



**TEXAS PHYSICIAN HEALTH PROGRAM
BOARD MEETING
Friday, August 7, 2020**

VIDEO CONFERENCE MEETING

The meeting was called to order on August 7, 2020 at 9:03 a.m. by Presiding Officer Anand Mehendale, M.D. Governing Board members present were: Eugene Boisaubin, M.D.; Mary Boone, LCSW, LCDC; Jeffery Butts, D.O.; Viki Chancellor, M.D.; Ron Cook, D.O.; Helaine Lane; Brian “Dean” McDaniel, D.O.; Sejal Mehta, M.D.; Vicki Waters, M.S., PA-C; and Susan Wynne, M.D. Staff present were: TXPHP Medical Director Katherine McQueen, M.D.; TXPHP Program Director, Rui Bernardo; TMB Executive Director Brint Carlton, J.D.; Assistant General Counsel Amy Swanholm, J.D.; Assistant General Counsel Sarah Tuthill, J.D.; and various other staff.

Agenda Item #2, Discussion, recommendations, and possible action regarding November 1, 2019 Governing Board meeting minutes. After discussion, Dr. Cook moved, Dr. Mehta seconded, and the motion passed to approve the May 22, 2020, Governing Board meeting minutes with changes.

Agenda Item #3, Board President’s Report. Dr. Mehendale gave a report and requested information be provided on the number of unexpected positive participants from Board meeting to Board meeting. No action was taken on this agenda item.

Agenda Item #4, Medical Director’s Report.

- a. Report of program enrollment to date.** Dr. McQueen reported that there are currently 299 active participants in the program. Of those, there are 182 M.D.’s, 23 D.O.’s, 15 PA’s, 41 Physicians in Training, 15 MRTs, 22 RCPs, and one Surgical Assistant.
- b. Program Policies.** Dr. McQueen reported on TXPHP’s policy regarding COVID-19 waivers for testing and the policy for follow-up testing after completion of the waiver period.
- c. Report on Outstanding Referrals.** Dr. McQueen reported that there are 11 referrals pending. Of those pending, two have agreements; two have been interviewed but are pending an outside evaluation; one is ready to be interviewed; and six are pending while TXPHP awaits payment of their initial fee. Interviews have picked up due to the hiring of the new Medical Director, Dr. Katherine McQueen, M.D.

- d. Report on Drug Screening Results.** Dr. McQueen reported there are 183 participants actively engaged in testing. No action was taken on this agenda item.

Agenda Item #5, Program Director's Report.

- a. Program Performance and Overall Operations.** Mr. Bernardo made a presentation on current program operations.
- b. Personnel Report.** Mr. Bernardo gave an update on current job vacancies.
- c. Fee Intake Report.** Mr. Bernardo reported on fee collections. TXPHP received \$126,695 in fees over the last three months.
- d. Budget Report.** Mr. Bernardo made a report on TXPHP's current budget.

Amy Swanholm announced that Ms. Waters went offline at 9:39 a.m. and came back online at 9:41 a.m.

Agenda Item #6, TMB Report. Mr. Carlton reported on the relationship between TXPHP and TMB. He reported that staff will telecommute as long as necessary. Virtual meetings will continue. No action was taken on this agenda item.

Agenda Item #7, Discussion, recommendation and possible action regarding the Advisory Committee. Dr. Mehendale gave the report on the Advisory Committee. No action was taken on this agenda item.

Agenda Item #8, Discussion, recommendations, Disciplinary Process Review Committee (DPRC) disposition updates and possible action regarding Case aAdvisory Panels and case reviews.

14-0119-A – After discussion, Dr. Mehta moved, Dr. Butts seconded, and the motion passed unanimously to refer the participant to DPRC Committee with the recommendation that the participant remain with TXPHP under zero tolerance. Dr. Cook recused himself.

17-0133 – After discussion, Dr. Boisubin moved, Dr. Cook seconded, and the motion passed unanimously to refer the participant to the DPRC Committee.

18-0168 –After discussion, Dr. Mehta moved, Dr. Boisubin seconded, and the motion passed unanimously to refer the participant to the DPRC Committee with the recommendation that the participant remain with TXPHP under zero tolerance.

18-0183 –After discussion, Ms. Waters moved, Dr. Chancellor seconded, and the motion passed unanimously to refer the participant to the RCP Board Discipline & Ethics Committee.

18-0272 – After discussion, Dr. Wynne moved, Dr. Boisubin seconded, and the motion passed unanimously to refer the participant to MRT Board Disciplinary & Ethics

Committee with the recommendation that the participant remain with TXPHP under zero tolerance.

18-0488 – After discussion, Dr. McDaniel moved, Ms. Lane seconded, and the motion passed unanimously to refer the participant to the RCP Board Discipline & Ethics Committee.

19-0111 – After discussion, Dr. Chancellor moved, Ms. Waters seconded a motion to refer the participant to the MRT Board Discipline & Ethics Committee with the recommendation that the participant remain with TXPHP under zero tolerance. No vote was taken.

Dr. Chancellor withdrew the motion.

Dr. Chancellor moved, Ms. Waters seconded, and the motion passed unanimously to refer the participant to Discipline & Ethics Committee with the recommendation that the participant remain with TXPHP.

19-0247 – After discussion, Dr. Mehendale moved, Dr. Wynne seconded, and the motion passed unanimously to refer the participant to the DPRC Committee.

19-0399 – After discussion, Ms. Waters moved, Dr. Cook seconded, and the motion passed unanimously to refer the participant to DPRC with the recommendation that the participant remain with TXPHP.

19-0917 – After discussion, Dr. Chancellor moved, Dr. Boisabuin seconded, and the motion passed unanimously to refer the participant to the DPRC Committee.

Agenda Item #9, Legal Report. Ms. Swanholm reported that there was no new litigation. Rules were adopted and final, as of July 5, 2020. No action was taken on this agenda item.

Agenda Item #10, Discussion, recommendation, and possible action regarding scheduling, procedures, and upcoming Board meetings, member rotation, Case Advisory Panel (CAP) scheduling, and possible agenda topics. CAP meeting time has changed from 8:30 PM to 12:30 PM every 2nd Tuesday of the month. No action was taken on this agenda item.

Agenda Item #11, Open forum for public comments. No one signed up for public comment.

Agenda Item #12, Presentation from Ms. Courtney Hulbert, LCSW. Ms. Hulbert was not present to give a presentation. No action was taken on this agenda item.

Agenda Item #13, There being no further items, **Ms. Lane moved, Dr. Wynne seconded, and the motion passed to adjourn the meeting at 11:08 a.m.**