

TEXAS MEDICAL BOARD
EXECUTIVE COMMITTEE MEETING MINUTES
APRIL 6, 2006

The meeting was called to order at 8:35 a.m. by Board President, Roberta M. Kalafut, D.O. Committee members present were Eddie J. Miles, Jr., and John W. Pate, Jr., M.D. Larry Price, D.O., arrived after roll call. Other Board members present were Lawrence L. Anderson, M.D.; Jose M. Benavides, M.D.; Patricia S. Blackwell; Melinda S. Fredricks; David E. Garza, D.O.; Manuel G. Guajardo, M.D.; Elvira Pascua-Lim, M.D.; Annette P. Raggette; Paulette B. Southard; and Timothy J. Turner. Staff present were Donald W. Patrick, M.D., J.D., Executive Director; Jerry T. Walker, M.P.H., Deputy Executive Director; Michele Shackelford, J.D., General Counsel; Robert D. Simpson, Assistant General Counsel; and various other staff.

Agenda item #3, Discussion regarding development of the Texas Medical Board Strategic Plan and LAR. Jane McFarland, Manager of Public Information and Special Projects, presented an overview of the development of the Texas Medical Board Strategic Plan and LAR. After discussion, **Mr. Miles moved, Dr. Pate seconded, and the motion passed to go into Executive Session at 8:40 a.m. for private consultation and advice of counsel with respect to legal matters under the authority of the Open Meetings Act, Government Code, 551.071.** Open session resumed at 9:10 a.m. and it was announced that no action was taken during Executive Session. A certified agenda was made.

Agenda item #4, Discussion regarding personnel matters. Dr. Kalafut presented Thomas Kirksey, M.D., with a Board Resolution and plaque in honor of his exemplary service, leadership, and commitment to the Board from 1995 to 2006. Dr. Kalafut also welcomed District Review Committee members Louie Foyce Hill, M.D., and Chevy C. Lee, M.D., to the meeting.

Agenda item #2, Report and recommendations from the Executive Management Team. Dr. Patrick presented proposed agency initiatives for consideration. After discussion the Board directed staff to further develop the following five initiatives: 1.) aggressive enforcement of incompetent and impaired physicians to protect public trust after tort reform; 2.) continuing use of the administrative process for agreed orders regarding medical education and medical

records violations; 3.) focus of education regarding hazardous public safety concerns related to (a) fentanyl abuse and addiction in anesthesia providers, nurses, residents, practicing physicians and (b) unnecessary, over-zealous, and incompetent spinal decompression and instrumentation 4.) the possibility of the Texas Medical Board developing a program to investigate peer review cases for hospitals and other medical entities separate from the enforcement process; and 5.) development of a rule that provides guidelines for the reporting requirement for physicians who observe impaired or incompetent physicians.

Agenda item #5, Adjourn. The meeting was adjourned at 9:30 a.m.

Miles seconded, and the motion passed to go into Executive Session at 9:22 a.m. for private consultation and advice of counsel with respect to legal matters under the authority of the Open Meetings Act, Government Code, 551.071. Open session resumed at 9:50 a.m. and it was announced that no action was taken during Executive Session. A certified agenda was made.

Dr. Patrick gave a report on the Office-Based Anesthesia workgroup. After discussion, the Board determined to form an Ad Hoc Committee to Study Chapter 192. Dr. Kalfut named Dr. Anderson as the Chair, and Dr. Pate, Dr. Price, and Ms. Southard as committee members.

Agenda item #5, Adjourn. The meeting was adjourned at 9:49 a.m.