



TEXAS MEDICAL BOARD

EXECUTIVE COMMITTEE Meeting Minutes August 30, 2012

The meeting was called to order at 8:08 a.m. by the Chair, Irvin E. Zeitler, Jr., D.O. Committee members present were Michael Arambula, M.D.; Melinda McMichael, M.D.; Margaret McNeese, M.D.; and Paulette Southard. Other board members present were David Baucom; Pat Blackwell; Pat Crocker, D.O.; John Ellis, J.D.; Carlos Gallardo; Margaret McNeese, M.D.; Wynne Snoots, M.D.; and Stanley Wang, M.D. Staff members present included Mari Robinson, J.D., Executive Director; Robert Bredt, M.D., Medical Director; Nancy Leshikar, General Counsel; Tonie Knight, Licensure Manager; and Megan Goode, Public Information and Special Projects Manager.

Agenda item #2, Report on Internal Audit Function's *Quality Assurance Review*. The committee reviewed the report of the External Quality Assurance Review of the Internal Audit Function of the Texas Medical Board by David J. MacCabe, Internal Audit Consultant.

Agenda item #3, Discussion, recommendation, and possible action on *Charter of Audit Functions for TMB Executive Committee*. Ms. Jaye Stepp presented the Charter of Audit Functions for the TMB Executive Committee. Ms. Stepp summarized the Charter of Audit Functions which outlines the objectives, scope, and responsibilities related to the internal audit for the Executive Committee. After discussion, **Dr. McMichael moved, Ms. Southard seconded, and the motion passed to approve the Charter of Audit Functions for TMB Executive Committee.**

Agenda item #4, Discussion, recommendation, and possible action on FY 2012 Internal Audit - Advisory Project. Ms. Stepp presented the FY 2012 Internal Audit - Advisory Project which summarized findings and recommendations for procedures to ensure human resources data security. After discussion, **Ms. Southard moved, Dr. McMichael seconded, and the motion passed to approve the FY2012 Internal Audit - Advisory Project.**

Agenda item #5, Discussion, recommendation, and possible action on the *Annual Internal Audit Report to Oversight Entities*. Ms. Stepp presented and reviewed the Annual Internal Audit Report submitted to state oversight agencies that provides information on current and prior year audits.

Agenda item #6, Discussion, recommendation, and possible action on Board rule 161. After discussion, **Dr. McMichael moved, Ms. Southard seconded, and the motion passed to go into Executive Session at 8:43 a.m. for 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 9:03 a.m. and it was announced that no action was taken. A certified agenda was made.

After discussion, the committee directed staff to draft an emergency amendment for rule 161 to clarify that a board representative cannot act in an advocacy capacity for a licensee in any matter before the board, a member cannot serve as a fact witness for a licensee without seeking and receiving in writing the Executive Committees pre-approval, and a member cannot act as an advocate in a legal proceeding for a licensee.

Agenda item #7 was deferred to the next Executive Committee meeting.

There being no further agenda items, the meeting adjourned at 9:20 a.m.