

**From:** [Sunset Advisory Commission](#)  
**To:** [Janet Wood](#)  
**Subject:** FW: Public Input Form for Agencies Under Review (Public/After Publication)  
**Date:** Wednesday, April 11, 2018 2:31:54 PM

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-----Original Message-----

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]  
Sent: Wednesday, April 11, 2018 1:44 PM  
To: Sunset Advisory Commission  
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS MEDICAL BOARD

First Name: Kenneth

Last Name: Adams

Title: ED staff physician

Organization you are affiliated with: Self, independent practitioner of emergency medicine

Email:

City: Fort Worth

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or Opposed:

**SUPPORTED:** Issue 5 Require the Texas Medical Board and Texas Physician Health Program 1) develop a memorandum of understanding covering services and operations, including performance measures and auditing requirements. 2) Authorize the Texas Physician Health Program to accept gifts, grants, and donations.

**OPPOSED:** Issue 6 Continue the Texas Medical Board for 12 years. Much harm has occurred since the last TMB review, and fairly significant changes are proposed. Early review of the outcome from those changes is warranted.

Any Alternative or New Recommendations on This Agency:

- 1) Establish that the Executive Director (ED) of the agency must be a physician not an attorney. Much harm has been witnessed with an attorney as ED.
- 2) Ensure that the board **DIRECTLY IDENTIFIES** the expert physician reviewer to the physician who is the subject of the review. The TMA says revealing a reviewer's identity could discourage physician participation, which the board relies upon heavily. The balance between the convenience of the Board finding reviewers versus the legal interest of the accused must come down on the side of the accused.
- 3) Require the board to provide all available information to the licensee prior to informal meetings, especially exculpatory evidence.
- 4) Require the board to remove publication of a physician's remedial plan after the passage of time. Further, require the board to remove adverse entries in the National Physician Data Bank when a physician is found not guilty in a legal proceeding.

My Comment Will Be Made Public: I agree