



# Texas Medical Board

## EXECUTIVE COMMITTEE

### EMERGENCY TELEPHONIC MEETING

Monday, March 23, 2020

The meeting was called to order on March 23, 2020 at 3:40 pm by the chair, Sherif Z. Zaafran, M.D. Committee members present were Kandace Farmer, D.O.; Michael Cokinos; Manual “Manny” Quinones, Jr., M.D.; and Linda Molina, J.D. Various staff members were present, including Brint Carlton, Executive Director, Scott Freshour, J.D., General Counsel; and various other staff.

**Agenda item #2, Discussion, recommendation, and possible action regarding adoption of *emergency* rules to 22 T.A.C. Chapter 187, Procedural Rules, Subchapter F, Temporary Suspension and Restriction Proceedings and 178, Complaints.**

Mr. Carlton gave a brief overview of the executive order that was passed by the governor and has direct relevance to the Medical Board.

- 22 TAC §187.57(c), “Continuing Threat”

After discussion, **Dr. Quinones moved, Dr. Farmer seconded, and the motion passed unanimously to approve the changes to Rule 187.57 as outlined by counsel.**

- 22 TAC §178.4(d), Complaint Initiation – Peer Review Reporting

After discussion, **Dr. Quinones moved, Ms. Molina seconded, and the motion passed unanimously to approve the changes to Rule 178.4(d) as outlined with the changes made by counsel, including insertion of the phrases “scheduled to perform,” “preparing to perform,” and “has performed.”**

The committee briefly discussed enforcement of these rules.

**Agenda item #3, Discussion, recommendation, and possible action allowing and authorizing Board staff to approve applicants for emergency limited licensure for those regulated and licensed by the Texas Medical Board and its advisory Boards and Committees, including, but not limited to, certain waivers or exceptions for retired licensees, lack of access to national certifying examinations due to COVID-19 closures, and other COVID-19 related impediments or exceptional circumstances.**

Mr. Carlton gave a brief overview on the current procedure for retirees applying for active practice. **The committee directed staff to allow review by staff for retirees who have been out of active practice up to 4 years.**

Mr. Carlton gave a brief overview of the governor's declaration allowing PAs to receive a temporary license during the emergency declaration due to lack of access to national certifying examinations. Allow temporary license to physician assistants who have not yet taken the final exam. The license will expire at the end of the disaster and licensees will have to take the final exam. After discussion, **the committee directed staff to add in the FAQs that medical students working on their rotations can be delegated to by a physician as long as it does not violate an existing board rule.**

**Agenda Item #4, Discussion, recommendation, and possible action and seek direction regarding proceeding with emergency rule making and related waivers as necessary related to supervision and delegation modification to ensure availability of practitioners coping with COVID-19 for the duration of the COVID-19 disaster declaration and executive order GA09.**

**After discussion, the committee directed staff to submit the waiver request regarding any modifications to limits on supervision for the purpose of the emergency.**

**Agenda Item #5, Adjourn.** There being no further items, Dr. Quinones moved, Dr. Zaafran seconded, and the motion passed to adjourn the meeting at 5:06 PM.