



Texas Medical Board

BOARD MEETING

March 4, 2022

The meeting was called to order on Friday March 4, 2022 at 8:01 a.m. by Board President Sherif Zaafran, M.D. Board members present were: Kandace Farmer, D.O., Vice President; Michael E. Cokinos, Secretary/Treasurer; Arun Agarwal; Sharon Barnes; Devinder S. Bhatia, M.D. (8:03 am); Ada L. Booth, M.D.; James Distefano, D.O.; Robert Gracia; Tomeka Herod; Robert Martinez, M.D.; LuAnn R. Morgan; Jayaram B. Naidu, M.D.; Satish Nayak, M.D.; Manuel Quinones, Jr., M.D.; Jason Tibbels, M.D.; Ebony V. Todd, J.D.; and David Vanderweide, M.D. George L. DeLoach, D.O. did not attend. Staff members present were: Brint Carlton, J.D., Executive Director; Scott Freshour, J.D., General Counsel; Robert Bredt, M.D., Medical Director; and various other staff.

Agenda Item # 1, Mission Statement. Dr. Zaafran read the board's mission statement into the minutes. *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, Board Member Report.

Pain Task Force Informational Group – Dr. Zaafran reported on the Pain Management Task Force meeting.

Compact Licensure – Dr. Zaafran reported that the Interstate Licensure Compact that was passed in the last legislative session, successfully went live in Texas on March 1, 2022.

Agenda Item #3, Consideration and possible action for dispositions below minimum guidelines. After consideration, **Dr. Quinones moved, Dr. Nayak seconded, and the motion passed to approve the dispositions below minimum guidelines for Richard Andres Pedroza, MD; Hug Alonzo Rojas, MD; and Adeniyi Olawale Igun, MD.**

Agenda Item #15, Executive Director Report.

Internal Audit Update Mr. Daniel Graves provided an update on the internal audit of TXPHP. After discussion, **Dr. Distefano moved, Dr. Agarwal seconded, and the motion passed to accept the audit and recommendations.**

Agenda Item #4, Consideration and approval of Mediated Settlement Agreed Orders. After consideration, **Dr. Quinones moved, Dr. Martinez seconded, and the motion passed to approve the Mediated Settlement Agreed Order for Shah Nawaz Afridi, MD.**

Agenda Item #5, Consideration and possible action for Remedial Plans. After consideration, **Ms. Morgan moved, Dr. Nayak seconded, and the motion passed to approve**

the Remedial Plans for Haitham Jifi-Bahloul, MD (Dr. Booth recused), James Arthur McCartan, DO; Monique C. Mokochu, MD; Asif Muhamad Siddiqui, MD; Julia Symon, MD; Tawfiq G. Alam, MD (Dr. Zaafran recused); Wais Alemi, MD (Dr. Bhatia recused); Laleh Bigdeli, MD; Joseph L. McDaniel, MD; Joseph A. Oomen, MD; Leonardo A. Palau, MD; Vishal Patel, MD (Dr. Bhatia recused); Brian Charles Proctor, MD (Dr. Bhatia recused); Jonathan Sanders, MD; Allison Anne Urrutia, MD (Dr. Bhatia recused); Edward Wayne Petrik, MD; and Scott Andrew Simms, MD.

Agenda Item #6, Consideration and possible action for Agreed Orders. After consideration, Dr. Distefano moved, Mr. Cokinos seconded, and the motion passed to approve the Agreed Orders for James Incalcaterra, Jr., MD; Pedro Juan Loreda, III, MD; Robert Matthew Hein, MD; Robert Paul Spears, MD; Shanker S. Sundrani, MD; Grant Wilson Berry, MD; Steven Devore Best, MD; Laurence Cibley, MD; Lenard Roy Durrett, MD; Bruce Hough, MD; Adil Humayun, MD; Batool Kirmani, MD; Kei Nakanishi, MD; John Joseph Regan, MD; David Gary Johnson, MD; Michelle Evette Legall, MD; James Millard Shaw, MD; Pankaj Aggarwal, MD; Robert Edward Cantu, MD; John Bradford Heinrich, MD; Venkatesh Vasanth Madhav, MD; Vincenzo Sabella, MD; Henry Norman Small, MD (Dr. Bhatia recused); Guoxin Wu, MD; Chance Henderson, MD; Robert Lesser, MD; Scott Marsteller, MD; and Kanwal Chaudry, MD.

Agenda Item #7, Consideration and approval of Modification Request/Termination Request Orders. After consideration, Dr. Bhatia moved, Ms. Morgan seconded, and the motion passed to deny the Modification Request/Termination Request Order for Parvez Anjum Qureshi, MD. After consideration, Dr. Bhatia moved, Dr. Quinones seconded, and the motion passed to approve the Modification Request/Termination Request Orders for Uchenna O. Aduba, MD; Raees Ahmed, MD; Conrado Cantu, Jr., MD; Raul S. Cantu-Willman, MD; Jose Luis Castaneda, MD (Dr. Booth recused); Joel Fernandez, MD; Christopher A. Hughes, MD; Cheor Jung Kim, MD; John Andrew Lang, MD; Martin E. McGonagle, MD; Matthew Monroe, MD; Carlos Eduardo Puig, MD; Mario Quintanilla, MD; and Wright W. Singleton, MD.

Agenda Item #8, Consideration and approval of Modification Request/Termination Request of Non-Public Rehabilitation Orders. There were none.

Agenda Item #9, Consideration and approval of Cease and Desist Orders. After consideration, Ms. Barnes moved, Dr. Martinez seconded, and the motion passed to approve the Cease and Desist Orders for Nelly Beatriz Eleftherion, Christopher Kolker, Lacey Lucido, Brian Murray, Vishal Patel, Leslie “Shea” Pugh, Dena Tocco, and Horacia R. Villarreal, Jr.

There were no items for Agenda Items #10-13.

Agenda Item #14, Consideration and approval of Proposal for Decision.

a. Sonia Hernandez, DO, SOAH #503-20-1192.DO

Dr. Distefano moved, Dr. Bhatia seconded, and the motion passed to move the open meeting into Executive Session at 9:04 a.m. for the purpose of 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. Open session resumed at 10:16 a.m.

After consideration, **Dr. Bhatia moved, Dr. Martinez seconded, and the motion passed to adopt the findings of fact and conclusions of law in the Proposal for Decision and to grant licensure with restrictions/conditions to include restrictions from performing any optical surgical procedures, including any form of eye surgery, laser procedures, intra-viscous procedures, or injections, 12 cycles of chart monitoring, and modification may be considered upon completion of an ACGME approved training program after one year.**

Agenda Item #15, Executive Director Report continued.

Board Graphic Mr. Carlton presented the board graphic report.

Budget Update Mr. Carlton gave a brief update on the budget. The budget is on target.

Complaints Against the Agency Mr. Carlton reported on the complaints against the agency.

COVID-19 Update The majority of staff continues to telework and may continue to do so until the move to the new building. The move should happen during the summer of this year.

Agenda Item #16, Medical Director Report. Dr. Bredt thanked board members expert panel member recommendations. There is still a need for experts in family practice, cardiology, oncology, orthopedic surgery, and pulmonary/critical care.

Agenda Item #17, Public Information Update. Ms. Taurie Sloan gave an update on public information. The customer service survey is up on the website and we are receiving responses.

Agenda Item #18, Report Physician Assistant Liaison. Ms. Janeth Mills was present.

Agenda Item #19, Consideration and possible action regarding pending litigation. Mr. Freshour gave a report on pending litigation.

Agenda Item #20, Report on Temporary Suspension Hearings. A report on Temporary Suspension Hearings was provided.

There were no items for Agenda Item #21-22.

Agenda Item #23, Report on Cease and Desist Orders Approved by Executive Director. A report on Cease and Desist Orders approved by the Executive Director was provided.

There were no items for Agenda Items #24-28.

Agenda Item #29, Discussion, recommendation, and possible action regarding proposed rule amendments to 22 T.A.C.

a. Chapter 173 Physician Profiles

§173.3, Physician-Initiated Updates

Mr. Carlton gave a brief overview of the proposed rule. After discussion, **Dr. Bhatia moved, Ms. Morgan seconded, and the motion passed to accept the proposed rule amendments to 22 T.A.C. Chapter 173 Physician Profiles, §173.3, Physician-Initiated Updates, and publish as written.**

There were no items for Agenda Items #30-35.

Agenda Item #36, Open Forum for Public Comment. Sheila Hemphill and Debra Dickson gave public comments.

Agenda Item #37, Discussion, recommendation, and possible action relating to personnel matters. There were none.

Consent Agenda, Discussion/Action Items – to be considered and any time the full board is in session:

- 1. Consideration and approval of the December 10, 2021, Medical Board Meeting Minutes and action items.**
- 2. Committee reports and the consideration and approval of minutes and action items of committees meetings held during the board meeting.**

After discussion, **Dr. Nayak moved, Dr. Bhatia seconded, and the motion passed to approve the December 10, 2021, Medical Board Meeting Minutes and action items, as well as the minutes and action items of committees meetings held on March 3, 2022.**

Agenda Item #38, Adjourn. There being no further items, **Dr. Bhatia moved, Dr. Vanderweide seconded, and the motion passed to adjourn the meeting at 10:57 a.m.**