

D-9377

IN THE MATTER OF THE COMPLAINT) (BEFORE THE
) (
AGAINST STANISLAW RAJMUND) (TEXAS STATE BOARD
BURZYNSKI, M.D.,) (
) (
RESPONDENT) (OF MEDICAL EXAMINERS

COMPLAINT

TO THE HONORABLE TEXAS STATE BOARD OF MEDICAL EXAMINERS:

COMES NOW, the Texas State Board of Medical Examiners (the "Board"), by and through its Hearings Division, making this Complaint against Stanislaw Rajmund Burzynski, M.D. (the "Respondent"), concerning his violation of the Medical Practice Act (the "Act"), Article 4495b of the Revised Civil Statutes of the State of Texas. This relief is necessary to protect the health of the citizens of the State of Texas as mandated by Section 1.02 of the Act, and in support thereof would show the following:

I

The Respondent was previously issued a Texas medical license, number D-9377, by the Texas State Board of Medical Examiners, which was in full force and effect at all times relevant to this proceeding.

II

Since September 1, 1985, the Respondent has administered antineoplastons, including those designated A-10, A-2, A-3, A-5 and AS2-1, to his patients without having the approval of the Federal Food and Drug Administration (the "FDA") pursuant to Title 21 USC Section 505 and without having a letter of approval or approvability on file with the Commissioner of Health, Texas Department of Health in violation of Section 18(a) of the Texas Food, Drug and Cosmetic Act (the "Texas Food and Drug Act"), article 4467-5, Tex. Rev. Civ. Stat. Ann., which is a violation of Section 3.08(4)(A) of the Act by committing an act that is in violation of the laws of the State of Texas if the Act is connected with the physician's practice of medicine.

III

Prior to and until September 1, 1985, the Respondent has administered antineoplastons, designated A-2, A-3, A-5, AS2-1 and A-10, to his patients without having the approval of the Texas Department of Health in violation of Section 16 of the Texas Food and drug Act, which is a violation of Section 3.08(4)(A) of the Act by committing an act that is in violation of the laws of

the State of Texas, if the act is connected with the physician's practice of medicine.

IV

Since February, 1984, the Respondent has administered to his patients an antineoplaston, designated A-10, after the exemption provided in a "Notice of claimed investigational exemption for a new drug" was terminated by the FDA, in violation of Section 18(b) of the Texas Food and Drug Act which violates Section 3.08(4)(A) of the Act by committing an act that is in violation of the laws of the State of Texas, if the act is connected with the physician's practice of medicine.

V

The Respondent's violation of Section 3.08, Paragraph (4)(A) of the Act are grounds for the Board to cancel, revoke or suspend the Respondent's license to practice medicine in the State of Texas pursuant to Section 4.01 of the Act.

The Respondent's violation of Section 3.08, Paragraph (4)(A) of the Act are grounds for the Board to enter an order imposing other means of discipline upon the Respondent pursuant to Section 4.12 of the Act.

The Respondent's violation of Section 3.08, Paragraph (4)(A) of the Act resulting in the Board's cancellation, revocation or suspension of the Respondent's Texas medical license or imposition of other means of discipline may be probated by the Board upon its majority vote pursuant to Section 4.11 of the Act.

WHEREFORE, PREMISES CONSIDERED, it is prayed that a hearing on this complaint be held before the Texas State Board of Medical Examiners and that the Board (1) cancel, revoke or suspend the Respondent's medical license; (2) probate the cancellation, revocation or suspension of the Respondent's Texas medical license or imposition of other means of discipline; or (3) enter an order imposing other means of disciplining.

Respectfully submitted,

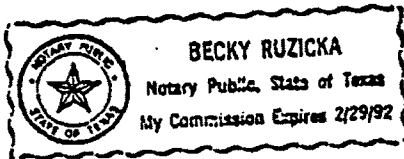


Arnoldo G. Garza
Director of Hearings

THE STATE OF TEXAS)(

COUNTY OF TRAVIS)(

SUBSCRIBED AND SWORN to before me by the said Arnolde G. Garza on this the 6th day of September, 1988.



Becky Ruzicka
Notary Public, State of Texas
Notary's Printed Name: Becky Ruzicka
Notary's Commission Expires: 2/29/92

Filed with the Texas State Board of Medical Examiners on this the 6th day of September, 1988.

G. V. Brindley, Jr., M.D.
G. V. Brindley, Jr., M.D.
Executive Director
Texas State Board of Medical Examiners