



# Texas Medical Board

BOARD MEETING  
333 GUADALUPE, TOWER 2, SUITE 225  
AUSTIN TEXAS  
DECEMBER 7-8, 2017

## THURSDAY, DECEMBER 7, 2017 COMMITTEES

- 8:30 a.m. Executive Committee (*Tower 2, Suite 225*)
- 8:40 a.m. Finance Committee (*Tower 2, Suite 225*)
- 8:50 a.m. Institutional Review Board Ad Hoc Committee (*Tower 2, Suite 225*)
- 9:30 a.m. Licensure Committee (*Lobby Area Room 100*)
- 9:30 a.m. Disciplinary Process Review Committee (*Tower 2, Suite 225*)

.....

### **\*\*\*Supplemental Notice for December 8, 2017 for Texas Medical Board\*\*\***

The TMB is posting the following Supplemental Notice per Tex. Gov. 551.0411; 551.045; and 551.125

Due to adverse weather conditions resulting in the closure of the Austin Independent School District (AISD), the Texas Medical Board offices in Austin, Texas will be closed as well.

The Board will proceed with its December 8, 2017 Board Meeting at 333 Guadalupe, Tower 2, Suite 225, Austin TX 78701; however due to adverse weather conditions the public may attend in person or by telephone. The telephone number for the December 8, 2017 Board Meeting is

Toll-Free: 888-431-3632

Access Code: 1307342

## 8:00 a.m. FRIDAY, DECEMBER 8, 2017

1. Full Board call to order, roll call, and Mission Statement.  
*Our Mission is to protect and enhance the public's health, safety and welfare by establishing and maintaining standards of excellence used in regulating the practice of medicine and ensuring quality health care for the citizens of Texas through licensure, discipline, and education.*
2. Board Member Report.
  - a. Presentation

3. Consideration and approval of Mediated Settlement Agreed Orders.
4. Consideration and approval of Remedial Plans.
5. Consideration and possible action for Agreed Orders.
6. Consideration and approval of Modification Request/Termination Request Orders.
7. Consideration and approval of Cease and Desist Agreed Orders.
8. Consideration and approval of Nunc Pro Tunc Orders.

**Agenda item #9 at 9:00 a.m.**

9. Consideration and approval of Proposal for Decisions:
  - a. Soo Young Chong, M.D., SOAH #503-14-1671.MD
  - b. Robert Van Boven, M.D., SOAH #503-16-5974.MD
  - c. Stephen Patrick Anthony, D.O., SOAH #503-16-3925.DO
  - d. Warren Bertrand Dailey, M.D., SOAH #503-17-4375.MD
10. Executive Director Report.
  - Budget Update
  - Legislative Update
  - Audit Update
  - Personnel Update
11. Medical Director Report.
12. Public Information Update.
13. Report, consideration, and possible action relating to the executive director position.
14. Report Physician Assistant Liaison.
15. Consideration and possible action regarding pending litigation.
16. Report on Temporary Suspension Hearings.
17. Report of Suspension by Operation of Law.
18. Report on Motions for Rehearing Requests.
19. Report on Cease and Desist Orders approved by Executive Director.
20. Report on Automatic Orders.
21. Consideration and approval of Modification Request/Termination Request of Non-Public Rehabilitation Orders.
22. Consideration and approval of Orders of Referral.
23. Consideration and approval of Orders to Show Cause.

24. Consideration and approval of Amended Proposal for Decision.
25. Consideration and approval of Remand of Amended Final Orders.
26. Consideration and approval of Determinations of Default.
27. Discussion, recommendation, and possible action regarding proposed rule amendments and rules review to 22 T.A.C.
28. Discussion, recommendation, and possible action regarding adoption of proposed rule amendments and rule review to 22 T.A.C.
  - A. Chapter 160. Medical Physicists.
    - §160.7 Qualifications for Licensure
    - §160.10 Training
  - B. Chapter 182. Use of Experts,
    - §182.8 Expert Physician Reviewers
  - D. Chapter 188. Perfusionist
    - §188.5 Procedural Rules for Applicants
    - §188.9 License Renewal
  - E. Chapter 189. Compliance Program,
    - §189.15 Determination of Successful Completion of an Order
  - F. Chapter 193. Standing Delegation Orders,
    - §193.8 Prescriptive Authority Agreements: Minimum Requirements
  - G. Chapter 195. Pain Management Clinics,
    - §195.3 Inspections
29. Discussion, recommendation, and possible action regarding adoption of proposed rule repeal and rule review to 22 T.A.C. Chapter 194, Subchapter B, Medical Radiologic Technology.
  - A. Chapter 194. Medical Radiologic Technology
    - §194.34 Purpose
    - §194.35 Definitions
    - §194.36 Registration
    - §194.37 Annual Renewal
    - §194.38 Non-Certified Technician's Scope of Practice
    - §194.39 Suspension, Revocation or Nonrenewal of Registration
    - §194.40 Disciplinary Guidelines
    - §194.41 Procedure
    - §194.42 Compliance
    - §194.43 Construction
30. Discussion, recommendation, and possible action regarding adoption of proposed rule amendments and rule review to 22 T.A.C. Chapter 183, Acupuncture.

31. Discussion, recommendation, and possible action regarding adoption of proposed rule amendments and rule review to 22 T.A.C. Chapter 185, Physician Assistants.
32. Discussion, recommendation, and possible action regarding adoption of propose rule amendments and rule review to 22 T.A.C. Chapter 186, Respiratory Care.

**Agenda Item #33 at 11:00 a.m.**

33. Open forum for public comments.
34. Adjourn.

**CONSENTAGENDA**

Discussion/Action Items – to be considered at any time the full board is in session:

1. Consideration and approval of the October 20, 2017 Board Meeting Minutes and action items.
2. Committee reports and the consideration and approval of minutes and action items of committees meeting during the board