



Texas Medical Board

BOARD MEETING

DECEMBER 6, 2013

333 GUADALUPE, TOWER 2, SUITE 225

AUSTIN, TEXAS

The meeting was called to order on December 6, 2013 at 8:35 a.m. by Irvin E. Zeitler, Jr., D.O., Board President. Michael Arambula, M.D., Vice-President; Paulette Southard, Secretary/Treasurer; Julie Attebury; David Baucom; Devinder S. Bhatia, M.D.; Frank S. Denton; Carlos L. Gallardo; Margaret McNeese, M.D.; Wynne Snoots, M.D.; Karl W. Swann, M.D.; Timothy Webb, were present at roll call. Paulette Southard and George Willeford III, M.D., arrived a few minutes after roll call. Stanley Wang, M.D., arrived at 10:00 a.m. Manuel G. Guajardo, M.D.; J. Scott Holliday, D.O.; Allan Shulkin, M.D.; and Robert B. Simonson, D.O., were not present. Board staff present were Mari Robinson, Executive Director; Robert Bredt, M.D., Medical Director, Scott Freshour, J.D., General Counsel; Tonie Knight, Licensure Manager; and Megan Goode, Governmental Affairs and Public Information, and various other staff.

Agenda item #2, Mission Statement. Ms. Attebury 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 #3, Board Member Report. Dr. Zeitler discussed the process for committee assignments for the upcoming year.

Agenda item #4, Executive Director Report.

Budget. Ms. Robinson reported the current budget is in good standing with no projected deficits.

Legislative Update. Ms. Robinson gave a legislative update and reported staff and the Nursing Board continued to work on requirements of SB 406. FAQ's are expected to be on the agency's website in January. In addition, Ms. Robinson reported two Federal legislative bills were filed regarding Telemedicine. Staff will continue to evaluate the bills.

Personnel Update. Ms. Robinson discussed the current job openings and the field investigators salary.

Outreach Update. Ms. Robinson gave an update on the efforts to accommodate outreach presentation requests. Staff is planning to do an analysis of the outcome of providing outreach presentations.

Audit Update. Ms. Robinson informed the Board of the completion of the PMC audit. All audits are concluded, except a standing audit on performance measures and the internal audit on the Finance area of the agency.

Federation Report. Ms. Robinson gave an update on meeting with the head of the Drug Enforcement Administration and the relationship between TMB and the Houston DEA. Dr. Arambula is involved in the Federation telemedicine committee that is working on telemedicine policy. Ms. Robinson gave an update on the compact for multi-state recognition of licensure was also given.

Mediations at SOAH. Ms. Robinson gave an update on reaching out to State Office of Administrative Hearings regarding options for mediations.

CPEP. Ms. Robinson report that CPEP is interested in making a presentation at a future board meeting.

Agenda item #5, Medical Director Report.

- a. **Expert panelist retraining and quality improvement.** Dr. Bredt discussed the implementation of a reactive process in monitoring the quality of the expert panel reports with the feedback that is received during the ISC and QA panels, individual expert panelists are then approached to improve the individual reports. On-site retraining sessions to experts on the quality and expectations of the Board are in the planning stages.
- b. **Office based anesthesia incident reporting.** In accordance with the Board's previous direction, Dr. Bredt presented possible options in handling the information contained in the office based anesthesia reporting forms. After discussion, **the Board directed staff to provide examples of the forms and a summary of what has been received over the last year.**
- c. **Chart monitor payment plans.** Dr. Bredt discussed the probationers' interest in setting up payment plans for recurring chart monitor charges and requested direction on this matter. After discussion, **the Board directed staff to not set-up payment plan options for the probationers' chart monitor charges. The Board directed staff to look into an option for the use of credit card.**

Agenda item #6, Public Information. Was deferred to later in the meeting, then deferred to next board meeting, due to inclement weather.

Agenda item #7, Medical Board/Physician Assistant Liaison update. Item was deferred to later in the meeting.

Agenda item #8, Discussion, recommendation, and possible action regarding RecoveryTrek sharing testing data. Ms. Robinson notified the Board on a recent request from a county medical society to share drug testing data using the online RecoveryTrek system in lieu of a quarterly in-compliance letter from the Board. After discussion, **the Board directed staff to direct requests for drug testing data to the probationers, who can obtain a copy from the Board.**

Agenda item #9, Discussion, recommendation, and possible action regarding Safemedicine. After staff reported SafeMedicines is a certified non-profit organization, **the Board directed staff to proceed with the partnership in an effort to educate licensees on potential dangers of counterfeit drugs.**

Agenda item #10, Discussion, recommendation, and possible action regarding a policy for Peace Officer/Concealed Carry. After discussion, Ms. Attebury moved, Ms. Southard seconded, and the motion passed to approve the policy for Peace Officer/Concealed Carry, as presented.

Agenda item #11, Discussion, recommendation, and possible action regarding chart monitor procedures. Item was deferred to the next board meeting, due to inclement weather.

Agenda item #12, Discussion, recommendation, and possible action regarding prescribing emergency refills after death of physician. After discussion, **the Board directed staff to amend the proposed policy statement so that in the event of a physician's death, pharmacists are authorized to provide a single prescription refill for a 30-day supply for all medications except Schedule II controlled substances to the deceased physician's patients, no later than 30 days after the date of the physician's death, if failure to refill the prescription might result in an interruption of a therapeutic regimen or create patient suffering.**

The board recessed at 9:50 a.m.

The board reconvened at 9:54 a.m.

Agenda items #13-15 deferred to later in the meeting.

Agenda item #16, Discussion and presentation regarding potential prescribing course. Robert Steele, M.D., Texas A&M University, KSTAR, gave a presentation regarding a prescribing course aimed at enhancing medication prescribing practices. After discussion, **the board directed staff to approve the prescribing course.**

Agenda item #17, Consideration and possible action regarding Interlocutory Appeal, Walter Zawislak, M.D., SOAH # 503-12-66.25.MD. Scott Freshour, General Counsel, gave a presentation. Tom Walston, J.D., State Office of Administrative Hearings gave a presentation.

After Mr. Freshour responded, **Dr. Arambula moved, Ms. Southard seconded, and the motion was approved to go into Executive Session at 10:44 a.m. for 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 10:59 a.m. and it was announced that no action was taken. A certified agenda was made.

After discussion, **Dr. Wang moved, Ms. Attebury seconded, and the motion passed to grant the appeal and remand the order back to State Office of Administrative Hearings and recommend that the Administrative Law Judge exclude the Texas Medical Board's expert panel report. The board directed staff to pursue all legal actions at district court, and abate any hearings for interlocutory appeals, if any, until final outcome of this matter has concluded.**

Agenda item #18, Consideration and approval of Determinations of Default.

1. **Keitha Renee Smith, M.D., SOAH # 503-13-0058.MD.** Heather Pierce, staff attorney gave a presentation. Dr. Smith did not appear. No one representing Dr. Smith appeared. After discussion, **Dr. Bhatia moved, Dr. McNeese seconded, and the motion passed to approve the Determination of Default Order for Keitha Renee Smith, M.D.**

Agenda item #19, Consideration and approval of Proposal for Decisions:

1. **Reginald C. Buford, M.D., SOAH #503-11-8751** was deferred to the next board meeting due to inclement weather.
2. **Garry Wayne Killyon, M.D., SOAH #503-11-8759** was deferred to the next board meeting due to inclement weather.
3. **Robert Watson Cary, Jr., M.D., SOAH # 503-10-5693.** Barbara Jordan, staff attorney gave a presentation. Dr. Cary did not appear. Ace Pickens, attorney representing Robert Watson Cary, Jr, M.D., appeared and gave a presentation. After discussion, **Dr. Arambula moved, Ms. Southard seconded, and the motion passed to approve the case for dismissal.**

Agenda item #13, Discussion, recommendation, and possible action regarding 90-day prescription refills. After discussion, **Dr. Bhatia moved, Ms. Southard seconded, and the motion passed to allow midlevels to issue a prescription for a controlled substance providing for more than one refill, as long as the prescription, including the refill(s), is for a period not to exceed 90 days.**

Agenda item #14, Update on Dental Board rules related to sleep medicine. Rob Blech, Assistant General Counsel, gave an update on the proposed Dental Board rules related to sleep medicine. After discussion, **the board directed staff to reiterate the board's concerns to the Dental Board, and provide an update at a future Medical Board meeting.**

Agenda item #7, Medical Board/Physician Assistant Liaison update. Dr. Wang reported Physician Assistant Board member Richard Rahr, Ed.D., PA-C, resigned from the Physician Assistant Board and expressed his appreciation for Mr. Rahr's dedication as the Physician Assistant Liaison. Reginald C. Baptiste, M.D., was appointed Assistant liaison. Dr. Baptiste was unable to attend the Medical Board meeting.

Agenda item #15, Consideration and possible action regarding pending litigation. Mr. Freshour gave a brief update on pending litigation pertinent to the board.

The board recessed at 11:27 a.m.

The board reconvened at 11:35 a.m.

There were no agenda items for Agenda item #20-21.

Agenda items 22-35 were deferred to later in the meeting.

Agenda item #36, at 11:30 a.m. Discussion, recommendation, and possible action regarding the adoption of proposed amendments and rule review to 22 Texas Administrative Code:

- I. Chapter 192, Office-Based Anesthesia Services**
 - §192.1. Definitions**
 - §192.2. Provision of Anesthesia Services in Outpatient Settings**

Ms. Tuthill gave a brief summary of proposed amendments to Chapter 192. Written comments were received. Susan Dozier, M.D.; and Thomas Oliverson, M.D., signed in and presented oral comments. After discussion **and comment, Dr. Bhatia moved, Ms. Southard seconded, and the motion passed to adopt the proposed amendments with a change to T.A.C. §192.1. Definitions; and §192.2. Provision of Anesthesia Services in Outpatient Settings, providing that the rules promulgated under Chapter 192 of the Board Rules do not apply to the performance of Mohs micrographic surgery, and to republish the adopted rules in the Texas Register.**

b. Chapter 165, Medical Records
§165.2 Medical Record Release and Charges

Ms. Pajak gave a brief summary of proposed amendments to Chapter 165. Written comments were received. Kyle Probst, Healthport; signed in and presented oral comments. After discussion, **Mr. Webb moved, Ms. Southard seconded, and the motion passed to adopt proposed amendments to 22 T.A.C. Chapter 165, Medical Records, §165.2 Medical Record Release and Charges.**

§165.5 Transfer and Disposal of Medical Records

Ms. Tuthill gave a brief summary of proposed amendments to Chapter 165. Written comments were received. No one signed in for oral comments. After discussion, **Ms. Attebury moved, Ms. Southard seconded, and the motion passed to adopt proposed amendments to 22 T.A.C. Chapter 165, Medical Records, §165.5 Transfer and Disposal of Medical Records.**

a. Chapter 163, Licensure
§163.1 Definitions
§163.2 Full Medical License
§163.5 Licensure Documentation
§163.6 Examinations Accepted for Licensure
§163.13 Expedited Licensure Process

Ms. Pajak gave a brief summary of proposed amendments to Chapter 163. No written comments were received. No one signed in for oral comments. After discussion, **Dr. Arambula moved, Ms. Southard seconded, and the motion passed to adopt proposed amendments to 22 T.A.C. Chapter 163. Licensure, §163.1 Definitions, §163.2 Full Medical License, §163.5 Licensure Documentation, §163.6 Examinations Accepted for Licensure, and §163.13 Expedited Licensure Process.**

c. Chapter 166, Physician Registration
§166.2 Continuing Medical Education
§166.3 Retired Physician Exception

Ms. Robinson gave a brief summary of proposed amendments to Chapter 166. No written comments were received. No one signed in for oral comments. After discussion, **Dr. Arambula moved, Ms. Southard seconded, and the motion passed to adopt proposed amendments to 22 T.A.C. Chapter 166, Physician Registration, §166.2 Continuing Medical Education and §166.3 Retired Physician Exception.**

d. Chapter 167, Reinstatement and Reissuance
§167.4 Best Interests of Public
§167.6 Final Action

Ms. Tuthill gave a brief summary of proposed amendments to Chapter 167. No written comments were received. No one signed in for oral comments. After discussion, **Dr. Arambula moved, Ms. Southard seconded, and the motion passed to adopt proposed amendments to 22 T.A.C. Chapter 167, Reinstatement and Reissuance, §167.4 Best Interests of Public and §167.6 Final Action.**

e. Chapter 170, Pain Management
§170.1 Purpose

Ms. Robinson gave a brief summary of proposed amendments to Chapter 170. No written comments were received. No one signed in for oral comments. After discussion, **Dr. Arambula moved, Ms. Southard seconded, and the motion passed to adopt proposed amendments to 22 T.A.C. Chapter 170, Pain Management, §170.1 Purpose.**

f. Chapter 172, Temporary and Limited Licenses
§172.1 General Provisions
§172.4 Temporary License – State Health Agency
§172.9 Temporary License – Postgraduate Research License
§172.13 Limited Licenses – Conceded Eminence
§172.18 Limited License – Military Volunteer License

Ms. Pajak gave a brief summary of proposed amendments to Chapter 172. No written comments were received. No one signed in for oral comments. After discussion, **Ms. Southard moved, Dr. Arambula seconded, and the motion passed to adopt proposed amendments to 22 T.A.C. Chapter 172, Temporary and Limited Licenses, §172.1 General Provisions, §172.4 Temporary License – State Health Agency, §172.9 Temporary License – Postgraduate Research License, §172.13 Limited Licenses – Conceded Eminence, and amendments with non-substantive changes to §172.18 Limited License – Military Volunteer License, and to republished adopted §172.18 in the Texas Register.**

g. Chapter 173 Physician Profile
§173.5 Updates to Physician's Profile

Ms. Pajak gave a brief summary of proposed amendments to Chapter 173. No written comments were received. No one signed in for oral comments. After discussion, **Ms. Southard moved, Dr. Arambula seconded, and the motion passed to adopt the proposed amendments to T.A.C. §173.5 Updates to Physician's Profile.**

h. Chapter 177, Business Organization

§177.16. Physician Assistants

§177.17. Exceptions to Corporate Practice of Medicine Doctrine

Ms. Tuthill gave a brief summary of proposed amendments to Chapter 177. No written comments were received. No one signed in for oral comments. After discussion, **Ms. Attebury moved, Ms. Southard seconded, and the motion passed to adopt the proposed amendments to T.A.C. §177.16. Physician Assistants; and §177.17. Exceptions to Corporate Practice of Medicine Doctrine.**

j. Chapter 187, Procedural Rules

§187.18. Informal Show Compliance Proceeding and Settlement Conference Based on Personal Appearance,

§187.88. Complaint Process and Resolution

Ms. Tuthill gave a brief summary of proposed amendments to Chapter 187. Written comments were received. No one signed in for oral comments. After discussion, **Ms. Attebury moved, Ms. Southard seconded, and the motion passed to adopt the proposed amendments to T.A.C. §187.18. Informal Show Compliance Proceeding and Settlement Conference Based on Personal Appearance; and §187.88. Complaint Process and Resolution.**

k. Chapter 189, Compliance Program

§189.2, Definitions

§189.15. Determination of Successful Completion of an Order

Ms. Tuthill gave a brief summary of proposed amendments to Chapter 189. Written comments were received. No one signed in for oral comments. After discussion, **Ms. Attebury moved, Ms. Southard seconded, and the motion passed to adopt the proposed amendments to T.A.C. §189.2, Definitions; and §189.15. Determination of Successful Completion of an Order.**

l. Chapter 195, Pain Management Clinics

§195.2. Certification of Pain Management Clinics

§195.4. Operation of Pain Management Clinics

Ms. Tuthill gave a brief summary of proposed amendments to Chapter 195. No written comments were received. No one signed in for oral comments. After discussion, **Dr. Arambula moved, Ms. Southard seconded, and the motion passed to adopt the proposed amendments to T.A.C. §195.2. Certification of Pain Management Clinics; and §195.4. Operation of Pain Management Clinics.**

**m. Chapter 196, Voluntary Relinquishment or Surrender of a Medical License
§196.2. Surrender Associated with Disciplinary Action**

Ms. Tuthill gave a brief summary of proposed amendments to Chapter 196. No written comments were received. No one signed in for oral comments. After discussion, **Ms. Southard moved, Dr. Arambula seconded, and the motion passed to adopt the proposed amendments to T.A.C. §196.2. Surrender Associated with Disciplinary Action.**

**n. Chapter 197, Emergency Medical Service
§197.5. Authority for Control of Medical Services at the scene of a Medical Emergency**

Ms. Tuthill gave a brief summary of proposed amendments to Chapter 197. No written comments were received. No one signed in for oral comments. After discussion, **Ms. Southard moved, Dr. Arambula seconded, and the motion passed to adopt the proposed amendments to T.A.C. §197.5. Authority for Control of Medical Services at the Scene of a Medical Emergency .**

**o. Chapter 184, Surgical Assistants
§184.2 Definitions
§184.4 Qualifications for Licensure**

Ms. Robinson gave a brief summary of proposed amendments to Chapter 184. No written comments were received. No one signed in for oral comments. After discussion, **Dr. Arambula moved, Ms. Southard seconded, and the motion passed to adopt the proposed amendments to T.A.C. §184.2. Definitions; and §184.4 Qualifications for Licensure.**

Due to inclement weather, J. Scott Holliday, D.O., and Robert B. Simonson, D.O., joined the meeting by conference call to ensure a quorum.

There were no items for Agenda items #20-21.

Agenda item #22, Consideration and approval of Modification Request/Termination Request Orders. Ms. Attebury moved, Dr. McNeese seconded, and the motion passed to approve the Termination Granted for Bernard A. Burton, M.D.; the Termination Denied for Rick A. Szumlas, M.D.; and the Modification Requests Granted for Natascha T. Dumas, M.D., Craig T. Kopecky, M.D., David P. Sanner, M.D., Stephen C. White, M.D., Clarence J. Wolinski, III, M.D., and Louis F. Arango, M.D., as presented.

Agenda item #23, Consideration and possible action for Agreed Board Orders. After discussion, Dr. Snoots moved, Dr. Bhatia seconded, and the motion passed to approve the Agreed Order for Daniel S. Forrer, D.O.

Dr. Arambula moved, Dr. McNeese seconded, and the motion passed to approve the following Agreed Board Orders en masse for: Christopher J. Bonsignore, D.O.; William E. Brown, M.D.; Michael P. Fraser, D.O.; Jeffrey J. Pirinelli, M.D.; Robert T. Vasquez, M.D.; Alejandro R. Trevino-Ortiz, M.D.; Wade N. Barker, M.D.; Zeba Gill, M.D.; Richard A. Lankes, M.D.; Timothy C. Pringle, M.D.; Novarro C. Stafford, M.D.; Pablo C. Teveni, Jr., M.D.; Kelly J. Turner, M.D.; David I. Howie, M.D.; Junuk Kim, M.D.; Navinchandra Parikh, M.D.; Hariharan Ramamurthy, M.D.; Habiboola Niamatali, M.D.; Shawna Deeves, M.D.; Lisa D. Fairweather, D.O.; Tonya Y. Perkins, M.D.; and Christopher D. Duntsch, M.D.

Agenda item #24, Consideration and approval of Mediated Settlement Agreed Orders. After discussion, Ms. Southard moved, Dr. Wang seconded, and the motion passed to deny the proposed mediated settlement agreed order for #3 and refer the case to the State Office of Administrative Hearings for revocation, due to multiple violations of pain management clinic rules.

After discussion, Dr. Snoots moved, Mr. Webb seconded, and the motion passed to approve the Mediated Settlement Agreed Order for Loi P. Nguyen, M.D., as presented.

After discussion, Dr. McNeese moved, Ms. Southard seconded, and the motion passed to approve the Mediated Settlement Agreed Order for G.K. Ravichandran, M.D. , with the clarification that this order only applies to this single case.

Ms. Southard moved, Dr. Arambula seconded, and the motion passed to approve the following Mediated Settlement Orders en masse for David W. Buller, M.D.; Pedro L. Gonzalez-Torres, M.D.; Benedict O Olusola, M.D.; and Ryan Potter.

Agenda item #25, Consideration and approval of Remedial Plans. Dr. Wang was recused for consideration of William G. Franklin, M.D.

After discussion, Mr. Gallardo moved, Mr. Baucom seconded, and the motion passed to change the Remedial Plan to an Agreed Order for #38, with continuing medical education of 12 hours; 8 cycles of chart monitoring and a \$2,000 fine, due to the nature of the violations.

After discussion, Ms. Southard moved, Dr. Arambula seconded, and the motion passed to approve to modify the order to an Agreed Order for #41, with 16 hours of continuing medication that include 8 hours of anger management, due to prior board history.

Ms. Southard moved, Dr. Arambula seconded, and the motion passed to approve the following Remedial Plans en masse for Basiouni Basiouni, Jr., D.O.; Brent B. Belvin, M.D.; Roger E. Campana, M.D.; Julius P. Crider, M.D.; Mayli L. Davis, M.D.; Craig A. Ferrara, D.O.; Bruce E. Fitzgerald, M.D.; William G. Franklin, M.D.; Scott W. Harris, M.D.; Gisele A. Jones, M.D.; Fareed M. Khan, M.D.; Femi R. Layiwola, M.D.; David P.

Loncarich, M.D.; Jorge A. Marrero, M.D.; Mehjabin I. Parkar, M.D.; Balakrishna R. Prabhakar, M.D.; Sanila Rana, M.D.; Anthony P. Sertich, Jr., M.D.; Paul J. Sobieske, M.D.; John S. Stone, M.D.; Precha Suvunrungsi, M.D.; Takaaki Wada, M.D.; Kevin Williams, M.D.; Adel A. Zakhary, M.D.; James W. Bass, M.D.; Ahmed W. Jamaluddin, M.D.; Nirmal S. Jayaseelan, M.D.; John D. Key, M.D.; Sharad Kulkarni, M.D.; Martin D. McKee, D.O.; Wendy T. Nguyen, M.D.; Robert E. Phillips, M.D.; Monica Popov, M.D.; Patrick V. Solcher, M.D.; Evan B. Tow, D.O.; Cindy L. Zimmerman, M.D.; Alfred R. Antonetti, M.D.; Manuel W. Cruz, M.D.; Karen J. Reed, M.D.; Reginald Williams, M.D.; Steven T. Vu, M.D.; Herbert B. Daniels, M.D.; George W. English, III, M.D.; and George Choumarov, M.D.

There were no items for Agenda item #26.

Agenda item #27, Consideration and approval of Cease and Desist Orders. Ms. Southard moved, Dr. Arambula seconded, and the motion passed to approve the Automatic Cease and Desist Order for Sunita Tarkunde, RN.

There were no items for Agenda items #28-30.

Agenda item #31, Consideration and approval of Nunc Pro Tunc Orders. Ms. Southard moved, Mr. Webb seconded, and the motion passed to approve the Nunc Pro Tunc Orders for DeCarlo Noble, M.D., and Adolphus R. Lewis, D.O., as presented.

There were no items for Agenda item # 32.

Agenda item #33, Report on Temporary Suspensions. A report was given for the Temporary Suspensions.

Agenda item #34, Report on Automatic Orders. A report was given on the Automatic Suspension Orders for Mary G. Gorman, M.D., and Hossein Lajiji, M.D.

Consent Agenda

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

- 1. Consideration and approval of the October 18, 2013 Board Meeting Minutes. Mr. Baucom moved, Dr. Snoots seconded, and the motion passed to approve the October 18, 2013 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 meeting.**

Dr. Arambula gave a report of the Licensure Committee meeting. **Dr. Arambula moved, Ms. Southard seconded, and the motion passed to approve the Licensure Committee minutes and action items.**

Dr. Snoots gave a report of the Electronic Records and Communication Ad Hoc Committee meeting. **Dr. Snoots moved, Ms. Southard seconded, and the motion pass to approve the Electronic Records and Communication Ad Hoc Committee minutes and action items.**

Mr. Webb gave a report of the Institutional Review Board (IRB) Committee meeting. **Mr. Webb moved, Dr. Arambula seconded, and the motion passed to approve the IRB Committee meeting minutes.**

Dr. McNeese gave a report of the Disciplinary Process Review Committee meeting. **Dr. McNeese moved, Mr. Webb seconded, and the motion passed to approve the Disciplinary Process Review Committee minutes and action items.**

Dr. Zeitler gave a report of the Finance Committee meeting. **Dr. Zeitler moved, Dr. Bhatia seconded, and the motion passed to approve the Finance Committee meeting minutes.**

Agenda item #41, Consideration and determination of licensure eligibility.

- 1. Applicant #1074.** After discussion, **Dr. Arambula moved, Ms. Southard seconded, and the motion passed to approve the determination that Applicant was not eligible for licensure.**
- 2. Applicant #1310.** After discussion, **Dr. Holliday moved, Ms. Attebury seconded, and the motion passed to approve the determination that Applicant #1310 was not eligible for licensure.**

Agenda item #37, Discussion, recommendation and possible action regarding a petition for proposed rule changes to 22 T.A.C. Chapter 183, Acupuncture. Agenda item moved to next board meeting.

Agenda item #38, Discussion, recommendation, and possible action regarding proposed rule changes to 22 T.A.C. Chapter 185, Physician Assistants.

- a. 22 T.A.C. Chapter 185.29 Report of Impairment.**

Mr. Gallardo moved, Dr. Arambula seconded, and the motion was passed to approve to adopt the proposed rule changes to 22 T.A.C. Chapter 185.29 Report of Impairment.

Agenda item #39, Open forum for public comments. No one signed in for Open forum public comments.

Agenda item #40, Discussion, recommendation, and possible direction regarding the request related to the proposed rulemaking for Chapter 172.13 in Title 22 of the Texas Administrative Code. Ms. Pajak gave a brief statement. After discussion, the Board directed staff to deny the petition for rule making.

Agenda item #42, Discussion, recommendation, and possible action regarding acudetox. Agenda item was deferred to next meeting.

There being no further agenda items the meeting adjourned at 1:13 p.m.