance, Division of Workers' Compensation Staff (Division Staff) alleges that Dr. Stock 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. Stock 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, 414.002, 414.003, 415.003, 415.0035, 415.021, and 415.023; and 28 TEX. ADMIN. CODE §§ 126.7, 130.1, 130.3, 130.6, 180.3, 180.8, and TEX. GOV'T CODE ANN. §§ 2001.051–2001.178.

## WAIVER

Dr. Stock 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. Stock 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:

1. Dr. Stock was a treating doctor in the Texas workers' compensation system.
2. Dr. Stock was identified as a "poor tier" performer in the 2007 and 2009 Performance Based Oversight (PBO) assessments.
3. Dr. Stock was audited by the Division beginning on March 27, 2008. The purpose of the audit was to determine if Dr. Stock was timely filing the DWC Form-69 with the insurance carrier and the method by which the report was submitted to the insurance carrier. The audit evaluated Dr. Stock's performance during a seven month period from June 1, 2007 through December 31, 2007.
4. The Division identified 98 DWC Form-69s for Audit No. 69-08-113.
5. Of the 98 DWC Form-69s identified, 10 were timely sent to the insurance carrier.
6. Of the 98 DWC Form-69s identified, 89 were sent to the insurance carrier via facsimile or electronic transmission.
7. Dr. Stock voluntarily removed himself from practicing in the Texas Worker's compensation system in October 2009. In lieu of an administrative penalty, Dr. Stock agrees that he will not seek to re-enter practicing as a health care provider in the Texas Workers' Compensation system before January 1, 2011.
8. Dr. Stock agrees that prior to re-entry as a health care provider in the Texas Workers' Compensation system, he shall attend a Division of

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Workers' Compensation sponsored educational course or event related to compliance training for doctors, and provide proof of attendance within thirty (30) days of attendance. Evidence of attendance shall be sent to the Texas Department of Insurance, Enforcement Division-DWC, Division 3721, MC-9999, P.O. Box 149104, Austin, Texas 78714-9104.

9. The alleged violations contained in this Consent Order are based on Dr. Stock's failure to fulfill the administrative duties required of health care providers in the Texas Workers' Compensation system. These allegations do not reflect on his quality 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, 414.002, 414.003, 415.003, 415.0035, 415.021, and 415.023; and 28 TEX. ADMIN. CODE §§ 126.7, 130.1, 130.3, 130.6, 180.3, 180.8, 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. Stock 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. § 415.003(5), a health care provider commits an administrative violation each time he or she violates a commissioner's rule.

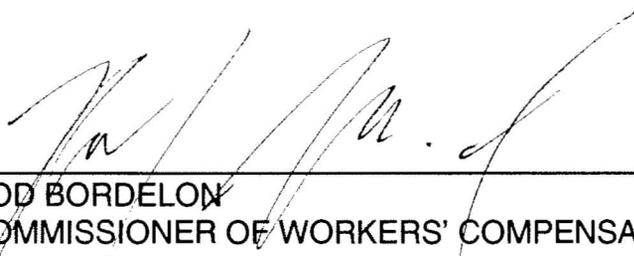
6. In accordance with TEX. LAB. CODE ANN. § 415.0035, a health care provider commits an administrative violation if that person fails or refuses to timely file required reports or records.
7. Dr. Stock violated 28 TEX. ADMIN. CODE § 130.1(d)(2), each time he failed to file the DWC Form-69 in a timely manner.
8. Dr. Stock violated 28 TEX. ADMIN. CODE § 130.1(d)(3)(A) each time he failed to file DWC Form-69 with the carrier via facsimile or electronic submission.

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.

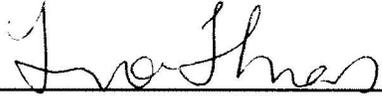
**IT IS THEREFORE ORDERED** that Dr. Alexander Stock shall not practice as a health care provider in the Texas Workers' Compensation system before January 1, 2011.

**IT IS FURTHER ORDERED** that prior to returning to practice as a health care provider in the Texas Workers' Compensation system, Dr. Alexander Stock shall attend a Division of Workers' Compensation sponsored educational course or event related to compliance training for doctors, and provide proof of attendance within thirty (30) days of attendance. Evidence of attendance shall be sent to the Texas Department of Insurance, Enforcement Division-DWC, Division 3721, MC-9999, P.O. Box 149104, Austin, Texas 78714-9104.

**IT IS ALSO ORDERED** by the Commissioner of Workers' Compensation that should Dr. Alexander Stock fail to comply with the terms of this Order that Dr. Alexander Stock will have committed an additional administrative violation and his failure to comply with the terms of this Order may subject Dr. Alexander Stock 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.

  
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ROD BORDELON  
COMMISSIONER OF WORKERS' COMPENSATION

FOR THE STAFF:



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Terra Colvin Thomas  
Staff Attorney, Enforcement Division  
Texas Department of Insurance

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AGREED, ACCEPTED, and EXECUTED on this 17 day of NOV., 2010 by:

  
Signature of Alexander Stock, M.D.

STATE OF TEXAS                   §  
   §  
COUNTY OF Wood               §

BEFORE ME, Samie Haggerton, a notary public in and for the State of Texas, on this day personally appeared Alexander Stock, known to me or proven to me through TXDL 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:

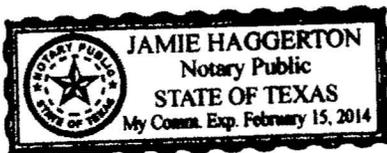
1. "My name is Alexander Stock, M.D. I am of sound mind, capable of making this statement, and personally acquainted with the facts stated in this Consent Order.
2. I have read the terms and conditions contained within this Consent Order, and I have knowingly and voluntarily entered into it.
3. I consent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

*Alexander Stock*  
Signature

Alexander Stock  
Typed/Printed Name

Given under my hand and seal of office this 17 day of November, 2010.

(NOTARY SEAL)



*[Signature]*  
Notary Public, State of Texas  
My commission expires 2-15-14