

**TEXAS BOARD OF RESPIRATORY CARE
MINUTES OF THE
DISCIPLINE AND ETHICS COMMITTEE**

August 1, 2019 - 9:00 a.m.

Chair Sam Marshall, RCP, PhD., called the meeting to order at 9:17 a.m. Other members present were Shad Pellizzari, RCP, Timothy R. Chappell, M.D., and Debra E. Patrick, RCP. James Stocks, M.D., Kandi Pool and Sonia Sanderson were not in attendance. Ms. Jackson appointed herself, Dr. Chappell and Ms. Patrick to the D&E Committee for purposes of this meeting.

Scott Freshour, J.D. General Counsel and various other staff were also present.

Agenda Item #2. Discussion, recommendation, and possible action regarding referrals and reports from the Texas Physician Health Program.

Dr. Chappell moved and Ms. Patrick seconded that TX PHP Case #1 be emergently referred to the Texas Board of Respiratory Care. Motion carried.

Dr. Chappell moved and Ms. Patrick seconded that TX PHP Case #2 be emergently referred to the Texas Board of Respiratory Care. Motion carried.

Dr. Chappell moved and Ms. Patrick seconded that TX PHP Case #3 be referred back to the Texas Board of Respiratory Care. Motion carried.

Agenda Item #3. Reports and discussion regarding the Investigation, Litigation and Compliance Departments.

Scott Freshour presented the Enforcement Activity Report for FY19, a copy of which is attached. This was an informational item only and no vote was necessary.

Agenda Item #4. Discussion, recommendation, and possible action regarding Rule Review and proposed changes to the following chapters in Title 22 of the Texas Administrative Code:³

It was announced by staff that there were no proposed rules to be presented to the D & E Committee under Agenda Item #4

Agenda Item #5 Consideration of approval of membership of the Expert Panel.

It was announced by staff that there were no membership of the Expert Panel to be presented for Agenda Item #5.

Agenda Item #6. Review, discussion and possible action regarding appeals of dismissed complaints.

It was announced by staff that there were no appeals of dismissed complaints to be presented for Agenda Item #6.

Agenda Item #7. Discussion, recommendation, and possible action regarding routine follow-up on investigative files previously referred from the D & E Committee for follow-up action.

It was announced by staff that there were no follow-up files to be presented for Agenda Item #7.

Agenda item #8. Review, discussion, and possible action regarding selected files and cases.

Dr. Chappell moved and Ms. Patrick seconded that the investigations, and cases reviewed by the committee be resolved as noted and that they be listed along with each resolution as part of the minutes of this Committee. Motion carried.

Agenda item #9. Adjourn

There being no other business to discuss, Mr. Pellizzari moved that the meeting adjourn. Ms. Patrick seconded.

Motion carried at 9:33 a.m.

**Texas Board of Respiratory Care
Disciplinary & Ethics Committee
TXPHP - Participant Case Review
August 1, 2019**

Case #	Remain with PHP	RCP Accepted	Continue
1		X	
2		X	
3		X	

DISCIPLINARY COMMITTEE DECISIONS REGARDING COMPLAINTS REVIEWED

ISC PANEL RECOMMENDATIONS – Texas Respiratory Care Board August 1, 2019

ISC Dismissal's

CASE # CLOSE CONT. TO ISC

19-0452	X		
19-0332	X		
18-0933	X		
19-0253	X		
19-0376	X		
19-0354	X		
19-0628	X		
19-0147	X		
19-0174	X		
19-0351	X		

Total = 10

COMPLAINTS REVIEWED PURSUANT TO STAFF

CASE # CLOSE CONT. TO ISC

19-0889	X		
19-0789	X		
19-0329	X		
19-0557	X		
19-0363	X		
19-0702	X		
19-0585	X		
19-0658	X		
19-0660	X		
18-0958	X		
19-0449	X		

Total = 11

TXPHP Dismissals

CASE # CLOSE CONT. TO ISC

17-0732	X		
18-0460	X		

Total = 2