



**TEXAS PHYSICIAN HEALTH PROGRAM
BOARD MEETING**

Friday, February 10, 2023

The meeting was called to order on February 10, 2023, at 9:05 a.m. by Presiding Officer Brian “Dean” McDaniel, D.O. Governing Board members present were: Mary Boone, LCSW, LCDC; Jeffery Butts, D.O; Viki Chancellor, M.D.; Ron Cook, D.O.; Mark Kunik, M.D., MPH.; Helaine Lane; Katie McQueen, M.D.; Sejal Mehta, M.D., MBA; Vicki Waters, M.S., PA-C; and Susan Wynne, M.D.

Staff present were: TXPHP Executive Medical Director Emily Doyle, M.D.; TXPHP Program Director Rui Bernardo; TMB Executive Director Brint Carlton, J.D.; General Counsel Scott Freshour, J.D.; Assistant General Counsels Sarah Tuthill, J.D. and various other staff.

Agenda Item #2, Discussion, recommendations, and possible action regarding November 18, 2022, Governing Board meeting minutes. After discussion, **Dr. Cook moved, Dr. Mehta seconded, and the motion passed to approve the November 18, 2022, Governing Board meeting minutes as written.**

Agenda Item #3, Board President Report. Dr. McDaniel provided a legislative update.

Agenda Item #4, TMB and Budget Report. Mr. Carlton and Mr. Estrada provided the budget report.

Agenda Item #5, Program Director Report.

- a. Report of program enrollment to date.** Mr. Bernardo reported that there are currently 279 participants for FY 2023 Q1.
- b. Report on Outstanding Referrals.** Mr. Bernardo reported that there are currently 25 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 – 17-0209-A – After discussion, Dr. Wynne moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Ms. Waters seconded, and the motion passed. Dr. McQueen recused.

Case #2 – 18-0168-A – After discussion, Dr. Mehta moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Ms. Lane seconded, and the motion passed. Dr. McQueen recused.

Case #3 – 18-0354 – After discussion, Dr. Mehta moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Cook seconded, and the motion passed. Dr. McQueen recused.

Case #4 – 19-0179-A – After discussion, Dr. Mehta moved to defer the case until the end of the retirement process. Dr. Wynne seconded, and the motion passed. Dr. McQueen recused.

Break 10:32 am – 10:45 am.

Case #5 – 19-1011 – 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 recused.

Case #6 – 20-0417 – After discussion, Dr. Cook moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Butts seconded, and the motion passed. Dr. McQueen recused.

Case #7 – 20-0914-A – After discussion, Ms. Lane moved to refer to DPRC with the recommendation that they accept the referral. Ms. Boone seconded, and the motion passed. Dr. McQueen recused.

Case #8 – 20-1103 – 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 recused.

Case #9 – 21-1102 – After discussion, Dr. Mehta moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Cook seconded, and the motion passed. Dr. McQueen and Dr. Butts recused.

Case #10 – 21-1201 – After discussion, Ms. Waters moved to refer to RCP D&E committee with the recommendation that they accept the referral. Dr. Wynne seconded the motion. Dr. Wynne withdrew her second and Ms. Waters withdrew her motion. Ms. Waters moved to emergently refer this participant to the Executive Director. Dr. Wynne seconded and the motions passed. Dr. McQueen recused.

Case #11 – 21-1203 – After discussion, Dr. Chancellor moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Cook seconded, and the motion passed. Dr. McQueen recused.

Case #12 – 22-0701 – After discussion, Dr. Mehta moved to refer to DPRC with the recommendation that they accept the referral. Dr. McQueen seconded, and the motion passed unanimously.

Case #13 – 22-0904 – After discussion, Dr. Kunik moved to emergently refer the case to the Executive Director, Dr. Mehta seconded, and the motion passed unanimously.

Dr. Wynne and Dr. Kunik left the meeting at 11:59 am.

Case #14 – 22-1006 – After discussion, Dr. Mehta moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Chancellor seconded, and the motion passed unanimously.

Case #15 – 22-1008 – After discussion, Ms. Waters moved to refer to PA Board D&E committee with the recommendation that the participant remain with TXPHP. Dr. Cook seconded, and the motion passed unanimously.

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 the CAP schedule that was revised in September. No action taken.

Agenda Item #12, Open forum for public comments. Dr. John Jackson made public comments.

Agenda Item #13, Adjourn. There being no further items, **Ms. Boone moved, Dr. Butts seconded, and the motion passed to adjourn the meeting at 12:15 p.m.**