

TEXAS PHYSICIANS ASSISTANT BOARD
MINUTES OF THE
DISCIPLINE AND ETHICS COMMITTEE
November 2, 2018, 10:00 a.m.

Chair Clay Bulls, PA-C called the meeting to order at 11:32 a.m. Other members present were Anna Chapman, Victor S. Ho, M.D, Jorge Martinez, and Felix Koo, M.D. Not in attendance, Melinda Gottschalk, PA-C and Maribel De Ponce, PA-C.

Also present were Brint Carlton, Executive Director, Scott Freshour, General Counsel and various other staff.

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

It was announced by staff that there were no TXPHP cases to be presented to the D & E Committee under Agenda Item #2.

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

Mr. Carlton presented the Enforcement Activity Report, 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 changes to be presented to the D&E Committee under Agenda Item #4.

Agenda Item #5. Review, discussion and possible action regarding appeals of dismissed complaints. A.i. Jurisdictional: **18-3027*** B. Jurisdictional-Not-Filed Complaints: 18-1883, 18-7301 C. Non-Jurisdictional Complaints: None

At 11:35 a.m., Mr. Martinez moved, and Dr. Koo seconded, to go into Executive Session for deliberations 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 12:31 p.m., and it was announced that no action was taken during executive session. A certified agenda of the executive session was made.

Mr. Martinez moved, and Dr. Koo, seconded that appeal #18-3027 under Item 5, be denied. Motion carried. Dr. Ho recused himself from any discussion on this case and abstained from the vote.

Dr. Koo moved, and Ms. Chapman, seconded that all remaining appeals under Item 5, be denied. Motion carried.

Agenda Item #6. 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 Mr. Bulls that there were no files for follow-up action to be presented to the Discipline and Ethics Committee for consideration under Agenda Item 6.

Agenda Item #7. Review, discussion, and possible action regarding selected files and cases.

At 12:36 p.m., Dr. Koo moved, and Mr. Martinez seconded, to go into Executive Session for deliberations 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 12:45 p.m., and it was announced that no action was taken during executive session. A certified agenda of the executive session was made.

Dr. Koo moved, and Dr. Ho, seconded that the investigations and cases reviewed by the committee be resolved as noted on the individual sign-off sheets. Motion carried.

Agenda Item #8. Adjourn

Ms. Chapman moved, and Dr. Koo, seconded that the meeting adjourn. Motion carried at 12:46 p.m.

PA November 2018

Disciplinary Committee Decisions Regarding Complaints Reviewed Pursuant to Staff or ISC Panel Recommendation (Physician Assistants)

Total : 16

| Log Number | Allegation | Close | Continue | ISC | Hold | Name |
|------------|-------------------|-------|----------|-----|------|------|
| 182777 | 204.302(4) (AUTO) | X | | | | |
| 183084 | 204.302(4) (AUTO) | X | | | | |
| 183530 | 204.304(A)(5) | X | | | | |
| 184301 | 204.304(A)(4) | | X | | | |
| 184416 | 204.304(A)(5) | X | | | | |
| 184669 | 204.304(A)(3) | X | | | | |
| 185123 | 204.302(4) (AUTO) | X | | | | |
| 185464 | 204.302(4) (AUTO) | X | | | | |
| 186038 | 204.302(4) (AUTO) | X | | | | |
| 186542 | 204.302(4) (AUTO) | X | | | | |
| 186822 | 204.302(4) (AUTO) | X | | | | |
| 187159 | 204.304(A)(8) | X | | | | |
| 187187 | 204.304(A)(8) | X | | | | |
| 187394 | 204.302(4) | X | | | | |
| 188230 | 204.304(A)(5) | X | | | | |
| 188467 | 56.003 | X | | | | |

Texas Physician Assistant Board – November 2, 2018

DISCIPLINARY & EHICS COMMITTEE & DECISIONS REGARDING COMPLAINTS REVIEWED

ISC PANEL RECOMMENDATIONS

CASE # CLOSE CONTINUE

| | | | |
|---------|---|--|--|
| 18-0678 | X | | |
| 18-0636 | X | | |

Total = 2

COMPLAINTS REVIEWED PURSUANT TO STAFF

CASE # CLOSE CONTINUE TO ISC

| | | | |
|---------|---|--|--|
| 18-0901 | X | | |
| 18-0764 | X | | |

Total = 2

Pre-Approved for Submission/COMPLAINTS REVIEWED PURSUANT TO STAFF

CASE # CLOSE CONT. TO ISC

| | | | |
|---------|---|--|--|
| 18-0705 | X | | |
|---------|---|--|--|

Total = 1