

Anthony Farmer
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From: Christine Rodriguez <Christine.Rodriguez@tmb.state.tx.us> on behalf of Open Records <Open.Records@tmb.state.tx.us>
Sent: Wednesday, August 10, 2016 10:08 AM
To: [REDACTED]
Cc: Open Records
Subject: RE: Research

Dear [REDACTED],

Per your request, below is the itemized list of the cost to date of the SOAH hearing regarding Dr. Stanislaw Burzynski:

TOTALS BY CATEGORY	
Certified Records	\$ 14.00
Expert Panelist	1,100.00
Expert Witness	107,946.89
Testifying Witness	395.86
Travel	262.35
Copy Services	5,690.03
Court Reporting	62,459.82
	<u>\$ 177,868.95</u>

Regards,

Christine Rodriguez

Open Records
Texas Medical Board

From: [REDACTED]
Sent: Friday, July 22, 2016 10:39 AM
To: Open Records
Subject: RE: Research

No problem, thanks Christine!

From: Christine Rodriguez [<mailto:Christine.Rodriguez@tmb.state.tx.us>] **On Behalf Of** Open Records
Sent: Thursday, July 21, 2016 10:49 AM
To: [REDACTED]
Cc: Open Records
Subject: RE: Research

Dear [REDACTED],

We are currently processing your request. It may take longer than 10 business days.

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Sunset Review of the Texas Medical Board
Date: Friday, November 04, 2016 11:03:55 AM

From: Anthony D Farmer [mailto:afarmer@stedwards.edu]
Sent: Friday, November 04, 2016 10:39 AM
To: Sunset Advisory Commission
Subject: RE: Sunset Review of the Texas Medical Board

Greetings, below are new issues not included in the report that I'd like the Sunset Commission to consider:

- 1.) A policy change to allow members of the public to speak at TMB hearings for a minimum of FIVE minutes. TMB is not a transparent organization and this will help. It's regular practice for board to only allow each member of the public only 3 minutes at their meetings. Since public dollars help fund the TMB, the public deserves more than 3 minutes every month or two to give feedback. If there are more than 5 individuals who want to speak, then reducing the time to 3 minutes is fair, but when only one or two people show up, they should be allowed adequate time to express concern. At the October meeting, the TMB staff member leading the meeting robbed a speaker of 20 seconds by answering his preliminary clarifying question with "...And now you have 2 minutes and 40 seconds left." It feels like the TMB offers time for members of the public to speak so they can check a box and say they're doing so, rather than actually caring what the public has to say and putting measures in place to gather legitimate feedback.
- 2.) A policy change to force TMB to honors its own Public comment section on its. I've attended the last TMB meetings and the public comment section didn't start when it said it would – and it wasn't close. This is unacceptable. Members of the public pay more than \$10 for parking, take time from work or visit on their lunchbreaks and deserve an opportunity to speak when that was promised by the agenda. It's understandable if the time slot is off by a few minutes but when the entire meeting started late in October by about an hour (with no notice to the public) and the Public Speaking portion just kept getting bumped as an afterthought. My recommendation is that public comment also be offered as the very first agenda item, or that the public be guaranteed it will take place within 10 minutes of when promised on the agenda.
- 3.) There should be a cap on how much money the TMB is allowed to pay for expert witnesses in SOAH hearings. I provided The Sunset Commission with an email from TMB's Open Records Department outlining more than \$100,000 being spent on expert witnesses from just ONE SOAH hearing vs. one doctor. I was disappointed to no mention of this in their report. This amount is excessive as witnesses were paid over \$20k each plus travel to testify. My recommendation is for witnesses at SOAH hearings to never be paid more than \$7,500 plus travel and for travel to never include first-class flights. The TMBs use of expensive expert witnesses creates an unfair balance in the SOAH hearings (vs. Doctors without

taxpayers backing them) and is grossly unfair to taxpayers. Furthermore, paying individuals excessive amounts of money may influence their testimony.

Anthony Farmer
Austin, TX

From: Sunset Commission [<mailto:Sunset@sunset.texas.gov>]
Sent: Thursday, November 03, 2016 9:01 AM
To: Recipient
Subject: Sunset Review of the Texas Medical Board

November 3, 2016

Dear Recipient:

The Sunset Staff Report on the Texas Medical Board, as submitted to the Sunset Advisory Commission, is available for your review on our website, www.sunset.texas.gov. To request a hard copy of this report, contact our office. The Sunset Commission has scheduled a public hearing on this report for December 8 and 9, 2016. At that time public testimony will be taken. An agenda specifying the meeting time, location, and the order of agencies scheduled for discussion will be available on our website as soon as the meeting has been posted. You may follow announcements by the Sunset Commission on social media through information posted on our website.

If you would like to comment on this report, the Commission would appreciate hearing from you. Your feedback would be most helpful if it includes the following elements:

- your position in support or opposition for each recommendation in the staff report;
- a clear, brief statement of suggested changes, if any, to these recommendations; and
- a clear, concise summary of any new issues or recommendations not included in the report that you would like the Sunset Commission to consider.

If you submit your response by Wednesday, November 16, we can provide this information to the Sunset Commission members before the public hearing. Comments received in response to a staff report are considered public records, and will be posted on the Sunset website and released to the public upon request.

Thank you for your assistance with the Sunset review process.

Ken Levine
Director
Sunset Advisory Commission

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