



Texas Medical Board

BOARD MEETING
333 GUADALUPE, TOWER 2, SUITE 225
AUSTIN, TEXAS
MARCH 1-2, 2018

THURSDAY, MARCH 1, 2018 COMMITTEES

- 8:30 a.m. Executive Committee (*Tower 2, Suite 225*)
- 9:00 a.m. Advertising Board Certification Ad Hoc Committee (*Tower 2, Suite 225*)
- 9:15 a.m. Finance Committee (*Tower 2, Suite 225*)
- 9:30 a.m. Institutional Review Board Ad Hoc Committee (*Tower 2, Suite 225*)
- 10:00 a.m. Licensure Committee (*Lobby Area Room 100*)
- 10:00 a.m. Disciplinary Process Review Committee (*Tower 2, Suite 225*)

8:00 a.m. FRIDAY, MARCH 2, 2018

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. Innovation Task Force
 - b. Personnel matters
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 Determinations of Default.
 - a. Jeannie Owens Rhodes, D.O., SOAH #503-17-5963

Agenda item #10 at 9:15 a.m.

10. Consideration and approval of Proposal for Decisions:
 - a. Craig Brian Danshaw, D.O., SOAH #503-16-6170.DO
 - b. Arnold J. Morris, M.D., SOAH #503-15-5454.MD
 - c. Bernice Anderson, D.O., SOAH #503-17-0693.DO.
 - d. Nora J. Davis, M.D., SOAH #503- 17-0949.MD
 - e. Rosa A. Fuentes, M.D., SOAH #503-16-6172.MD
 - f. Noble Uwaoma Ezukanma, M.D., SOAH #503-17-5636.MD
 - g. Walid Hamoudi M.D., SOAH #503-17-5688.MD
 - h. Cyrus Sajadi, M.D., SOAH #503-17-5688.MD
11. Executive Director Report. (*Scott*)
 - Budget Update
 - Legislative Update
 - Audit Update
 - Personnel Update
 - Dental Board Anesthesia rules
12. Medical Director Report.
13. Public Information Update.
14. Discussion, recommendation, and possible action relating to executive director position.
15. Discussion, recommendation, and possible action relating to TMB website linking policy and continuing medical education.
16. Report of dismissal of SOAH cases in the agency bulletin.
17. Report Physician Assistant Liaison.
18. Consideration and possible action regarding pending litigation.
19. Report on Temporary Suspension Hearings.
20. Report of Suspension by Operation of Law.
21. Report on Motions for Rehearing Requests.
22. Report on Cease and Desist Orders approved by Executive Director.
23. Report on Automatic Orders.
24. Consideration and approval of Modification Request/Termination Request of Non-Public Rehabilitation Orders.

25. Consideration and approval of Orders of Referral.
26. Consideration and approval of Orders to Show Cause.
27. Consideration and approval of Amended Proposal for Decision.
28. Consideration and approval of Remand of Amended Final Orders.
29. Discussion, recommendation, and possible action regarding proposed rule amendments and rules review to 22 T.A.C.
 - §198. Standards for Use of Investigational Agents
30. Discussion, recommendation, and possible action regarding adoption of proposed rule amendments and rule review to 22 T.A.C. (*Scott*)
 - A. Chapter 163. Licensure
 - §163.11 Active Practice of Medicine
 - B. Chapter 166. Physician Registration
 - §166.3 Retired Physician Exception
 - §166.6 Exemption From Registration Fee for Retired Physician Providing Voluntary Charity Care
 - D. Chapter 172. Temporary and Limited Licenses
 - §172.12 Out-of-State Telemedicine License
 - E. Chapter 175. Fees and Penalties
 - §175.1 Fees
 - §175.2 Registration and Renewal Fees
 - §175.3 Penalties
 - §175.5 Payment of Fees or Penalties
 - F. Chapter 177, Business Organizations and Agreements,
 - §177.18 (Subchapter E) Physician call coverage medical services
 - §177.19 Definitions
 - §177.20 Call Coverage Minimum Requirements
 - G. Chapter 187, Procedural Rules
 - §187.21 Informal Board Proceedings – Board and District Review Committee Members Participation
 - §187.44 Proceedings Related to Probationers – Probationer Show Compliance Proceedings
 - §187.76 Imposition of Administrative Penalty – Notice of Intention to Impose Administrative Penalty; Response
 - §187.79 Imposition of Administrative Penalty – Personal Appearance at an Informal Meeting
 - §187.80 Imposition of Administrative Penalty – Imposition of Administrative Penalty
 - H. Chapter 189 Compliance Program

- §189.11 Process for Approval of Physicians, Other Professionals, Group Practices and Institutional Settings
31. Discussion, recommendation, and possible action regarding adoption of proposed rule amendments and rule review to 22 T.A.C. Chapter 183, Acupuncture.
 - §183.4 Licensure
 - §183.19 Acupuncture Advertising
 - §183.20 Continuing Acupuncture Education
 32. Discussion, recommendation, and possible action regarding adoption of proposed rule amendments and rule review to 22 T.A.C. Chapter 185, Physician Assistants.
 33. Discussion, recommendation, and possible action regarding adoption of proposed rule repeal and rule review to 22 T.A.C. Chapter 194, Medical Radiologic Technology
 - §194.3 Meetings and Committees
 - §194.5 Applicability of Chapter; Exemptions
 - §194.6 Procedural Rules and Minimum Eligibility Requirements for Applicants for a Certificate or Placement on the Board’s Non-Certified Technician General Registry
 - §194.14 Alternate Training Requirements for Podiatric Medical Assistants (*Repeal*)
 - §194.16 Hardship Exemptions
 - §194.17 Dangerous or Hazardous Procedures
 34. Discussion, recommendation, and possible action regarding adoption of propose rule amendments and rule review to 22 T.A.C. Chapter 186, Respiratory Care.
 - §186.2 Definitions
 - §186.4 Procedural Rules and Qualifications for Certificate Applicants
 - §186.6 Biennial Renewal of Certificate
 - §186.7 Temporary Permit
 - §186.8 Inactive Certificate
 - §186.10 Continuing Education Requirements
 - §186.13 Identification Requirements
 - §186.17 Grounds for Denial of Certification and for Disciplinary Action
 - §186.28 Retired Certificate

Agenda Item #35 at 11:30 a.m.

35. Open forum for public comments.
36. Adjourn.

CONSENTAGENDA

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

1. Consideration and approval of the December 8, 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

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Executive Session:

The Board may close the meeting to the public and continue in executive session for the following reasons:

- a. Deliberations concerning licensure applications and the character and fitness of applicants under the authority of The Medical Practice Act Sections 152.009 and 155.058, Occupations Code.
- b. Deliberations concerning disciplinary action, investigative information, peer review information, and possible rehabilitation orders under the authority of The Medical Practice Act Sections 152.009, 160.006-160.008, 164.007(c), and 165.202-165.203, Occupations Code.
- c. Private consultation and advice of counsel concerning pending or contemplated litigation, settlement offers, and/or legal matters subject to the attorney-client privilege under the authority of the Open Meetings Act Section 551.071, Government Code.
- d. Deliberations concerning personnel matters under the authority of the Open Meetings Act Section 551.074, Government Code.

While in executive session, the Board will not take any action, make any decision, or vote with regard to any matter that may be considered or discussed. A certified agenda of any executive session will be made.