



Texas Medical Board

BOARD MEETING
333 GUADALUPE, TOWER 2, SUITE 225
AUSTIN TEXAS
OCTOBER 18-19, 2018

THURSDAY, OCTOBER 18, 2018 COMMITTEES

- 9:00 a.m. Finance Committee (*Tower 2, Suite 225*)
9:15 a.m. Licensure Committee (*Lobby Area Room 100*)
9:15 a.m. Disciplinary Process Review Committee (*Tower 2, Suite 225*)
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8:00 a.m. FRIDAY, OCTOBER 19, 2018

1. Full Board call to order, roll call, and Mission Statement.
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.
2. Board Member Report.
 - Presentation
 - PHP update
 - Prescription Dispensing Issues
 - Expert Panelist Conflict update
 - Complainant Confidentiality
 - CDC/MME guidelines
3. Consideration and approval of Mediated Settlement Agreed Orders.
4. Consideration and approval of Remedial Plans.
5. Consideration and possible action for Agreed Orders.
6. Consideration and approval of Modification Request/Termination Request Orders.
7. Consideration and approval of Cease and Desist Agreed Orders.
8. Consideration and approval of Nunc Pro Tunc Orders.
9. Consideration and possible action to vacate prior board order/action.

Agenda item #10 at 8:45 a.m.

10. Consideration and approval of Determinations of Default.
 - a. Lionel Levison, M.D., SOAH #503-17-5936.MD

Agenda item #11 at 9:00 a.m.

11. Consideration and approval of Proposal for Decisions:
 - a. Adeniran Abraham Ariyo, M.D., SOAH#503-16-3383.MD
 - b. Darnel Michael Durand, M.D., SOAH #503-16-6174.MD
12. Executive Director Report.
 - Budget Update
 - Legislative Update
13. Medical Director Report.
14. Public Information Update.
15. Report Physician Assistant Liaison.
16. Consideration and possible action regarding pending litigation.
17. Report on Temporary Suspension Hearings.
18. Report on Motions for Rehearing Requests.
19. Report of Suspension by Operation of Law.
20. Report on Cease and Desist Orders approved by Executive Director.
21. Report on Automatic Orders.
22. Consideration and approval of Modification Request/Termination Request of Non-Public Rehabilitation Orders.
23. Consideration and approval of Orders of Referral.
24. Consideration and approval of Orders to Show Cause.
25. Consideration and approval of Amended Proposal for Decision.
26. Consideration and approval of Remand of Amended Final Orders.
27. Discussion, recommendation, and possible action relating to a petition for possible rule change to §172.13 Conceded Eminence.
28. Discussion, recommendation, and possible action regarding proposed rule amendments and rules review to 22 T.A.C.
29. Discussion, recommendation, and possible action regarding adoption of proposed rule amendments and rule review to 22 T.A.C.

- a. Chapter 175, Fees and Penalties
 - §175.5 Payment of Fees or Penalties
 - b. Chapter 188, Perfusionists
 - §188.4 Qualifications for Licensure
 - §188.26 Exemption from Registration Fee for Retired Perfusions Providing Voluntary Charity Care
 - §183.28 Exemption from Registration Fee for Retired Perfusionist
 - §190.14 Disciplinary Sanction Guidelines
30. Discussion, recommendation, and possible action regarding adoption of proposed rule amendments and rule review to 22 T.A.C. Chapter 183, Acupuncture.
 31. Discussion, recommendation, and possible action regarding adoption of proposed rule amendments and rule review to 22 T.A.C. Chapter 185, Physician Assistants.
 32. Discussion, recommendation, and possible action regarding adoption of proposed rule amendments and rule review to 22 T.A.C. Chapter 194, Medical Radiologic Technology
 33. Discussion, recommendation, and possible action regarding adoption of propose rule amendments and rule review to 22 T.A.C. Chapter 186, Respiratory Care.
- Agenda Item #34 at 10:00 a.m.**
34. Open forum for public comments.
 35. Adjourn.

CONSENTAGENDA

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

1. Consideration and approval of the August 24, 2018 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.

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Executive Session:

The Board may close the meeting to the public and continue in executive session for the following reasons:

- a. Deliberations concerning licensure applications and the character and fitness of applicants under the authority of The Medical Practice Act Sections 152.009 and 155.058, Occupations Code.
- b. Deliberations concerning disciplinary action, investigative information, peer review information, and possible rehabilitation orders under the authority of The Medical Practice Act Sections 152.009, 160.006-160.008, 164.007(c), and 165.202-165.203, Occupations Code.
- c. 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.
- d. Deliberations concerning personnel matters under the authority of the Open Meetings Act Section 551.074, Government Code.

While in executive session, the Board will not take any action, make any decision, or vote with regard to any matter that may be considered or discussed. A certified agenda of any executive session will be made.