

STANDING ORDERS COMMITTEE MEETING MINUTES

June 7, 2012

The meeting was called to order at 8:47 a.m. by Chair, Margaret C. McNeese, M.D. Committee members present were Wynne M. Snoots, M.D., Irvin E. Zeitler, Jr., D.O., George Willeford, III, M.D., and Paulette Southard. Staff members present were Mari Robinson, J.D., Executive Director, and Jennifer Kaufman, J.D., Assistant General Counsel.

Agenda item 2 - Discussion, recommendation, and possible action on requests for waivers of prescriptive delegation requirements.

The committee reviewed a request for waiver of prescriptive delegation requirements from James Christopher Grant, MD for an alternate site in Texas City, TX that provides otolaryngology, ENT allergy and audiology services. Ms Southard moved to deny Dr. Grants request to waive site visits for alternate site due to Dr. Grants failure to demonstrate that he is unable to meet legal requirements regarding supervision or that compliance would cause an undue burden without a corresponding benefit to patient care. Dr. Willeford seconded the motion. All voted in favor and the motion passed.

The committee reviewed a request for waiver of prescriptive delegation requirements from Gary Swain, MD, for an alternate practice site in a medically underserved area (MUA) in Plano, Texas. The practice is primarily weight loss, health promotion and medical aesthetics. Dr. Willeford moved to deny Dr. Swains request to reduce onsite supervision requirements for MUA site due to Dr. Swains failure to demonstrate that the he is unable to meet legal requirements regarding supervision or that compliance would cause an undue burden without a corresponding benefit to patient care. Dr. Zeitler seconded the motion.

The committee reviewed a request for waiver of prescriptive delegation requirements from Stanly Barten Heckrodt, MD. Dr Heckrodt is requesting a waiver of distance requirements for an alternate practice in Lake Jackson, Texas which is mostly a weight loss clinic with a small amount of primary care. In April 2010 Dr Heckrodt made a similar request for distance waiver for

two alternate sites in San Antonio, Texas and Corpus Christi, Texas and a waiver was granted for both clinics. **Dr. Snoots moved to deny the request due to Dr. Heckrodts failure to demonstrate that he is unable to meet legal requirements regarding supervision or that compliance would cause an undue burden without a corresponding benefit to patient care. Ms. Southard seconded the motion. All voted in favor and the motion passed.**

Agenda Item 5 Discussion, recommendation, and possible action regarding proposed additions and modification to board rules:

- a. 22 TAC 193.13 Non surgical cosmetic procedures
- b. 22 TAC 192 Office based anesthesia services

Ms. Kaufman reviewed the proposed amendments to Board rules 193.13 and 192 and the comments that have been received from stakeholders regarding the proposed changes. The Committee directed staff to send the proposed rule for 193.13 to the Texas Register for public comment to include language that physicians or midlevel practitioners must provide a detailed and written treatment plan for patients after initial evaluation, that supervising physicians onsite during the performance of procedures or be immediately available to care for patient needs should an adverse outcome occur (immediately available definition to be consistent with law relating to laser hair removal), and that anytime a procedure is performed at least one person be onsite that is trained in basic life support. **Dr Willeford moved to recommend to the full Board that the rules be approved for publication in the Texas Register. Ms Southard seconded the motion. All voted in favor and the motion passed.**

There being no further business, Dr. McNeese adjourned the meeting at 9:38 a.m.