



**TEXAS PHYSICIAN HEALTH PROGRAM
BOARD MEETING
Friday, July 28, 2023**

The meeting was called to order on July 28, 2023, at 9:05 a.m. by Presiding Officer Brian “Dean” McDaniel, D.O. Governing Board members present were: Jeffery Butts, D.O.; 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. Mary Boone, LCSW, LCDC was not present.

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 May 19, 2023, Governing Board meeting minutes. After discussion, Ms. Lane moved, Dr. Cook seconded, and the motion passed to approve the May 19, 2023, Governing Board meeting minutes as written.

Agenda Item #3, Board President Report. Dr. McDaniel acknowledged Dr. Vikki Chancellor for her work on the Board. Dr. McDaniel announced that Dr. Michael Weaver will be joining the Board. Additionally, Dr. McDaniel updated the Board on the passing of HB1998.

Agenda Item #4, TMB and Budget Report. Mr. Carlton provided more information on HB1998. Joey Estrada, CFO, provided a Budget Report.

Agenda Item #5, Program Director Report.

- a. Report of program enrollment to date.** Mr. Bernardo reported that there are currently 288 participants for FY 2023 Q3.
- b. Report on Outstanding Referrals.** Mr. Bernardo reported that there are currently 16 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. Yarbrough provided 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 – 14-0281 – After discussion, Dr. Wynne moved to refer to D&E with the recommendation that the participant remain with TXPHP. Ms. Waters seconded, and the motion passed. Dr. McQueen recused.

Case #2 – 17-0329-A – 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 #3 – 17-0376-A – After discussion, Dr. Cook moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Butts seconded. After discussion, Dr. Cook withdrew his motion and Dr. Butts withdrew his second. Dr. Cook moved to refer the participant back to DPRC with the recommendation that they accept the referral. Dr. Mehta seconded, and the motion passed. Dr. McQueen recused.

Case #4 – 21-0410 – After discussion, Dr. Mehta 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 #5 – 21-0791-A – After discussion, Dr. Kunik moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Mehta seconded, and the motion passed. Dr. McQueen recused.

Case #6 – 22-0409 – After discussion, Dr. Wynne moved to refer to MRT D&E committee with the recommendation that the participant remain with TXPHP. Dr. Cook seconded, and the motion passed.

Case #7 – 22-0708 – After discussion, Dr. Cook moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Kunik seconded, and the motion passed.

Case #8 – 22-1105 – After discussion, Dr. Wynne moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Mehta seconded, and the motion passed.

Case #9 – 22-1107 – After discussion, Dr. McQueen moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Butts seconded, and the motion passed.

Agenda Item #10, Report on Emergent Referrals. There was one emergent referral.

Agenda Item #11, Discussion, recommendations, and possible action regarding scheduling, procedures, and upcoming Board meetings, member rotation, CAP scheduling. Mr. Bernardo presented the revised CAP schedule through 2024.

Agenda Item #12, Discussion and possible recommendation to TMB's Disciplinary Process and Review Committee regarding TXPHP Drug & Alcohol Testing options. Dr. Doyle provided an update.

Agenda Item #13, Open forum for public comments. Dr. John Jackson made public comments.

Agenda Item #14, Adjourn. There being no further items, Dr. Cook moved, Dr. Kunik seconded, and the motion passed to adjourn the meeting at 11:57 a.m.