



**TEXAS PHYSICIAN HEALTH PROGRAM  
BOARD MEETING**

Friday, September 29, 2023

The meeting was called to order on September 29, 2023, at 9:04 a.m. by Presiding Officer Brian “Dean” McDaniel, D.O. Governing Board members present were: Jeffery Butts, D.O.; Mary Boone, LCSW, LCDC (*logged in at 10:47*); Ron Cook, D.O.; Helaine Lane; Katie McQueen, M.D.; Sejal Mehta, M.D., MBA; Vicki Waters, M.S., PA-C; Michael Weaver, M.D.; and Susan Wynne, M.D. Mark Kunik, M.D., MPH. 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 Counsel Yvette Yarbrough, J.D. and various other staff.

**Agenda Item #2, Discussion, recommendations, and possible action regarding July 28, 2023, Governing Board meeting minutes.** After discussion, Ms. Lane moved, Dr. McQueen seconded, and the motion passed to approve the July 28, 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. Dr. McDaniel updated the Board on the passing of HB1998.

**Agenda Item #4, TMB and Budget Report.** Mr. Carlton provided an update on the passing of HB1998 and the agency budget.

**Agenda Item #5, Program Director Report.**

- a. Report of program enrollment to date.** Mr. Bernardo reported that there are currently 273 participants for FY 2023 Q4.
- b. Report on Outstanding Referrals.** Mr. Bernardo reported that there are currently 14 pending referrals. Mr. Bernardo provided a full report on 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.

**Agenda Item #7, Legal Report.** Ms. Yarbrough provided a Legal Report.

**Agenda Item #8, Discussion, recommendation and possible action regarding the Advisory Committee.** Dr. McDaniel that there have been no changes to the Advisory committee, and there is still one vacancy.

There was a break from 10:16 am to 10:30 am.

**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 – 14-0141-A – After discussion, Dr. Wynne moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Butts seconded, and the motion passed.

Case #2 – 18-0181-A – After discussion, Ms. Waters moved to refer to DPRC committee with the recommendation that the participant remain with TXPHP. Dr. Cook seconded, and the motion passed. Dr. McQueen recused.

Case #3 – 20-1011 – 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 – 21-0719-A – After discussion, Dr. Mehta moved to refer to DPRC with the recommendation that they accept the referral. Dr. Wynne seconded, and the motion passed. Dr. McQueen recused. Ms. Lane opposed.

Case #5 – 21-0810 – After discussion, Dr. Mehta moved to refer to DPRC with the recommendation that they accept the referral. Dr. Wynne seconded, and the motion passed. Dr. McQueen recused.

Case #6 – 23-0301 – After discussion, Dr. McQueen moved to refer to DPRC committee with the recommendation that the participant remain with TXPHP. Dr. Cook seconded, and the motion passed.

Case #7 – 23-0304 – 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. Dr. McQueen recused. Dr. Cook abstained.

Case #8 – 23-0410 – After discussion, Dr. Cook moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Mehta seconded, and the motion passed. Dr. McQueen recused.

**Agenda Item #10, Report on Emergent Referrals.** There were two 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 updated CAP schedule. The board meeting schedule for 2024 is being updated.

**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 on staff discussions regarding testing options, but no action was taken on this agenda item.

**Agenda Item #13, Open forum for public comments.** No one made public comments.

**Agenda Item #14, Adjourn.**

There being no further items, **Dr. McQueen moved, Dr. Wynne seconded, and the motion passed to adjourn the meeting at 12:06 p.m.**