



**TEXAS PHYSICIAN HEALTH PROGRAM  
BOARD MEETING**

Friday, February 11, 2022

The meeting was called to order on February 11, 2022, at 9:12 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, Mark Kunik, M.D.; Helaine Lane; Sejal Mehta, M.D., MBA; Vicki Waters, M.S., PA-C. Governing Board members not present were: Eugene Boisabuin, M.D.; Ron Cook, D.O.; and Susan Wynne, M.D. Staff present were: TXPHP Executive Medical Director Katherine McQueen, 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 November 19, 2021, Governing Board meeting minutes.** After discussion, **Dr. Mehta moved, Dr. Kunik seconded, and the motion passed to approve the November 19, 2021, Governing Board meeting minutes as written.**

**Agenda Item #3, Board President Report.** Dr. McDaniel reported that Governing Board meetings will continue to be virtual for the time being.

**Agenda Item #4, TMB and Budget Report.** Mr. Carlton reported that the budget is looking healthy, but there is currently no budget for travel.

**Agenda Item #5, Discussion, recommendations, and possible action regarding the Marijuana Ad Hoc Committee.** Dr. Butts reported that the committee’s position paper approved by the full governing board was presented to the Texas Medical Board and approved.

**Agenda Item #6, Discussion, recommendation, and possible action regarding the awareness Ad Hoc Committee.** Dr. McDaniel reported that the committee concluded the initial work it set out to do.

**Agenda Item #7, Program Director Report.**

- a. Report of program enrollment to date.** Mr. Bernardo reported that there are currently 295 participants for FY 2022 Q1. Mr. Bernardo provided a full report of participant referrals, pending referrals and participation.

- b. Report on Outstanding Referrals.** Mr. Bernardo reported that there are currently 10 pending referrals.
- c. Report on Program Performance and Overall Operations.** Mr. Bernardo reported that the new website should be launching March 1<sup>st</sup> and electronic reporting will begin next month.
- d. Personnel Report.** Mr. Bernardo reported that there is a new Clinical Coordinator. There are currently three vacant positions.

**Agenda item #8, Medical Director Report**

- a. Report on Drug Screening Results.** Dr. McQueen gave a report on Drug Screening Results.
- b. Report on Fee Waivers.** Dr. McQueen gave a report on Fee Waivers.

**Agenda Item #9, Legal Report.** Ms. Yarbrough gave a legal report.

**Agenda Item #10, Discussion, recommendation and possible action regarding the Advisory Committee.** There was a discussion only.

**Agenda Item #11, Discussion, Recommendations, Disciplinary Process Review Committee (DPRC) disposition updates and possible action regarding case advisory panels and case reviews.**

Case #1 – 17-0144-A – After discussion, Dr. Mehta moved to report the participant to DPRC with a recommendation that they accept the referral, Ms. Lane seconded, and the motion passed unanimously.

Case #2 – 17-0281 – After discussion, Ms. Waters moved to refer the participant to DPRC with the recommendation that the participant return to TXPHP. Dr. Kunik seconded, and the motion passed unanimously.

Case #3 – 18-0230 – After discussion, Ms. Waters moved to refer the participant to DPRC with the recommendation that they accept the referral, Dr. Mehta seconded, and the motion passed unanimously.

Case #4 – 20-0321 – After discussion, Dr. Mehta moved to refer the participant to DPRC with the recommendation that the participant remain with TXPHP, Ms. Lane seconded, and the motion passed unanimously.

Case #5 – 20-0406 – After discussion, Dr. Mehta moved to refer the participant to DPRC with the recommendation that the participant remain with TXPHP with intensified treatment, and Ms. Lane seconded. Dr. Mehta and Ms. Lane then rescinded their motion

and second respectively. Dr. Mehta then moved to refer the participant to DPRC with the recommendation that the participant remain with TXPHP, Dr. Kunik seconded, and the motion passed unanimously.

Case #6 – 20-0914 – After discussion, Dr. Kunik moved to refer to DPRC with the recommendation that the participant remain with TXPHP, Ms. Lane seconded, and the motion passed unanimously.

There was a break from 10:48 – 11:00 am.

Case #7 – 21-0102 – After discussion, Dr. Kunik moved to refer the participant to DPRC with the recommendation that the participant remain with TXPHP, Dr. Chancellor seconded, and the motion passed unanimously.

Case #8 – 21-0602 – After discussion, Dr. Butts moved to refer the participant to DPRC with the recommendation that they accept the referral, Ms. Lane seconded, and the motion passed unanimously.

Case #9 – 21-0704 – After discussion, Ms. Lane moved to refer the participant to DPRC with the recommendation that the participant remain with TXPHP, Dr. Mehta seconded, and the motion passed unanimously.

Case #10 – 21-0716 – After discussion, Dr. Mehta moved to refer the participant to DPRC with the recommendation that the participant remain with TXPHP, Dr. Butts seconded, and the motion passed unanimously.

Case #11 – 21-0802 – After discussion, Ms. Waters moved to refer to PA D&E committee with the recommendation that they accept the referral, Ms. Chancellor seconded, and the motion passed unanimously.

**Agenda Item #12, Report on Emergent Referrals.** There were none.

**Agenda Item #13, Discussion, recommendations, and possible action regarding scheduling, procedures, and upcoming Board meetings, member rotation, CAP scheduling.** Mr. Bernardo presented the new CAP schedule. No action taken.

**Agenda Item #14, Open forum for public comments.** No one signed in to make public comments.

**Agenda Item #15, Adjourn.** There being no further items, **Dr. Chancellor moved, Dr. Mehta seconded, and the motion passed to adjourn the meeting at 11: 21 am.**