



**TEXAS PHYSICIAN HEALTH PROGRAM  
BOARD MEETING**

Friday, November 17, 2023

The meeting was called to order on November 17, 2023, at 9:04 a.m. by Presiding Officer Brian “Dean” McDaniel, D.O. Governing Board members present were: Jeffery Butts, D.O.; Ron Cook, D.O.; Helaine Lane; Mark Kunik, M.D., MPH; Katie McQueen, M.D.; Vicki Waters, M.S., PA-C; Michael Weaver, M.D.; and Susan Wynne, M.D. Mary Boone, LCSW, LCDC and Sejal Mehta, M.D., MBA were 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 September 29, 2023, Governing Board meeting minutes.** After discussion, Ms. Lane moved, Dr. McQueen seconded, and the motion passed to approve the September 29, 2023, Governing Board meeting minutes as written.

**Agenda Item #3, Board President Report.** Dr. McDaniel provided a report.

**Agenda Item #4, TMB and Budget Report.** Mr. Carlton provided an update on the possible date of the next in person meeting. Joey Estrada provided a budget report.

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

- a. Report of program enrollment to date.** Mr. Bernardo reported that there are currently 272 participants for FY 2024 Q1.
- b. Report on Outstanding Referrals.** Mr. Bernardo reported that there are currently 12 pending referrals. Mr. Bernardo provided a 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. Yvette Yarbrough provided a Legal Report and reviewed the requirements of the Public Information Act and Open Meetings Act for Governing Board members.

**Agenda Item #8, Discussion, recommendation and possible action regarding the Advisory Committee.** Dr. McDaniel presented the advisory committee applicant to the board. After discussion, **Dr. McQueen moved to add Dr. Chancellor to the advisory committee. Dr. Wynne seconded and the motion passed unanimously.**

There was a break from 10:04 am to 10:15 am.

Dr. Ron Cook, D.O., logged on at 10:17 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 – 20-0310 – After discussion, Ms. Waters moved to refer to DPRC with the recommendation that they accept the referral. Dr. Kunik seconded, and the motion passed. Dr. McQueen recused.

Case #2 – 21-1004– After discussion, Dr. Wynne moved to refer to DPRC committee with the recommendation that the participant remain with TXPHP. Dr. Kunik seconded, and the motion passed. Dr. McQueen recused.

Case #3 – 22-1007 – After discussion, Dr. Cook moved to refer to DPRC with the recommendation that the participant remain with TXPHP. Dr. Weaver seconded, and the motion passed.

Case #4 – 22-1213– After discussion, Dr. Wynne moved to refer to MRT D&E committee with the recommendation that they accept the referral. Dr. Weaver seconded. Dr. Wynne withdrew her motion. Dr. Weaver withdrew his second. Ms. Lane moved to emergently refer the participant to MRT D&E committee. Ms. Waters seconded, and the motion passed unanimously.

Case #5 – 23-0107 – After discussion, Dr. Weaver moved to refer to DPRC with the recommendation that they accept the referral. Ms. Lane seconded, and the motion passed unanimously.

Case #6 – 23-0305 – After discussion, Dr. McQueen moved to refer to RCP D&E committee with the recommendation that the participant remain with TXPHP. Dr. Wynne seconded, and the motion passed.

**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 updated CAP schedule. The board meeting schedule for 2024 was 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. No action was taken on this agenda item.

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

**Agenda Item #14, Adjourn.** There being no further items, **Dr. Kunik moved, Dr. Butts seconded, and the motion passed to adjourn the meeting at 11:32 a.m.**