

TEXAS MEDICAL BOARD
EXECUTIVE COMMITTEE
AUGUST 24, 2006

The meeting was called to order at 8:50 a.m. by Board Vice-President, Larry Price, M.D. Committee members present were Eddie J. Miles, Jr., Keith E. Miller, M.D.; and John W. Pate, Jr., M.D. Other Board members present were Lawrence L. Anderson, M.D.; Julie Attebury; Jose M. Benavides, M.D.; Patricia S. Blackwell; Melinda S. Fredricks; Manuel G. Guajardo, M.D.; Amanullah Khan, M.D.; Charles E. Oswalt, M.D.; Annette P. Raggette; Paulette B. Southard; Timothy J. Turner; Irvin E. Zeitler, Jr., D.O. Staff present were Donald W. Patrick, M.D., J.D., Executive Director; Michele Shackelford, J.D., General Counsel; Jane McFarland, Chief of Staff; Robert D. Simpson, Assistant General Counsel; and various other staff.

Agenda item #2, Report and recommendations from the Executive Management

Team. Dr. Patrick discussed the new management structure to help facilitate strategies and streamline agency processes.

Dr. Patrick reviewed correspondence from the Texas the Medical Association regarding Office Based Anesthesia rules and recommended the issues presented in the letter be referred to a stakeholder group in October.

Dr. Patrick presented information from Nix Health Systems regarding contracting with military doctors for the use of surgical suites for procedures to be performed on active duty and retired military personnel and their dependents. Board members asked for information concerning several questions.

Dr. Patrick reported on meeting with the Texas Department of Insurance, Division of Workers' Compensation, regarding their concerns and procedures for referring cases to the Board. Dr. Patrick suggested a meeting be scheduled with representatives of the Board and TWC to discuss authority under the Medical Practice Act relating to standard of care cases.

Dr. Patrick reported that he was well received at a recent retired physicians meeting where he gave an overview and history of the agency and the Board.

Dr. Price introduced and welcomed new Board member, Irvin E. Zeitler, Jr., D.O. Dr. Zeitler reported he was first appointed to the District Review Committee in 1988 and looks forward to serving as a member of the Board.

Agenda item #3, Discussion, recommendation and possible action regarding Board policies, guidelines and published position statements made effective prior to August 31, 2005. Ms. Shackelford discussed Board policies, guidelines and published position statements.

Mr. Miles moved, Dr. Miller seconded, and the motion passed to rescind the Board policies, guidelines and published position statements made effective prior to August 31, 2005 and direct staff to develop rules for the following:

- A. *Narcotics and Pain Relief* (Texas State Board of Medical Examiners Newsletter, Vol. 14, No. 1, Spring/Summer 1992, page 1)
- B. *Narcotics and Pain Relief* (Texas State Board of Medical Examiners Newsletter, Vol. 14, No. 2, Winter 1992, page 10)
- C. *Pain Control and the Texas State Board of Medical Examiners* (Texas State Board of Medical Examiners Newsletter, Vol. 15, No. 1, Spring/Summer 1993, page 1)
- D. *The Texas State Board of Medical Examiners Positions/Definitions/Statement regarding Ethical Issues* (Texas State Board of Medical Examiners Newsletter, Vol. 16, No. 1, Spring/Summer 1994, page 7)
- E. *Physicians, Sexual Misconduct and the Texas State Board of Medical Examiners* (Texas State Board of Medical Examiners Newsletter, Vol. 16, No. 1, Spring/Summer 1994, page 8)
- F. *Physician Impairment and the Intemperate Use of Alcohol and Drugs* (Texas State Board of Medical Examiners Newsletter, Vol. 16, No. 1, Spring/Summer 1994, page 9)
- G. *Texas State Board of Medical Examiners Ethical Issues Statement on Ethical Advertising* (Texas State Board of Medical Examiners Newsletter, Vol. 16, No. 2, Fall/Winter 1994, pps 7-9)
- H. *Texas State Board of Medical Examiners Ethical Issues Statement on Informed Consent* (Texas State Board of Medical Examiners Newsletter, Vol. 16, No. 2, Fall/Winter 1994, page 10)
- I. *Policy Statement ÌUntitled/Undated (Board Member Conduct)*
- J. *Position Statement: Unlicensed Practice, Adopted October 5, 1996*
- K. *Advertising Revisited* (Texas State Board of Medical Examiners Newsletter, Vol. 18, No. 1, Fall 1996, pp. 2, 9)
- L. *Position Statement on Bariatric Medicine, adopted March 1, 1997*
- M. *Position Statement: Unlicensed Practice, Revised, adopted September 20, 1997*
- N. *Policy Statement on Internet Prescribing, adopted December 11, 1999*
- O. *Guideline: Utilization of Anesthesiologist Assistants (undated)*
- P. *Corporate Practice of Medicine (undated)*

Agenda item #4, Report regarding Policies of the Governing Boards adopted and made effective after September 1, 2005. Ms. Shackelford gave a report on the policies of the Governing Boards adopted and made effective after September 1, 2005.

Agenda item #5, Report regarding review and update of current agency operating policies. Ms. Shackelford gave a report regarding current agency operating policies.

There being no further items the meeting was adjourned at 9:25 a.m.