



Texas Medical Board

BOARD MEETING

March 22, 2024

The meeting was called to order on Friday March 22, 2024 at 8:01 a.m. by Board President Sherif Zaafran, M.D. Board members present were: Kandace Farmer, D.O.; Michael E. Cokinos, Secretary/Treasurer; Sharon Barnes; Devinder S. Bhatia, M.D.; George L. DeLoach, D.O.; Robert Gracia; Tomeka Herod; Robert Martinez, M.D.; LuAnn R. Morgan; Jayaram B. Naidu, M.D. (*logged in at 8:20 am*); Satish Nayak, M.D.; Manuel Quinones, Jr., M.D.; Jason Tibbels, M.D.; and David Vanderweide, M.D. James Distefano, D.O. did not attend. Staff members present were: Brint Carlton, J.D., Executive Director; Scott Freshour, J.D., General Counsel; Robert Bredt, M.D., Medical Director; 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.

- a. **Fingerprinting update** Dr. Zaafran gave an update the licensee fingerprinting process.
- b. **Hydration/Ketamine clinics update** Dr. Zaafran gave an update on Hydration/Ketamine clinics.
- c. **FSMB meeting representation and scholarships** Dr. Zaafran reported on TMB's participation at the FSMB meeting and the agency's partnership with FSMB.
- d. **Broker position** Dr. Zaafran reported a CE Broker launch that will be available for licensees.

Agenda Item #3, Consideration and possible action for dispositions below minimum guidelines. After consideration, **Dr. Quinones moved, Dr. Bhatia seconded and the motion passed to approve the dispositions below minimum guidelines for Andrew Michael Epstein, DO; Dama Ziworitin, MD; John Lang, MD; Ammon Weber, MD; and Dana Ann Wingate, DO.**

Agenda Item #4, Consideration and approval of Mediated Settlement Agreed Orders. After consideration, **Dr. Bhatia moved, Dr. Vanderweide seconded, and the motion passed to approve the Mediated Settlement Agreed Order for Scott Spann, MD.**

Agenda Item #5, Consideration and possible action for Remedial Plans. After consideration, **Ms. Herod moved, Dr. Vanderweide seconded, and the motion passed to approve the Remedial Plans for Daisy Arce, MD; Edmundo Garcia, MD (*Dr. Quinones recused*); Leslie Shane Gilliam, MD (*Dr. Tibbels recused*); Ravikumar Kanneganti, MD; Terry Douglas Madsen, MD; Earl Martin, DO; Concepcion Martinez, MD; Sevak Ohanian, MD; David Bradley Brooks, MD; Carrie Carda, MD; Abhilash Durgham, MD; Davd Flume, MD; Gary Gilcrease, MD; Cezary Kuprianowicz, MD; Shiva Kumar Lam, MD; Hongbo Liu, MD; Saad Monsoor, MD; Angela Mote, MD; Christie Dianne Munoz, MD; Que Vu Nguyen, MD; Shannon Orsak, MD; Julie Pittman, MD; Gregory Richter, MD; Gerard Scardino, MD; Pedro Sepulveda, MD (*Dr. Quinones recused*); Matthew St. Laurent, MD; Forrest Beau Swann, MD; Moncy Varkey, DO; Ank Khac Vu, DO; Anitha Y. Vyza, MD; Jenny M. Wiggins-Smith, DO; Zachary Windrow, MD; Xuchen Zhang, MD; Roya Abbasian Azadi, MD; Shamin Justin Badiyan, MD; Imran Chishti, MD; Georgeanne Freeman, DO; Sanaz**

Harirchian, MD; Ricardo A. Montemayor, MD (Dr. Quinones recused); Sergio Martin Solorzano, MD; Juan Carlos Vasquez, MD; Thomas Baker, MD; and Michelle Berry, DO.

Agenda Item #6, Consideration and possible action for Agreed Orders. After consideration, **Dr. Farmer moved, Dr. Martinez seconded, and the motion passed to approve the Agreed Orders for Lorin Brusseberg, MD; Lorenzo Pelly, MD; Gregory Seymour, MD (Dr. Bhatia recused); Thaddeus Tolleson, MD; Steven Edwin Eilers, MD; Brijesh Singh Gill, MD; Joseph Matthew Palumbo, DO; Eric Ardeel, MD; Enrique Garza-Trevino, MD; William Spurlock, MD; Elizabeth Story, MD; Jan Garcia, MD; John W. Kevill, MD; Jerry Wayne Lewis, MD; Wilson Landers, Jr., MD; Guduru Reddy, MD; Marshall Robert, MD; and Jeffrey Colvin, MD.**

Agenda Item #7, Consideration and approval of Modification Request/Termination Request Orders. After consideration, **Mr. Cokinos moved, Ms. Barnes seconded, and the motion passed to approve the Modification Requests/Termination Requests Orders for Jose Luis Casteneda, MD; Christina Areti Fox, MD; Hernan Emilio Miranda, MD; David Wayne Spinks, DO; Luis Fernando Tschen, MD; and Robert Warr, MD.**

Agenda Item #8, Consideration and approval of Modification Request/Termination Request of Non-Public Rehabilitation Orders. There were none.

Agenda Item #9, Consideration and approval of Cease and Desist Orders. After consideration, **Dr. Bhatia moved, Ms. Morgan seconded, and the motion passed to approve the Cease and Desist Orders for Mary Aghasian, Ana Alvarez, Nathanael Armstrong, Cory Crone, Yvemar Crone, Carissa Lopez, Paulette Low, Jennifer Meekins, Katherine V. Mejia, Korean Miller, David Morcom, Shimaa Shanshil, Kerby Stewart, Lenin Torres-Silva, Maria Tovar, and Nathan Willard.**

Agenda Item #10, Consideration and approval of Nunc Pro Tunc Orders. There were none.

Agenda Item #11, Consideration and approval of Agreed Resolution Orders. There were none.

Agenda Item #12, Consideration and approval of Consent Orders. There were none.

Agenda Item #13, Consideration and approval of Determination of Default. There were none.

Agenda Item #14, Consideration and approval of Proposal for Decision.

a. Fadi George Ghanem, MD SOAH Docket No. 503-22-09544.MD

Mr. Shane Nelder, Staff Attorney, gave a review of the case. Dr. Ghanem was present with counsel, Dan Lype.

At 9:01 am, Ms. Herod moved, Mr. Cokinos seconded to go into Executive for the purpose of 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. The motion passed. Open session resumed at 9:18am.

After discussion, **Dr. Quinones moved, Dr. Vanderweide seconded, and the motion passed to adopt Findings of Fact and Conclusions of Law as recommended by the ALJ in the Proposal for Decision and issue an order of suspension until all appeals are exhausted; once all appeal options are exhausted, then an order of revocation shall be entered.**

b. Michelle Lynn Cabret-Carlotti, MD SOAH Docket No. 503-21-3360.MD

Agenda Item #15, Executive Director Report.

Budget Update. Mr. Joey Estrada, CFO, gave an update on the agency's budget and projected expenditures and revenues through February 29, 2024.

Complaints Against the Agency A report on Complaints Against the Agency was provided.

Legislative Update.

Rule Update. Mr. Carlton provided an update on rules being updated due to changes made during the legislative session and the ongoing rule review.

Agenda Item #16, Medical Director Report. Dr. Bredt provided a report.

Agenda Item #17, Public Information Update. Ms. Taurie Sloan provided an update.

Agenda Item #18, Report Physician Assistant Liaison. Dr. Greg Rowin was present and made comments.

Agenda Item #19, Consideration and possible action regarding pending litigation. Mr. Freshour gave a report on pending litigation.

Agenda Item #20, Report on Temporary Suspension Hearings. A report on Temporary Suspension Hearings was provided.

Agenda Item #21, Report on Suspensions by Operation of Law. A report on Suspensions by Operation of Law was provided.

Agenda Item #22, Report on Motions for Rehearing Requests. There were none.

Agenda Item #23, Report on Cease-and-Desist Orders Approved by Executive Director. A report on Cease-and-Desist Orders Approved by the Executive Director was provided.

Agenda Item #24, Report on Automatic Orders. A report on Automatic Orders was provided.

Consent Agenda, Discussion/Action Items – to be considered and any time the full board is in session:

- 1. Consideration and approval of the December 8, 2023, Medical Board Meeting Minutes and actions items.**
- 2. Committee reports and the consideration and approval of minutes and action items committees meeting during the board meeting.**

After discussion, **Dr. Vanderweide moved, Dr. Nayak seconded, and the motion passed to approve the December 8, 2023, Medical Board Meeting Minutes and action items.**

After discussion, **Ms. Herod moved, Ms. Morgan seconded, and the motion passed to approve the minutes and action items of committees meeting during the board meeting.**

There were no items for Agenda Items #25-27.

Agenda Item #14, Consideration and approval of Proposal for Decision. CONT.

b. Michelle Lynn Cabret-Carlotti, MD SOAH Docket No. 503-21-3360.MD

Mr. Shane Nelder, Staff Attorney, gave a review of the case. Dr. Carlotti was present with counsel, Mr. Rivas. After discussion, **Dr. Vanderweide moved, Ms. Barnes seconded, and the motion passed to**

adopt the Findings of Fact and Conclusions of Law recommended by the ALJ in the Proposal for Decision and issue the order prepared by board staff. Ms. Morgan and Dr. Bhatia opposed.

Agenda Item #28, Consideration and possible action on rules regarding exceptions to the ban on abortions. After discussion, **Dr Bhatia moved, Mr. Cokinos seconded, and the motion passed to publish the proposed rule regarding exceptions to the ban on abortions in the Texas Register for public comment.**

There were no items for Agenda Items #29-35.

Agenda Item #36, Open Forum for Public Comment. Amy and Steve Bresnan, Leah Stewart, Sue Liebel – Susan B. Anthony Pro Life America, Austin Kaplan – Kaplan law Firm, Jonathan Covey – Texas Values, Dr. Ingrid Skop, Rebecca Weaver – Texas Right to Life, Taylor Edwards, Travis Edwards, Kaitlyn Kash, Amanda and Josh Zurawski, Amy O’Donnell – Texas Alliance for Life, Jennifer Allmon – Texas Catholic Conference of Bishops, Kyleen Wright – Texans for Life, Dr. Richard Todd Ivey – American College of Obstetricians and Gynecologists, Rachael Gearing, Dr. Julie Gutierrez.

Agenda Item #37, Discussion, recommendation, and possible action relating to personnel matters. There were none.

Agenda Item #37, Adjourn. There being no further items, **Dr, Bhatia moved, Dr. Quinones seconded, and the motion passed to adjourn the meeting at the conclusion of Public Comment.**

Mr. Cokinos left the meeting at 10:30 am.

Dr. Farmer and Ms. Morgan left the meeting at 11:08 am.

Ms. Barnes left the meeting at 11:09 am.

The meeting adjourned at 11:36 am.