



**TEXAS PHYSICIAN HEALTH PROGRAM
BOARD MEETING**

333 Guadalupe, Tower 2, Suite 225
Austin, Texas 78701
Friday, August 9, 2019

The meeting was called to order on August 9, 2019, at 9:05 a.m. by Presiding Officer Anand Mehendale, M.D. Governing Board members present were: Eugene Boisaubin, M.D.; Mary Boone, LCSW, LCDC; Jeffery Butts, D.O.; Viki Chancellor, M.D.; Ronald Cook, D.O., MS.; Helaine Lane; Brian "Dean" McDaniel, D.O.; Vicki Waters, M.S., PA-C; and Susan Wynne, M.D. Governing Board Member not present was George Willeford, III, M.D. Staff present were: TXPHP Executive Medical Director Russel Carter, M.D., MBA; TXPHP Manager Rui Bernardo; TMB Executive Director Brint Carlton, J.D.; Assistant General Counsel Amy Swanholm, J.D., MSEL; Assistant General Counsel Wendy Pajak, J.D.; and various other staff.

Agenda Item #2, Discussion, recommendations, and possible action regarding May 17, 2019, Governing Board meeting minutes. Ms. Lane suggested making corrections to the May 17, 2019 Governing Board meeting minutes to change PHP to TXPHP and remove the word unanimously. After discussion, **Dr. Boisaubin moved, Dr. Cook seconded and the motion passed to approve the May 17, 2019 Governing Board meeting minutes with the suggested corrections.**

Agenda Item #3, Discussion, recommendations, and possible action regarding processing of backlogged referrals. Mr. Bernardo presented a spreadsheet with updated numbers on pending referrals and reported that TXPHP is making progress on processing backlogged referrals.

Agenda Item #4, Discussion, recommendations, and possible action regarding the personnel structure of PHP. Ms. Lane moved, Ms. Chancellor seconded and the motion passed to go into Executive Session at 10:15 a.m. for deliberations concerning personnel matters under the authority of the Open Meetings Act Section 551.074, Government Code. Open session resumed at 9:54 a.m. and no action was taken.

The board recessed briefly at 9:55 a.m., reconvened at 10:10 a.m., and a quorum was confirmed.

A proposed reorganization chart was presented. After discussion, **Ms. Lane moved, Dr. Boisaubin seconded and the motion passed to approve the proposed personnel structure of TXPHP effective September 1, 2019.**

Agenda Item #7, Legislative and Sunset report. Mr. Carlton gave an update on the Legislative session and the signing and passing of the Sunset Bill.

Agenda Item #8, Legal Report.

- a. Rules update and policy update.** Ms. Swanholm provided an update on upcoming rule changes in November. Dr. Mehendale suggested that TXPHP Board members review 22 TAC, Chapter 180.

Agenda Item #5, Discussion, recommendations, Disciplinary Process Review Committee (DPRC) disposition updates and possible action regarding case advisory panels and case reviews.

Case #1 – After discussion, Dr. Boisaubin moved to refer the participant to TMB, Dr. Cook seconded and the motion passed.

Case #2 – After discussion, Dr. Wynn moved that the participant be referred to TMB, Dr. Boisaubin seconded and the motion passed.

Case #3 – After discussion, Dr. McDaniel moved that the participant remain with TXPHP, Dr. Chancellor seconded and the motion passed.

Case #4 – After discussion, Ms. Waters moved that the participant be referred to TMB, Dr. Cook seconded and the motion passed.

Case #5 – After discussion, Dr. Cook moved that the participant be referred to TMB, Dr. Chancellor seconded and the motion passed.

Case #6 – After discussion, Ms. Waters moved that the participant be referred to TMB, Dr. Chancellor seconded and the motion passed.

Case #7 – After discussion, Dr. Wynne moved that the participant be referred to TMB, Ms. Lane seconded and the motion passed.

Case #8 – After discussion, Ms. Lane moved that the participant be referred to TMB with recommendation of zero tolerance if referred back to TXPHP, Dr. Boone seconded and the motion passed. Dr. Chancellor, Dr. Butts and Ms. Waters opposed.

Case #9 – After discussion, Dr. Chancellor moved for the participant to be referred to TMB, Ms. Lane seconded and the motion passed. Dr. Butts abstained.

Case #10 – After discussion, Dr. Cook moved that the participant remain with TXPHP, Dr. Butts seconded and the motion passed.

Case #11 – After discussion, Ms. Lane moved that the participant be referred to TMB, Dr. Boisaubin seconded and the motion passed.

Case #12 – This case has been emergently referred to the Texas Medical Board and will be presented to Disciplinary Process Review Committee.

Case #13 – This case has been emergently referred to the Texas Medical Board and will be presented to Disciplinary Process Review Committee.

Case #14 – This case has been emergently referred to the Texas Medical Board and will be presented to Disciplinary Process Review Committee.

The board recessed briefly at 11:47 a.m., reconvened at 12:00 p.m. and a quorum was confirmed.

Agenda Item #6, Executive Medical Director Report:

Report on program enrollment to date, program performance, program operations, and program policies. Dr. Carter reported the program is making progress and has approximately 400 participants.

Personnel report. Dr. Carter reported that PHP currently has 6 case coordinators.

Budget report. Mr. Bernardo gave an update on the budget.

Agenda Item #9, Discussion, recommendations, and possible action regarding scheduling, procedures, and upcoming Board meetings, member rotation, Case Advisory Panel (CAP) scheduling, and possible agenda topics. The new schedule for Case Advisory Panel (CAP) was presented. There have been no CAP meetings since the new Executive Medical Director took over. The panel members will be notified if no meeting will be held.

Agenda Item #10, Discussion, recommendations, and possible action regarding recommended monitoring standards for clinical issues including the use of Benzodiazepines, stimulants, and opiates for people with substance use disorders. Dr. Mehendale reported that after the last board meeting, a small board group was assembled to investigate this particular issue and bring a recommendation to the TXPHP Board. A paper with the recommendations was presented. **After discussion, Dr. Boisubin moved, Ms. Waters seconded and the motion passed to present the paper to TMB for consideration and adoption.**

Agenda Item #11, Open forum for public comments. Dr. Butts requested summaries of NDAA conference and recommendations for participants. The board directed staff to add ASAM regarding treatment requirements for physicians and a list of approved places for treatment as an agenda item at the November board meeting.

There being no further agenda items, **Dr. Chancellor moved, Dr. Boisubin seconded and the motion passed to adjourn at 1:02 p.m.**