



**TEXAS PHYSICIAN HEALTH PROGRAM
BOARD MEETING**

333 Guadalupe, Tower 2, Suite 225
Austin, Texas 78701
Friday, February 12, 2021

Agenda Item #1. The meeting was called to order on February 12, 2021 at 9:03 a.m. by Presiding Officer Brian “Dean” McDaniel, D.O. 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.; Mark Kunik, M.D.; Helaine Lane; Sejal Mehta, M.D., MBA; Vicki Waters, M.S., PA-C (joined after roll call); and Susan Wynne, M.D. Staff present were: TXPHP Executive Medical Director Katherine McQueen, M.D.; TMB Executive Director Brint Carlton, J.D.; and various other staff.

Governing Board Members and Staff welcomed and introduced themselves to new Governing Board member Mark Kunik, M.D. during roll call.

There was a moment of silence in remembrance for Dr. Anand Mehendale, M.D.

Agenda Item #2. Discussion, recommendations, and possible action regarding November 11, 2020, Governing Board meeting minutes. After discussion, Dr. Cook moved, Dr. Boisaubin seconded, and the motion passed to approve the November 11, 2020 Governing Board meeting minutes.

Agenda Item #3, Presiding Officer. Dr. McDaniel reported that he began acting as Interim Presiding Officer after Dr. Mehendale’s death. Dr. McDaniel has since been appointed to the position of Presiding Officer by TMB Board President Dr. Sherif Zaafran.

Agenda Item #4, TMB Report. Mr. Carlton reported that much of TMB and TXPHP staff continues to work from home in an effort to prevent the spread of COVID-19.

Agenda Item #5, Budget Report. Mr. Carlton gave a brief report on the budget.

Agenda Item #6, Program Director Report.

a. Report of program enrollment to date. Mr. Bernardo reported that there are currently 292 participants for FY 2021 Q1.

- b. Report on Program Performance and Overall Operations.** Mr. Bernardo reported that the program is operating well and does so with a great team.
- c. Report on Outstanding Referrals.** Mr. Bernardo reported that there are currently 13 pending referrals.
- d. Personnel Report.** Mr. Bernardo reported that TXPHP staff continues to work from home. There are currently three vacant positions.

Agenda item #7, Medical Director Report.

- a. Report on Drug Screening Results.** Dr. McQueen gave a report on drug screening results.
- b. Report on Fee Waivers.** Dr. McQueen gave a report on fee waivers.
- c. Report on Program Policies.** Dr. McQueen reported that the policies and procedures are currently under review by staff.
- d. Participant Outcomes Report.** Dr. McQueen gave a report on participant outcomes.

Agenda Item #8, Legal Report. Ms. Swanholm reported that there is currently no outstanding litigation or other legal matters impacting TXPHP.

Agenda Item #9, Discussion, Recommendation, and possible action regarding the Advisory Committee. No action was taken.

Agenda Item #10, Discussion, Recommendations, Disciplinary Process Review Committee (DPRC) disposition updates and possible action regarding Case Advisory Panels and case reviews.

Case #1 – 11-0216-A – After discussion, Dr. Mehta moved to refer the participant to DPRC with a recommendation to remain with TXPHP, Dr. Wynn seconded, and the motion passed unanimously.

Case #2 – 14-0383-A – After discussion, Dr. Cook moved to refer the participant to DPRC. Dr. Chancellor seconded and the motion passed unanimously.

Case #3 – 17-0119-A – After discussion, Dr. Mehta moved to refer the participant to DPRC with the recommendation that the participant return to TXPHP, Dr. Butts seconded, and the motion passed unanimously.

Case #4 – 17-0231 – After discussion, Dr. Boisabuin moved that no referral be made because the participant's noncompliance was not substantive. Dr. Mehta seconded and the motion passed unanimously.

Case #5 – 17-0281 – After discussion, Dr. Mehta moved to refer the participant to DPRC with the recommendation that the participant remain with TXPHP. Ms. Lane seconded, and the motion passed unanimously.

Case #6 – 18-0168 – After discussion, Ms. Lane moved to refer the participant to DPRC with the recommendations that the participant remain with TXPHP. Dr. Cook seconded. Ms. Lane withdrew her original motion and made a new motion to refer the participant to DPRC. Dr. Wynne seconded and the motion passed unanimously.

Case #7 – 19-0211 – After discussion, Dr. Mehta moved that no referral be made because the participant's noncompliance was not substantive. Ms. Lane seconded, and the motion passed unanimously.

Case #8 – 19-0249 – After discussion, Dr. Wynne moved to refer the participant to DPRC with the recommendation that the participant remain with TXPHP, Dr. Boisubin seconded and the motion passed unanimously.

Case #9 – 19-1102-A – After discussion, Dr. Chancellor moved to refer the participant to DPRC with the recommendation that the participant remain with TXPHP, Dr. Kunik seconded, and the motion passed unanimously.

Case #10 – 20-0406 – After discussion, Dr. Cook moved that no referral be made because the participant's noncompliance was not substantive. Dr. Wynne seconded and the motion passed unanimously.

Case #11 – 20-0605 – After discussion, Dr. Boisubin moved to refer the participant to DPRC, Dr. Wynne seconded, and the motion passed unanimously.

Case #12 – 20-0712 – After discussion, Dr. Butts moved to refer the participant to the MRT committee. Dr. Chancellor seconded and the motion passed unanimously.

Case #13 – 20-1009 – After discussion, Dr. Wynne motioned to refer the participant to DPRC, Dr. Mehta seconded, and the motion passed unanimously.

Agenda Item #11, Report on Emergent Referrals. Dr. McQueen reported that one participant was emergently referred to TMB.

The Board recessed briefly at 11:04 am. The Board reconvened at 11:15 am with a quorum.

Agenda Item #13, Remembrance for Anand Mehendale, M.D. Governing Board members, Staff, and others spoke in remembrance of Anand Mehendale, M.D.

Agenda Item #12, Discussion, recommendations, and possible action regarding scheduling, procedures, and upcoming Board meetings, member rotation, Case Advisory Panel (CAP) scheduling, and possible agenda topics. No action was taken.

Agenda Item #14, Open forum for public comments. There were no public comments.

Agenda Item #15, Adjourn. There being no further items, **Ms. Lane moved, Dr. Chancellor seconded, and the motion passed to adjourn the meeting. Dr. McDaniel adjourned the meeting at 11:54 am.**