

**TEXAS PHYSICIAN ASSISTANT BOARD
MINUTES OF THE
DISCIPLINE AND ETHICS COMMITTEE**

July 12, 2019, 9:45 a.m.

Chair Clay Bulls, PA-C called the meeting to order at 10:53 a.m. Other members present were, Cameron J. McElhany, Janith K. Mills, PA-C, John S. Scott, D.O., Jorge Martinez, and Melinda Gottschalk, PA-C. Victor S. Ho, M.D. was not present

Staff members present were Scott Freshour, General Counsel, Dr. Robert Bredt, Medical Director, 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 files for Texas PHP under Agenda Item #2.

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

Mr. Freshour 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. Consideration and approval of membership of the Expert Physician Assistant Panel.

It was announced by staff that there were no expert panelist to be presented to the D&E Committee under Agenda Item #5.

At 10:53 a.m., Mr. Martinez moved, and Ms. Gottschalk 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 11:39 a.m., and it was announced that no action was taken during executive session. A certified agenda of the executive session was made.

Agenda Item #6. Review, discussion and possible action regarding appeals of dismissed complaints. A. Jurisdictional Complaints: i. **17-7256** ii. Legal Files: **18-0261 (17-7226)** B. Jurisdictional-Not-Filed Complaints: 19-4476, 19-4734, 19-6141 C. Non-Jurisdictional Complaints: None

Ms. Gottschalk moved and Dr. Scott seconded that the appeal of Item 6.A.i Log 17-7256 be denied. Motion carried.

Mr. McElhany moved and Ms. Mills seconded that the appeal of Item 6.A.ii. Case 18-0261 (17-7226) be denied. Motion carried.

Ms. Gottschalk moved and Ms. Mills seconded that the appeal of Item 6.B Log 19-4476 be denied. Motion carried.

Ms. Gottschalk moved and Ms. Mills seconded that the appeal of Item 6.B Log 19-4734 be denied. Motion carried.

Ms. Gottschalk moved and Ms. Mills seconded that the appeal of Item 6.B Log 19-6141 be denied. Motion carried.

Agenda Item #7. 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 7.

Agenda Item #8. Review, discussion, and possible action regarding selected files and cases.

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

Ms. Gottschalk recused herself from file 19-1137 and file 19-2234.

Agenda Item #9. Adjourn

Mr. Martinez moved, Dr. Scott, seconded that the meeting adjourn. Motion carried at 11:43 a.m.

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DISCIPLINARY COMMITTEE DECISIONS REGARDING COMPLAINTS REVIEWED

ISC PANEL RECOMMENDATIONS

CASE #	Close	Cont.	to ISC
19-0544	X		

Total = 1

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

Total : 18

Log Number	Allegation	Close	Continue	ISC	Hold	Name
189202	204.304(A)(5)		X			
190267	204.304(A)(5)	X				
191137	204.302(4) (AUTO)	X				
191151	204.304(A)(8)	X				
191464	204.304(A)(5)	X				
192038	204.304(A)(5)	X				
192112	204.302(4) (AUTO)	X				
192234	204.304(A)(5)	X				
192236	204.304(A)(8)	X				
192248	204.302(4) (AUTO)	X				
192741	204.304(A)(8)	X				
192865	204.302(3)	X				
192898	204.304(A)(5)	X				
193395	204.304(A)(8)	X				
194344	204.304(A)(5)	X				
194530	164.053(A)(5)	X				
194633	204.304(A)(5)	X				
195045	204.302(4) (AUTO)	X				