



# Texas Medical Board

BOARD MEETING  
333 GUADALUPE, TOWER 2, SUITE 225  
AUSTIN TEXAS  
FEBRUARY 28 - MARCH 1, 2019

## THURSDAY, FEBRUARY 28, 2019 COMMITTEES

- 8:30 a.m. Executive Committee (*Tower 2, Suite 225*)  
8:50 a.m. Finance Committee (*Tower 2, Suite 225*)  
8:55 a.m. Innovation Task Force Committee (*Tower 2, Suite 225*)  
9:00 a.m. Boundaries Task Force Committee (*Tower 2, Suite 225*)  
9:15 a.m. Licensure Committee (*Lobby Area Room 100*)  
9:15 a.m. Disciplinary Process Review Committee (*Tower 2, Suite 225*)

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## 8:00 a.m. FRIDAY, MARCH 1, 2019

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.*

### Agenda item #2 at 8:00 a.m.

2. Open Forum for Public Comment
3. Board Member Report.
  - Dr. Quinones 2019 Golden Aesculapius Award
  - Physician Health Program Update
4. Consideration and approval of Mediated Settlement Agreed Orders.
5. Consideration and approval of Remedial Plans.
6. Consideration and possible action for Agreed Orders.
7. Consideration and approval of Modification Request/Termination Request Orders.

8. Consideration and approval of Cease and Desist Agreed Orders.

9. Consideration and approval of Nunc Pro Tunc Orders.

**Agenda item #10 at 9:00 a.m.**

10. Presentation by Federation of State Medical Boards.

11. Consideration and approval of Determinations of Default.

**Agenda item #12 at 9:30 a.m.**

12. Consideration and approval of Proposal for Decisions:

a. Samuel Chukwukannaene Ngwu, MD, SOAH #503-17-3480.MD

b. Benedict Oladipo Olusola, MD, SOAH #503-18-2044.MD

13. Executive Director Report.

Budget Update

Legislative Update

Internal Audit Update

Single DWIs

14. Medical Director Report.

15. Public Information Update.

16. Report Physician Assistant Liaison.

17. Consideration and possible action regarding pending litigation.

18. Discussion, recommendation, and possible action regarding instituting pre-ISC process for surgical assistants, medical physicists, and perfusionist.

19. Report on Temporary Suspension Hearings.

20. Report on Motions for Rehearing Requests.

21. Report of Suspension by Operation of Law.

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.
  - a. Chapter 172 Subchapter – Physician Practice and Limited License for Disaster and Emergencies.
30. Discussion, recommendation, and possible action regarding adoption of proposed rule amendments and rule review to 22 T.A.C.
  - a. Chapter 175. Fees and Penalties
    - §175.2 Registration and Renewal Fees
31. Discussion, recommendation, and possible action regarding adoption of proposed rule amendments and rule review to 22 T.A.C. Chapter 183, Acupuncture.
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 amendments and rule review to 22 T.A.C. Chapter 194, Medical Radiologic Technology
  - §194.6 Procedural Rules and Minimum Eligibility Requirements for Applicants for a Certificate or Placement on the Board’s Non-Certified Technician General Registry
  - §194.10 Retired Certificate or NCT General Registration Permit
  - §194.12 Standards for the Approval of Certificate Program Curricula and Instructors
  - §194.13 Mandatory Training Programs for Non-Certified Technicians
  - §194.23 Criminal Background
34. Discussion, recommendation, and possible action regarding adoption of propose rule amendments and rule review to 22 T.A.C. Chapter 186, Respiratory Care.
  - §186.4 Procedural Rules and Qualifications for Certificate Applicants
  - §186.10 Continuing Education Requirements
  - §186.28 Retired Certificate
35. Discussion, recommendation, and possible action relating to the appointment of an Executive Medical Director for the Physician Health Program.
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 7, 2018 Medical Board Meeting Minutes and action items.
2. Consideration and approval of the January 18, 2019 Emergency Executive Committee Minutes and action items..
3. Committee reports and the consideration and approval of minutes and action items of committees meeting during the board meeting.

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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.

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Persons requiring special accommodations, including the use of an interpreter, due to a disability should contact Laura Fleharty at the Board office phone 512-305-7174 or [laura.fleharty@tmb.state.tx.us](mailto:laura.fleharty@tmb.state.tx.us) at least five (5) working days prior to the Board meeting.