



Texas Medical Board

BOARD MEETING
333 GUADALUPE, TOWER 2, SUITE 225
AUSTIN, TEXAS
March 3, 2017

The meeting was called to order on Friday, March 3, 2017 at 8:00 a.m. by Board President, Sherif Z. Zaafran, M.D. Board members present were: George Willeford, III, M.D., Vice-President, Michael Arambula, M.D., PharmD, Julie Attebury, Michael E. Cokinos, Frank S. Denton, Kandace B. Farmer, D.O., Carlos L. Gallardo, John R. Guerra, D.O., J. Scott Holliday, D.O., Margaret McNeese, M.D., LuAnn Morgan, Jayaram B. Naidu, M.D., Karl W. Swann, M.D., Surendra K. Varma, M.D., Stanley S. Wang, M.D., and Timothy Webb, J.D. Paulette Southard was absent. Board staff present were Scott Freshour, J.D., Interim Executive Director and General Counsel, Robert Bredt, M.D., Medical Director, Megan Goode, Governmental Affairs and Public Information Manager, and the Assistant General Counsels, Amy Swanholm, J.D., Rob Blech, J.D., Sarah Tuthill, J.D., Wendy Pajak, J.D., and Yvette Yarbrough, J.D., 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. Dr. Zaafran introduced and welcomed the new board members, Jayaram Naidu, MD, LuAnn Morgan, Kandace B. Farmer, D.O., and Michael Cokinos. Each member gave a brief introductory statement.

Dr. Zaafran read a resolution into the minutes in honor of outgoing board members David Baucom, John Ellis, Jr, Manuel Guajardo, M.D., Allen Shulkin, M.D., Wynne Snoots, M.D., and Robert Simonson, D.O., thanking them for their service and dedication to the board. **Carlos Gallardo moved, Dr. McNeese seconded, and the motion passed to approve the board resolutions in honor of David Baucom, John Ellis, Jr, Manuel Guajardo, M.D., Allan Shulkin, M.D., Wynne Snoots, M.D., and Robert Simonson, D.O., thanking them for their service and dedication to the board.** Dr. Zaafran announced each outgoing member would receive a personalized Texas plaque in their honor.

Agenda item #3-6, deferred until later in the meeting.

Agenda item #7, Medical Director Report. Dr. Bredt gave a review of the expert panelist process and reported five additional panelists were approved at the Disciplinary Process Review Committee. Dr. Bredt requested suggestions for licensed cardiologists, pulmonologists and oncologists to contact who might be interested to serve as expert panelists.

Agenda item #8, Public Information Update. Jarrett Schneider, Communications Officer, gave a summary of the quarterly Medical Board bulletin. The bulletin provides updates on new members, rules, licensees, disciplinary actions, and other items of interest.

Agenda items #9-19 were deferred to later in the meeting.

There were no items for Agenda item #20-23.

There were no items for Agenda item #26.

There were no items for Agenda item #30-32.

Agenda item #33, Discussion, recommendation, and possible adoption of proposed rule changes and rule review to 22 T.A.C. Chapter 194, Medical Radiologic Technology. Ms. Tuthill presented a brief overview. Written comments were received and reviewed. No one signed in to present oral comments. After discussion, **Dr. Wang moved, Ms. Attebury seconded, and the motion passed to adopt the proposed rule changes to 22 T.A.C., Chapter 194, Medical Radiologic Technology for publication in the Texas Register with non-substantive changes.**

Agenda item #34, Discussion, recommendation, and possible adoption of proposed rule changes and rule review to 22 T.A.C. Chapter 186, Respiratory Care. Ms. Yarbrough gave a brief overview. Written comments were received and reviewed. No one signed in to present oral comments. **Ms. Attebury moved, Dr. Wang seconded, and the motion passed to adopt the proposed rule changes to 22 T.A.C. Chapter 186, Respiratory Care for publication in the Texas Register with non-substantive changes.**

Dr. Zaafran introduced new Medical Board member, Dr. Jeffrey Luna, and the liaison from the Board of Physician, Jorge Martinez, who gave brief introductory statements.

Agenda item #9, Report Physician Assistant Liaison. Jorge Martinez gave a brief statement as the liaison for the Physician Assistant Board.

Agenda item #12, Discussion, recommendation, and possible action regarding
Dr. Bredt gave a brief review of the noncertified radiology technicians who were previously required to be licensed through DSHS and permitted through the Medical Board to work under the supervision of a physician. SB202 transitioned the Board Medical Radiologic Technology under the oversight of the Medical Board and limited the dual licensure requirements. After discussion, the board clarified that the Board of Medical Radiologic Technology should have oversight of disciplinary action for NCTs.

There were no items for Agenda item #27.

Agenda item #28, Report of Suspension by Operation of Law. A report was given on the Suspensions by Operation of Law Order for H. Dudley Ross, M.D., and Byron F. Conner, M.D.

Agenda item #29, Report on Automatic Orders. A report was given on the Automatic Order for Jewel A. Giacona, M.D.

Agenda item #27, Report on Motions for Rehearing Requests. Mr. Freshour gave a brief report and review of the process for rehearing requests.

Agenda item #2, Board Member Report (continued). Dr. Zaafran asked board members Dr. Willeford, Ms. Attebury, Mr. Webb, Dr. Wang, Dr. Swann, Dr. Varma, Dr. McNeese, Dr. Holliday, Mr. Gallardo, Mr. Denton, and Dr. Guerra to give a brief introductory statement. Dr. Zaafran introduced and thanked Dr. Arambula, as the immediate past Board President, and recognized him as a mentor and friend.

Agenda item #3, Consideration and possible action regarding pending litigation at 8:30 a.m. Mr. Freshour gave a brief litigation update that the court affirmed the decision for the board relating to Dr. Allibone vs Medical Board and reported the Federal case related to investigators going to a pain clinic was found in favor of the board.

After discussion, **Mr. Gallardo moved, Dr. Guerra seconded, and the motion passed to go into Executive Session at 8:32 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.** Open session resumed at 9:23 a.m. and it was announced that no action was taken. A certified agenda was made.

The board recessed for a short break.

The board reconvened at 9:35 a.m. and a quorum was confirmed.

Agenda item #5 scheduled for 9:30 a.m., Consideration and approval of Proposal for Decisions: Mr. Freshour gave a brief review of the procedures for Agenda item #5 presentations.

1.) Courtney R. Morgan, M.D., SOAH #503-15-1303.MD. Mr. Freshour gave a brief of the process. Mr. Blech gave a brief background. Ann Skowronski, J.D., staff attorney, was present. Courtney R. Morgan, M.D., was present. Ericak Chapman appeared on behalf of Dr. Morgan. Ms. Skowronski, staff attorney, gave a presentation. Dr. Morgan gave a presentation. Ericak Chapman gave a brief statement. Ms. Skowronski gave a brief rebuttal. After discussion, **Mr. Gallardo moved, Dr. Varma seconded, and the motion passed to adopt Findings of Fact, Conclusions of Law of the Administrative Law Judge in the Proposal for Decision for Courtney R. Morgan, M.D., and adopt the staff suggested final order for revocation and to stay the revocation with a restricted license and probation for 10 years.**

2.) **Stanislaw R. Burzynski, M.D., SOAH #503-14-1342.MD.** Attorneys, Dan Cogdell, J. Gregory Myers, J. Dennis Hester, and Melanie Rubinsky appeared representing Dr. Burzynski. Mr. Cogdell requested an additional ten minutes for a total of 20 minutes to make a presentation. **Mr. Cokinos moved, Dr. Holliday seconded, and the motion passed to allow an extra 10 minutes for a total of 20 minutes to present, due to the length of the case.** Mr. Freshour requested confirmation from Dr. Burzynski's attorneys that the handout and presentation was within the SOAH record. Amy Swanholm, J.D., staff attorney, was present and confirmed recent receipt of the handout and did not object to quotes within the SOAH record. She disagreed with statistics that had not been confirmed and Respondent's proposed remedial measures which were outside of the SOAH record. The board directed both parties to present information exclusively within the SOAH record. Ms. Swanholm gave a presentation for Board staff. Dr. Burzynski was present with representation, Dan Cogdell and J. Gregory Myers, D.D.S., J.D., who gave a presentation. Dr. Burzynski did not give a statement. Chris Palazola, Litigation Manager, gave a staff rebuttal.

After discussion, **Mr. Gallardo moved and Dr. Varma seconded a motion to adopt the Findings of Fact, Conclusion of Laws of the Administrative Law Judge in the Proposal for Decision for Stanislaw R. Buzynski, M.D., and approve the staff suggested final order.** Dr. Zaafran asked advice of counsel **Mr. Denton requested to be set the motion pending. Mr. Denton moved, Dr. Holliday seconded, and the motion passed to go into Executive Session at 11:45 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, Texas Government.** Open session resumed at 12:18 p.m. and it was announced that no action was taken. A certified agenda was made.

After Dr. Zaafran restated the motion that was pending before the board, Dr. Varma withdrew his second to the motion. No one seconded the motion. The motion failed. Mr. Denton moved and Mr. Webb seconded a motion to adopt the Findings of Fact, Conclusions of Law of the Administrative Law Judge in the Proposal of Decision in the Proposal for Decision for Stanislaw R. Buzynski, M.D., and approve the order with the modified sanctions for a public reprimand, 5 year suspension of license probated; 12 cycle chart monitor related to billing; JP exam; 72 hours of CME divided equally between recordkeeping, risk management, and ethics; proper disclosure of ownership of pharmacy; revised informed consent forms to be reviewed and approved by the Medical Director of the Texas Medical Board to confirm the forms contain full disclosures are made and part of the patient's chart; a \$40,000 penalty; and a \$20,000 restitution payment for patient G.

Ms. Attebury moved, Ms. Gallardo seconded, and the motion passed to approve a friendly amendment to add the additional sanction of the Colorado Physician Education Program as stated in the staff's suggested order.

After discussion, **Dr. Holliday moved, Ms. Attebury seconded a friend amendment, and motion passed to revise the topics for the 72 hours of CME to be divided equally between the topics of informed consent, medical recordkeeping, supervision and delegation, and patient communication**

A vote was taken on the original motion as amended. The motion passed to adopt the Findings of Fact, Conclusions of Law of the Administrative Law Judge in the Proposal of Decision for Stanislaw R. Buzynski M.D., and to approve a final order with the sanctions for a public reprimand, a 5 year suspension of license that is probated; 12 cycle chart monitor related to billing; JP exam; 72 hours of CME divided equally between the topics of informed consent, recordkeeping, supervision of delegates, and patient communication; Colorado Physician Education Program; proper disclosure of ownership of pharmacy; revised informed consent forms to be reviewed and approved by the Medical Director of the Texas Medical Board to confirm the forms contain full disclosures are made and part of the patient's chart; a \$40,000 penalty; and a \$20,000 restitution payment for patient G. Mr. Gallardo voted against the motion.

Dr. Varma and Dr. Arambula left the meeting.

3.) **Medhat Michael, M.D., SOAH #503-15-4894.MD.** Rob Blech gave a brief background. Nikki Karr, staff attorney, was present and gave a presentation. Dr. Michael was present. Jeff Henry, attorney, appeared representing Dr. Michael and gave a presentation. Dr. Michael gave a brief statement. Ms. Karr gave a brief rebuttal statement. After discussion, moved, **Mr. Gallardo moved, Dr. Wang seconded, and the motion passed to adopt Findings of Fact and Conclusions of Law of the Administrative Law Judge in the Proposal for Decision for Medhat Michael, M.D., and approve the staff suggested final order for revocation.**

4.) **Leeroy McCurley, M.D, SOAH #503-13-4105.MD.** Dr. Holliday was recused. Mr. Freshour reviewed the process. Ms. Yarbrough gave a brief background. Ann Skowronski, staff attorney, was present and gave a presentation. No one appeared representing Dr. McCurley. Mr. Doug Lewis sent a proposed suggested order for Dr. McCurley. Dr. McCurley was present and gave a presentation. Ms. Skowronski gave a brief rebuttal statement. After discussion, **Mr. Webb moved, Dr. Wang seconded, and the motion passed to go into Executive Session at 1:35 p.m. for private consultation and for deliberations concerning disciplinary action, investigative information, peer review information, and rehabilitation orders under the authority of The Medical Practice Act Sections 152.009, 160.006 through .008, 164.007(c), and 164.202 & .203, Occupations Code.** Open session resumed at 2:05 p.m. and it was announced that no action was taken. A certified agenda was made.

After discussion, **Mr. Webb moved, Ms. Attebury seconded, and the motion passed to adopt the Findings of Fact and Conclusions of Law of the Administrative Law Judge in the Proposal for Decision for Leeroy McCurley, M.D. , and adopt the final order with the modified sanctions for a restricted license with no prescribing of Schedule IIs, 12 cycles of chart monitoring, complete the Pace course in prescribing, the JP exam, and continuing medical education of 8 hours in delegation, 8 hours in ethics, and 8 hours in risk management.** Mr. Gallardo, Dr. Willeford, and Dr. McNeese voted against the motion.

5.) **Thomas M. Dixon, MD, #503-16-4713.MD.** Ms. Tuthill gave a brief procedural background. Johnathan Stone, staff attorney, was present. Dr. Dixon was not present. Julian

Rivera appeared representing Dr. Dixon and requested a stay of the decision and the proceeding related to this case until the criminal case is resolved. After discussion, **Dr. Wang moved, Dr. McNeese seconded and the motion passed to go into Executive Session at 2:22 p.m. for private consultation and for deliberations concerning disciplinary action, investigative information, peer review information, and rehabilitation orders under the authority of The Medical Practice Act Sections 152.009, 160.006 through .008, 164.007(c), and 164.202 & .203, Occupations Code.** Open session resumed at 2:35 p.m. and it was announced that no action was taken. A certified agenda was made.

After discussion, **Mr. Gallardo moved, Ms. Attebury seconded, and the motion passed to deny the request to stay the proceedings.**

Mr. Stone gave a presentation. Mr. Rivera gave a presentation. After discussion, **Mr. Gallardo moved, Ms. Attebury seconded, and the motion passed to adopt Findings of Fact and Conclusions of Law of the Administrative Law Judge in the Proposal for Decision for Thomas M. Dixon, M.D., and adopt the staff suggested final order for revocation.**

Dr. Holliday left the meeting at 2:55 p.m. A quorum was confirmed.

6.) Abiola Opeitum, M.D., #503-16-5731.MD. Ms. Yarborough gave a brief procedural background. Michelle McFaddin, staff attorney, was present. Dr. Opeitum was present. No one appeared representing Dr. Opeitum. Ms. McFaddin gave a presentation. Dr. Opeitum gave a presentation. Ms. McFaddin gave a rebuttal. Dr. Opeitum gave another statement. After discussion, **Mr. Gallardo moved, Dr. Wang seconded, and the motion passed to adopt Findings of Fact and Conclusions of Law of the Administrative Law Judge in the Proposal for Decision for Abiola Opeitum, M.D., and adopt the staff suggested final order to deny licensure.** Board directed staff to inquire with the legislative bill author if there is interest in any amendment or clean up language in the statute for this licensing requirement.

Agenda item #4, at 9:00 a.m., Consideration and approval of Determinations of Default. 1. Rose M. Gonzalez-Weaver, D.O. Dr. Guerra was recused. Ann Skowronski, staff attorney, was present and gave a presentation. Rose M. Gonzalez-Weaver was not present. No one appeared representing Dr. Gonzalez-Weaver. After consideration, **Dr. Willeford moved, Mr. Webb seconded, and the motion passed to adopt the Findings of Fact and the Conclusions of Law of the Administrative Law Judge in the Determinations of Default for Rose M. Gonzalez-Weaver, D.O., and to adopt the staff's suggested final order to suspend until respondent can appear in front of an ISC and demonstrate she is competent for licensure.**

Agenda item #14, Consideration and approval of Modification Request/Termination Request of Non-Public Rehabilitation Orders. After consideration, **Ms. Attebury moved, Mr. Webb seconded, and the motion passed to approve the Termination Granted of Non-Public Rehabilitation Order #613.**

Agenda item #15, Consideration and approval of Modification Request/Termination Request Orders. After consideration, **Mr. Webb moved, Ms. Attebury seconded, and the motion passed to approve the Modification Request Granted Orders for: Anil Tukarampant**

Bangale, M.D., Beauford Basped Jr., D.O., Ralph Anthony Brooks, M.D., Chris A. Sparkman, M.D., Clay Gruesbeck, M.D., and Michael F. Ruggiero, D.O.; the Termination Request Orders Granted for: Jeffrey Butts, D.O., Christopher Keith Spillers, M.D., Daniel Caldwell, M.D., and George Alan Nasser, M.D.; the Termination Request Orders Denied for: Beauford Basped, Jr., D.O., David Alan Green, M.D., Lillian Jones, M.D., and Monica Clark-Reed, M.D.; and the Modification Request Order Denied for Ranjitkumar P. Patel, M.D.

Agenda item #16, Consideration and possible action for Agreed Board Orders. Dr. Wang was recused from #18, David Lee Sneed, D.O. Dr. McNeese recused from #16, Cynthia Diane McNeil, M.D. Dr. Luna recused #30, Suresh Prasad, M.D. After consideration, **Mr. Webb moved, Mr. Gallardo seconded, and the motion passed to approve the Agreed Orders en masse for: Daryl Currier, M.D.; Richard Thomas Ethridge, M.D.; Hector Oscar Molina, M.D.; Alan Rosen, M.D.; Anna Rogers Carlock, M.D.; Kendra Megan Way, M.D.; Stanley Michael Higgins, M.D.; Narsimha Reddy Muddasani, M.D.; Keith A. Norvill, M.D. Order Vacating; Keith A. Norvill, M.D.; Craig Clark Beasley, M.D.; John H. Frierson, M.D.; James Kevin Kaufman, M.D.; David Lee Sneed, D.O.; Joseph Anthony Bianco, D.O.; Donald. Ferguson, II, M.D.; John Allen Schmidt, M.D.; Terry Wayne Springer, M.D. and Michael L. Tilly, M.D.; Richard C. Andrews, D.O.; Jeffrey J. Pirinelli, M.D.; Albert H. Yurvati, D.O.; Israel Calzada, M.D.; Rezik A. Sager, M.D.; Peter P. Chang, M.D.; Donald Ray Samuel, M.D.; and Donna N. Canlas, M.D.**

After discussion, **Dr. Wang moved, Mr. Gallardo seconded, and the motion passed to approve the Agreed Order for Raul Niduaza Calvo, Jr., M.D.**

After discussion, **Mr. Webb moved, Dr. Guerra seconded, and the motion passed to approve the Agreed Order for Donald Paul Long, M.D.**

After discussion, **Ms. Attebury moved, Mr. Gallardo seconded, and the motion passed to approve the Agreed Order for Cynthia Diane McNeil, M.D.**

After discussion, **Mr. Cokinos moved, Dr. Wang seconded, and the motion passed to approve the Agreed Order for Ricardo Alonso Murillo, M.D.**

After discussion, **Mr. Gallardo moved, Mr., Webb seconded, and the motion passed to approve the Agreed Order for Aijaz, Asim Syed, M.D.**

After discussion moved, **Mr. Cokinos moved, Mr. Webb seconded, and the motion passed to approve the Agreed Order for Suresh Prasad, M.D.**

Agenda item #17, Consideration and approval of Mediated Settlement Agreed Orders. Dr. Wang recused from #18, Priscilla Gutierrez, M.D. After consideration, **Mr. Webb moved, Mr. Gallardo seconded, and the motion passed to approve the Mediated Settlement Agreed Orders en masse for: Sam Jahani, D.O.; Ataur-Rehman Rizwan Khan, M.D.; Rachel Chundenu Kientcha-Tita, M.D.; James Michael Wilson, M.D.; Sujan Thyagaraj, M.D.; Madhava Agusala, M.D.; Shabnam Kanwal Qasim, M.D.; Barry Sanders, M.D.;**

Yassar Iftikhar Ahmed, M.D.; Paul King Blissard, M.D.; Fermin Briones, Jr., M.D.; Robert Bryant Fry, Jr., M.D.; Tinuade Olusegun, M.D.; Mario Quintanilla, M.D.; Calvin Lee Day, Jr., M.D.; Donovan M. Simmons, M.D., and Priscilla Gutierrez, M.D.

After further consideration, **Mr. Guerra moved, Mr. Cokinos seconded, and the motion passed to approve the Mediated Settlement Agreed Orders for Paul E. Stoufflet, M.D.**

Agenda item #18, Consideration and approval of Remedial Plans. After consideration, **Mr. Webb moved, Mr. Gallardo seconded, and the motion passed to approve the Redial Plans en masse for: Ziad Al-Amiri, M.D.; Salman S. Aly, M.D.; Jude Mbamara Aririguzo, M.D.; James Foster Asbury, M.D.; Marcus D. Barnett, M.D.; Bryan C. Bruner, M.D.; Richard E. Caplan, M.D.; Amanda Rose Caro, D.O.; Robert M. Castillo, M.D.; Preston James Chandler III., M.D.; Lewis S. Christian, Jr., M.D.; Kelly E. Clements, M.D.; Charles A. Duncan, M.D.; Tamra N. Fortenberry M.D; Jannifer G. Herron, M.D.; Kirk Edward Heyne, M.D.; Jaun B. Iribarren, M.D.; Aftab Karim, M.D.; Patricia Ann Lane, M.D.; Rod D. Lee, M.D.; William S. Livesay, M.D.; Carlos M. Llanes, M.D.; Edward Lee Patten, M.D.; Jayasree Nagaraja Rao, M.D.; Paul S. Saenz, D.O.; Rashid M. Siddiqi, M.D.; Guillermo M. Suarez, M.D.; Timothy J. Wagner, M.D.; Yolanda Whittaker-Hilliard, M.D.; Victor Williams II, M.D.; Tiffany Michelle Ingham, M.D.; William James Frazier, M.D.; Simon Amine Gebara, M.D.; Vladimir A. Grebennikov, M.D.; Suzanne Marie Manzi, M.D.; Richard Morris McCartney, M.D.; Sei Chang Oh, M.D.; Kevin Richardson, D.O.; Srinivas Sunkavally, M.D.; Legesse Fulla Tebeje, M.D.; Rodolfo Tomasino-Portillo, M.D.; Norman Torres, M.D.; Dexter G. Turnquest, M.D.; Jeremiah Daniel Havins, M.D.; Matthew Jae Kim, M.D.; Ricardo Martinez, M.D.; Terry Kent Scarborough, M.D.; Ifeolumipo Obianuju Sofola, M.D.; Sherman C. Yu, M.D.; Jeremy C. Roebuck, M.D. and Paul S. Worrell, M.D.**

After discussion, **Mr. Cokinos moved, Mr. Webb seconded the motion passed to approve the remedial plans for Dmitry Buyanov, M.D.**

After discussion, **Mr. Cokinos moved, Mr. Wang seconded the motion passed to approve the remedial plans for Michael Khafi, D.O.**

After discussion, **Mr. Guerra moved, Mr. Webb seconded the motion passed to approve the remedial plans for Narinder K. Monga, M.D.**

After discussion, **Mr. Cokinos moved, Mr. Webb seconded the motion passed to approve the remedial plans for Jon E. Rosenthal, M.D.**

Agenda item #24, Consideration and approval of Cease and Desist Agreed Orders. After consideration, **Mr. Webb moved, Ms. Attebury seconded, and the motion passed to approve the Agreed Cease and Desist Order for Richard A. Granato; Duncan S. Heard; Ross Stewart, PhD, P.C.; Carlo Taboada and Misty May.**

Agenda item #25, Report on Temporary Suspensions Hearings. A report was given on the Temporary Suspension hearings for James M. Wilson, M.D., and William D. Moehlman, M.D.

Agenda item #3, Executive Director Report.

Legislative Update. Ms. Goode gave an update on Legislative dates and major legislation of interest. Ms. Goode reviewed the final Sunset recommendations and management action. Ms. Goode reviewed the legislative budget reductions and gave an update on the agency request for restoration of the budget cuts, plus two additional exceptional item requests for funding two IT projects and four additional staff for the agency's call center.

Outreach Update. Ms. Goode reviewed the Outreach presentation schedule and the progress made.

Personnel Update. No items were discussed.

Budget Update. Ms. Goode reported the budget remains stable and on track.

Audit Update. Ms. Goode reported that the internal audit. The final recommendation for an audit of the TMB litigation functions was presented to the Executive Committee.

Consent Agenda

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

1. Consideration and approval of the December 2, 2016 Board Meeting Minutes and action items. **Dr. Wang moved, Dr. McNeese seconded, and the motion passed to approve the December 2, 2016 Board Meeting Minutes and action items.**
2. Committee report and the consideration and approval of the February 17, 2017 Executive Search Committee minutes and action items. **Mr. Cokinos moved, Dr. Farmer seconded, and the motion passed to approve February 17, 2017 Executive Search Committee Meeting Minutes and action items.**
3. Committee reports and the consideration and approval of minutes and action items of committees meeting during the board meeting.

Dr. Willeford gave a report of the Executive Committee. **Dr. Willeford moved, Mr. Cokinos seconded, and the motion passed to approve the Advertising Board Certification Ad Hoc Committee meeting minutes and action items.**

Dr. McNeese gave a report of the DPRC meeting. **Dr. McNeese moved, Dr. Wang seconded, and the motion passed to approve the DPRC Committee meeting minutes and action items.**

Mr. Webb gave a report of the Licensure Committee. **Mr. Webb moved, Mr. Denton seconded, and the motion passed to approve the Licensure Committee meeting minutes and action items.**

Mr. Webb gave a report of the Advertising Board Certification Ad Hoc Committee. **Mr. Webb moved, Ms. Attebury seconded, and the motion passed to approve the Advertising Board Certification Ad Hoc Committee meeting minutes and action items.**

Ms. Attebury gave a report of the Finance Committee meeting. **Ms. Attebury moved, Dr. Wang seconded, and the motion passed to approve the Finance Committee meeting minutes and action items.**

Agenda item #10, Report, consideration, and possible action regarding executive director position. Dr. Zaafran gave an update on the status of the executive director search committee. After discussion, **Dr. Zaafran moved, Dr. Naidu seconded, and the motion passed to add additional new members to the committee to set forth the search guidelines and parameters for the Executive Director position and for the Executive Search committee to screen, interview, and bring a recommendation back to the board.**

The board recessed at 4:23 p.m.

The board reconvened at 4:27 p.m. and a quorum was confirmed.

Dr. Zaafran moved, Mr. Webb seconded, and the motion passed to complete any additional informational items, then open for public comments, with the public speaking at three minutes each and at the end of public comments to adjourn the meeting.

Dr. Zaafran appointed Dr. Willeford the acting President at 4:30 p.m.

Agenda item #13, Discussion, recommendation and possible action regarding PHP referrals while Investigations pending. Mr. Denton expressed concern on impairment issues sent to PHP with a pending investigation. Dr. Bredt gave a review of the PHP's process for impaired physicians with a pending investigation. The Board directed staff to collaborate with PHP for a resolution to process physicians while investigations are ongoing.

Agenda item #11, Discussion, recommendation, and possible action regarding emeritus retirement. Dr. Willeford recommended the agenda item be deferred to the next meeting.

Agenda item #35 at 1:30 p.m., Open forum for public comments. Jody Phinton, Mary Joe Siegel, Steven Siegel, Sheila Hemphill, Coleman Hemphill, Carol Vicker, Zach Parks; Randy Gilmert, Kendra Gilmert, Jenny Gettino, Joe Gettino, Julie Atkin, Liv Larsen; Eric Merola, Rita Star, Mariame Kumari, Jack Kumari, Dustin Kumari, Carol Bricker, Bill Zeolize, Tony Farmer, Mary Michaels, Paul Michaels, Jodi Fentan, Brenda and Patrick Powers, Lai Fizli, Magdaleua Ruzs, Ayub Khaledi, signed-in and presented public comments.

Agenda item #36, Adjourn. There being no further agenda items, the meeting adjourned at 5:58 p.m.