



**TEXAS PHYSICIAN HEALTH PROGRAM
BOARD MEETING**

Friday, November 18, 2022

The meeting was called to order on November 18, 2022, at 9:03 a.m. by Presiding Officer Brian “Dean” McDaniel, D.O. Governing Board members present were: Viki Chancellor, M.D.; Mark Kunik, M.D., MPH.; Helaine Lane; Katie McQueen, M.D.; Vicki Waters, M.S., PA-C; and Susan Wynne, M.D. Governing Board members not present were: Mary Boone, LCSW, LCDC.; Jeffery Butts, D.O.; Ron Cook, D.O.; and Sejal Mehta, M.D., MBA. Staff present were: TXPHP Executive Medical Director Emily Doyle, M.D.; TXPHP Program Director Rui Bernardo; TMB Executive Director Brint Carlton, J.D.; Assistant General Counsels Sarah Tuthill, J.D. and Yvette Yarbrough, J.D. and various other staff.

Agenda Item #2, Discussion, recommendations, and possible action regarding September 30, 2022, Governing Board meeting minutes. After discussion, **Ms. Lane moved, Dr. McQueen seconded, and the motion passed to approve the September 30, 2022, Governing Board meeting minutes as written.**

Agenda Item #3, Board President Report. Dr. McDaniel thanked Dr. McQueen for stepping in as Acting Presiding Officer for the last meeting. Dr. McDaniel reported on the possibility of state budget allocations to fund TXPHP being discussed during the upcoming legislative session. Dr. McDaniel recognized Dr. Eugene Boisaubin for his work with the board and in the state of Texas.

Agenda Item #4, TMB and Budget Report. Mr. Carlton reported that the agency is now moved to the new building. Mr. Estrada gave an update on the current budget.

Agenda Item #5, Program Director Report.

- a. Report of program enrollment to date.** Mr. Bernardo reported that there are currently 280 participants for FY 2023 Q1.
- b. Report on Outstanding Referrals.** Mr. Bernardo reported that there are currently 33 pending referrals. Mr. Bernardo provided a full report of participant referrals, pending referrals and participation.
- c. Report on Program Performance and Overall Operations.** Mr. Bernardo gave a report on program performance and overall operations.
- d. Personnel Report.** Mr. Bernardo reported on current vacant positions.

Agenda item #6, Medical Director Report

a. Report on Drug Screening Results. Dr. Doyle gave a report on Drug Screening Results.

b. Report on Fee Waivers. Dr. Doyle gave a report on Fee Waivers.

Agenda Item #7, Legal Report. Ms. Tuthill gave a legal report.

Agenda Item #8, Discussion, recommendation and possible action regarding the Advisory Committee. There was nothing to report.

Agenda Item #9, Discussion, Recommendations, Disciplinary Process Review Committee (DPRC) disposition updates and possible action regarding case advisory panels (CAP) and case reviews.

Case #1 – 11-0239-B – After discussion, Ms. Lane moved to refer to DPRC with the recommendation that they accept the referral. Ms. Waters seconded, and the motion passed. Dr. McQueen abstains.

Case #2 – 16-0292-B – After discussion, Ms. Waters moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Chancellor seconded, and the motion passed. Dr. McQueen abstains.

Case #3 – 17-0256-A – After discussion, Dr. Chancellor moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Wynne seconded, and the motion passed. Dr. McQueen abstains.

Case #4 – 17-0281 – After discussion, Dr. Kunik moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Chancellor seconded, and the motion passed. Dr. McQueen abstains.

Case #5 – 18-0168-A – After discussion, Dr. Wynne moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Ms. Lane seconded, and the motion passed. Dr. McQueen abstains.

Case #6 – 19-0397-A – After discussion, Ms. Lane moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Kunik seconded, and the motion passed. Dr. McQueen and Ms. Waters abstained.

Case #7 – 20-0417 – After discussion, Dr. Wynne moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Ms. Lane seconded, and the motion passed. Dr. McQueen abstains.

Ms. Waters left the meeting at 11:28 am.

Case #8 – 21-0308 – After discussion, Dr. Kunik moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Ms. Lane seconded, and the motion passed. Dr. McQueen abstains.

Case #9 – 21-0716 – After discussion, Dr. Wynne moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Kunik seconded, and the motion passed. Dr. McQueen abstains.

Case #10 – 21-0810 – After discussion, Dr. Kunik moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Ms. Lane seconded, and the motion passed. Dr. McQueen abstains.

Case #11 – 21-1005 – After discussion, Dr. Wynne moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Chancellor seconded, and the motion passed. Dr. McQueen abstains.

Case #12 – 22-0101 – After discussion, Dr. Wynne moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Chancellor seconded, and the motion passed. Dr. McQueen abstains.

Case #13 – 22-0104 – After discussion, Dr. Kunik moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Wynne seconded, and the motion passed. Dr. McQueen abstains.

Ms. Water rejoined the meeting at 10:54 am.

Case #14 – 22-0804 – After discussion, Dr. Chancellor moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Kunik seconded, and the motion passed. Dr. McQueen and Ms. Waters abstained.

Agenda Item #10, Report on Emergent Referrals. There were no emergent referrals.

Agenda Item #11, Discussion, recommendations, and possible action regarding scheduling, procedures, and upcoming Board meetings, member rotation, CAP scheduling. Mr. Bernardo presented a revised CAP schedule through May 2024 and board meeting calendar for 2023. No action taken.

Agenda Item #12, Open forum for public comments. No one signed in to make public comments.

Agenda Item #13, Adjourn. There being no further items, **Dr. Wynne moved, Dr. Kunik seconded, and the motion passed to adjourn the meeting at 11:05 a.m.**