



**TEXAS PHYSICIAN HEALTH PROGRAM
BOARD MEETING**

333 Guadalupe, Tower 2, Suite 225
Austin, Texas 78701
Friday, November 15, 2019

The meeting was called to order on November 15, 2019 at 9:08 a.m. by Presiding Officer Anand Mehendale, M.D. Governing Board members present were: Eugene Boisaubin, M.D. (arrived at 9:25 am); Mary Boone, LCSW, LCDC; Jeffery Butts, D.O.; Vicki Chancellor, M.D.; Helaine Lane; Brian “Dean” McDaniel, D.O. Governing Board Members not present were Ron Cook, D.O.; Vicki Waters M.S., PA-C.; George Willeford, III, M.D.; and Susan Wynne, M.D. Staff present were: TXPHP Executive Medical Director Russel Carter, M.D., TMB Executive Director Brint Carlton, J.D., and various other staff.

Agenda Item #2, Discussion, recommendations, and possible action regarding August 9, 2019, Governing Board meeting minutes. After discussion, **Dr. McDaniel moved, Dr. Butts seconded and the motion passed to approve the August 9, 2019 Governing Board meeting minutes with corrections recommended by governing board members.**

Agenda Item #3, Discussion, recommendations, and possible action regarding processing of pending referrals. Mr. Bernardo reported that the backlog continues to improve.

Agenda Item #4, Executive Medical Director Report.

a. Report of program enrollment to date, program performance, program operations. Dr. Carter reported that there are currently 370 participants.

Manager Report. Mr. Bernardo reported on referrals from the TMB.

b. Personnel Report. Dr. Carter reported the exit of three TXPHP employees and noted that two new employees started October 14, 2019.

c. Fee Intake Report. The program is now collecting interview fees upfront and is notifying individuals when they have an upcoming and passed due payments. As of October 1st, 2019, participants are required to use the RecoveryTrek app to log AA meetings.

d. Budget Report.

Agenda Item #5, TMB Report. Dr. Mehendale reported on his attendance at the October 18th Texas Medical Board (TMB) meeting. Mr. Carlton reported that in Summer 2022 the agency will be moving to a new building on 15th street.

Agenda Item #6, Discussion, Recommendations, Disciplinary Process Review Committee (DPRC) disposition updates, and possible action regarding Case Advisory Panels and case reviews.

Case #1 – After discussion, Dr. Mehendale moved to refer the participant to TMB/DPRC with a recommendation that TXPHP continue treating the participant with zero tolerance. Dr. Butts seconded, and the motion passed unanimously.

Case #2 – After discussion, Dr. McDaniel moved to refer the participant to TMB with a recommendation that the participant remain under a 5-year agreement. Dr. Chancellor seconded, and the motion passed unanimously.

Case #3 – After discussion, Ms. Boone moved to refer the participant to TMB. Dr. Boisubin seconded, and the motion passed unanimously.

Case #4 – After discussion, Dr. Mehendale moved to refer the participant to TMB. Dr. Chancellor seconded, and the motion passed unanimously.

Case #5 – After discussion, Ms. Boone moved to refer the participant to TMB. Dr. Chancellor seconded, and the motion passed unanimously.

Case #6 – After discussion, Dr. Chancellor moved to refer the participant to TMB with the recommendation of a 5-year agreement with increased drug and alcohol testing, meetings 3 times a week, and evaluation by a psychologist. Dr. Butts seconded, and the motion passed unanimously.

Case #7 – After discussion, Ms. Lane moved to refer the participant to TMB. Dr. Boisubin seconded, and the motion passed unanimously.

Case #8 – After discussion, Dr. Chancellor moved to refer the participant to TMB with the recommendation of a full 5-year agreement. Dr. Butts seconded, and the motion passed unanimously.

Case #9 – After discussion, Dr. Boisubin moved to refer the participant to TMB with the recommendation of a 5-year agreement with increased drug and alcohol

testing, meetings 3 times a week, and evaluation by a psychologist. Ms. Lane seconded, and the motion passed unanimously.

Case #10 – After discussion, Ms. Lane moved to refer the participant to TMB. Dr. Chancellor seconded, and the motion passed unanimously.

Case #11 – After discussion, Dr. McDaniels moved to refer the participant to TMB with the recommendation of a 5-year agreement with increased drug and alcohol testing, meetings 3 times a week, and evaluation by a psychologist. Dr. Chancellor seconded, and the motion passed unanimously.

Case #12 – After discussion, Dr. Boisaubin moved to refer the participant to TMB with the recommendation to remain with TXPHP with zero tolerance. Dr. Butts seconded, and the motion passed unanimously.

Case #13 – After discussion, Dr. Chancellor moved to refer the participant to TMB. Dr. Boisaubin seconded, and the motion passed unanimously.

Case #14 – After discussion, Dr. Boisaubin moved to refer the participant to TMB with the recommendation of a 5-year agreement with increased drug and alcohol testing, meetings 3 times per week, and evaluation by a psychologist. Dr. Chancellor seconded, and the motion passed unanimously.

The board recessed briefly at 10:52 am. The board reconvened at 11:12 am and a quorum was confirmed.

Agenda Item #7, Report on Emergent Referrals. Dr. Carter reported that there were 3 emergent referrals to TMB.

Agenda Item #8, Discussion, recommendation, and possible action regarding adoption of proposed rule amendments to T.A.C. Chapter 180

- Chapter 180: Texas Physician Health Program and Rehabilitation Orders
 - §180.1 – Purpose
 - §180.2 – Definitions
 - §180.3 – Texas Physician Health Program
 - §180.4 – Operation of Program
 - §180.7 – Rehabilitation Orders

Amy Swanholm gave a summary on the forthcoming proposed rule amendments to TAC Chapter 180. No action was taken.

Agenda Item #9, Legal Report. Ms. Swanholm provided a report.

Agenda Item #10, Discussion, recommendations, and possible action regarding scheduling, procedures, and upcoming Board meetings, member rotation, Case Advisory Panel (CAP) scheduling, and possible agenda topics. Mr. Bernardo presented the board meeting calendar for 2020. The CAP schedule was provided to Board members.

Agenda Item #11, Discussion, recommendations, and possible action regarding recommended monitoring standards for clinical issues including the use of Benzodiazepines, stimulants, and opiates for people with substance use disorders. Dr. Mehendale presented a policy statement for review and discussion by the Board. He stated that it has been reviewed and approved by the Texas Medical Board. After discussion, **Ms. Lane moved to approve the policy. Dr. Boisaubin seconded, and the motion passed unanimously.**

Agenda Item #12, Discussion, recommendations, and possible action regarding treatment facility requirements for participants and a possible list of approved treatment facilities that meet the requirements. Ms. Boone reported on her research of PHP's ability to provide detailed list of facilities approved by PHP based on certain criteria. No action was taken.

Agenda Item #13, Open forum for public comments. Monica Guidry – UT Science Center signed in and provided public comment.

There being no further items, **Dr. Boisaubin moved, Dr. Chancellor seconded, and the motion passed unanimously to adjourn the meeting at 12:00 pm.**