



## TEXAS MEDICAL BOARD

### AD HOC COMMITTEE REGARDING BOARD RULE §164.4 JUNE 3, 2010

The meeting was called to order at 10:01 a.m. by the Chair, Pat Crocker, D.O. Committee members present were Michael Arambula, M.D.; Melinda McMichael, M.D.; Margaret McNeese, M.D.; Timothy Turner; Timothy Webb.; and Irvin E. Zeitler, Jr., D.O. Additional board members present were Julie Attebury; David Baucom; Jose M. Benavides, M.D.; Patricia S. Blackwell; John D. Ellis, Jr.; Manuel G. Guajardo, M.D.; J. Scott Holliday, D.O.; Charles E. Oswalt III, M.D.; Allan Shulkin, M.D.; Wynne M. Snoots, M.D.; Paulette B. Southard; and George Willeford III, M.D. Staff members present were Mari Robinson, J.D., Executive Director; Alan Moore, M.D., Medical Director; Nancy Leshikar, General Counsel; and various staff.

**Agenda item #2, Approval of April 7, 2010 minutes. Mr. Turner moved, Dr. Arambula seconded, and the motion passed to approve the April 7, 2010 Ad Hoc Committee Regarding Rule 164.4 minutes.**

**Agenda item #3, Discussion, recommendation, and possible action relating to amendments to 22 T.A.C., §164.4. Advertising Board Certification.** Written comments were received and reviewed. The following signed-in and presented oral comments: Angela G. Gardner, M.D.; Nick Zenauros, M.D., FACEP; Dan Peckenpaugh, M.D., FACEP; Jared Kennedy, M.D.; Margaret Strecker-McGraw, M.D.; Andrew Juergens, M.D.; Adam Haughey, M.D.; and Ted Switzer, M.D., FACEP.

Tom Sartwelle, J.D., ABPS, presented oral comments and a Motion of Recusal. After review, Ms. Leshikar determined board rule applies to disciplinary guidelines and does not apply to rules development. Mr. Sartwelle cited another rule to recuse the committee members.

Additional oral comments were presented by: Compton Broders, M.D., FACEP; Otto Marquez, M.D., FACEP; Mike Fawcett, M.D., FACEP; Harry Bradshaw; Matt Wall, THA; Daniel Garza, M.D.; Edward Buckingham, M.D.; Jimmy Harris, M.D., ABPS; Ellis H. Trotter, M.D.; Richard Hawkins, M.D., ABMS; Robert Greenberg, M.D., TCEP; Joe Nixon, J.D., ABPS; William McVisk, J.D., ABMS; and Tom White, M.D., ABPS.

After discussion, the board directed staff to incorporate additional changes to include (1) add *current* to (b) equivalent to the *current* AMBS; (2) add supervised to 5) identified *supervised* postgraduate training; and (3) re-draft c. to address complex issues.

**Dr. McMichael moved, Ms. Southard seconded, and the motion passed to schedule a subcommittee meeting before the August board meeting to address the complex issues.**

The committee directed staff to compile information on the number of physicians who are board certified in Texas and the processes of advertising board certification in California and Florida.

There being no other agenda items the meeting was adjourned at 12:18 p.m.