Minutes

Texas Orthopaedic Association – Board and Strategy Meeting

September 18, 2010

Four Seasons Hotel, Austin

Edward Seade, TOA President, call the meeting to order. Doctors Smoot, Palmer, Mabrey, Kant, Finnegan, Mansfield, Ilahi, Norwood, Seade, Beck, DeHart, Merriman, Early, and McKay attended the meeting. Michael Berkowitz, T-Bones Board Representative, Mignon McGarry, TOA Legislative Advocate, also attended the meeting. Donna Parker, Angel Moss and Masa Pettit staffed the strategy session.

The minutes of the April 2010 Board of Directors Meeting were approved as distributed.

Dr.Seade began his President's Report with an overview of the TOA Socioeconomic Summit Agenda. Future Summits were discussed. It was decided that the Friday Strategy Session for the TOA Board would remain on Friday. However, future strategy sessions will begin at 1:00 pm and conclude at 5:00 pm. Any other committee or special meetings such as Workers' Compensation meetings may be scheduled for Friday mornings during the Socioeconomic Summit. Dr. Early thanked Dr. Mabrey for helping organize the Summit program.

Dr. Seade provided an overview of the agenda for the 2011 Socioeconomic Summit. He indicated that the meeting would place a strong emphasis on providing information about how the Affordable Care Act's provisions could alter the delivery of health. He also outlined the faculty for the program identified by the Program Committee and noted that TOA's CME protocols were met to determine that there would not be a bias in the program. The board agreed that the program would be worthwhile and that there would be no conflicts of interest.

The Resident Course – The Business of Orthopaedics was reviewed. Members of the Board asked if other surgical residents had responded to TOA's invitation to attend the Course. Staff confirmed the invitation had been sent to the non-orthopaedic programs but there had not been any response. The Board asked how many orthopaedic residents had signed up for the course and who had been contacted at each program. Angel Moss, TOA Member Services Director, said her primary contact was the Resident Coordinator of each of the 11 Texas orthopaedic programs. The Board suggested that each program director, department chair and chief resident be contacted to promote the Course. Doctors Mabrey, Finnegan, Mansfield, Ilahi, Kant and Smoot offered to contact the Orthopaedic Program Chairs next year. Dr. Merriman, TOA Resident Board Member, suggested adding a section on academic medicine to the Resident Course Agenda.

Dr. Kant mentioned the Workers' Compensation meeting at 3:00 pm that afternoon and briefly listed some of the items to be covered. He said he missed Michael Reed, the TMA staff member TOA had always worked with on work comp issues. He felt that Michael Reed accomplished so much and greatly improved the system. Dr. Kant said now that Michael Reed had passed, TMA had not been able to replace his talent and skills. He also thought that TMA was no longer concerned about workers' compensation and that TOA would need to continue to lead this issue.

Dr. Early asked the group to turn their attention to the preliminary program of the 2010 Annual Meeting to be held April 22-25 at the Great Wolf Lodge in Grapevine. He thanked Dr. Mabrey for developing the program and asked him to give a report. Dr. Mabrey listed the Annual Meeting

events and said that most of the programming had been completed. He announced that the Basics of Orthopaedics Course for primary care physicians was developed to cover topics from head to toe, except for a hand surgeon's presentation. A couple of suggestions of orthopedists specializing in hand surgery were given to Dr. Mabrey and Ms. Moss.

The Basics of Orthopaedics Course (for Primary Care Physicians) was discussed further. Internal medicine and family physicians in the Dallas/Ft. Worth area will be invited to attend this course. TOA staff mentioned the large number of primary care physicians in the area and that registration would be limited during the testing stage because there was no way to predict interest. Several Board members mentioned that their clinics had held similar courses. Dr. DeHart, of Texas Orthopaedic Associates, suggested that TOA staff contact orthopaedic clinic administrator, Tom Wolfe, to discuss marketing and gauging response from primary care physicians for the Basics of Orthopaedics Course. It was also suggested that staff contact the county medical societies in the Dallas/Ft. Worth area and let them know this course will be offered. Dr. Finnegan and Dr. Mabrey gave other suggestions on how to promote the Basics of Orthopaedics Course.

Dr. Early asked the Board their opinions regarding holding combined meetings with regional or other allied orthopaedic associations. The Mid-America meeting date conflict with the TOA's 2010 Annual Meeting was mentioned. Dr. Ilahi said that he and Dr. Teuscher had been asked about combining a meeting with Western Orthopaedic Association. Dr. Smoot addressed the possible problems with the TOA revenue from sponsorship conflicting with the purposes of other societies. It was mentioned that the CME would also need to remain with the Texas Orthopaedic Association because of the CME Online feature of the Texas Orthopaedic Foundation. Dr. Norwood asked about dues or registration fee reciprocity agreements with the other societies to see if TOA members could have that option.

The group discussed registration fee reciprocity with other associations, as well as discounted dues. Staff will gather information on registration fees, dues and CME offerings of regional, national and other large state orthopaedic societies. Further discussion on whether TOA will begin charging registration fees to TOA/TOF/TSSM meetings and how much those fees will be, is tabled until the April meeting of the Board.

Dr. Early asked how many Board members were considering attending the National Orthopaedic Leadership Conference, April 28-May 1, 2010 being held at the JWMarriott, DC. The Board talked about national healthcare reform legislation and the Medicare reimbursement cuts. Dr. Kant encouraged everyone, even if they were not on the AAOS Board of Councilors, to attend the NOLC. He said he had a Senate and House meeting room reserved for the 29th. Some legislators will be able to meet with Texas NOLC Delegates in these rooms and if not, appointments will be set to visit Texas legislators in their offices. Dr. Early asked that staff send all Board members the basic information regarding the NOLC. He also asked Ms. Parker about the number of AAOS Councilors from Texas. She told him Dr. Teuscher said there would be another opening when he moved into the BOC Chair-Elect, but that she had not received an official notice from AAOS. She promised to contact AAOS and get the answer to this question.

There was discussion regarding the list of issues likely to be addressed during the NOLC. Other recent AAOS correspondence regarding healthcare reform and professional liability relief was mentioned.

Dr. Early reminded the TOA Board Members of the request from the Texas Medical Board asking for expert orthopaedic reviewers. Dr. Snoots wrote an article for the TOA eConnect explaining the need for orthopaedist to sign up to review TMB complaints concerning orthopaedics. Dr. Kant asked staff to contact Dr. Moore, Medical Director of the TMB, to see if he could address the doctors attending the TOA Socioeconomic Summit on Saturday.

Dr. Seade announced the date and location of the 2011 TOA Annual Meeting. This meeting will be held at the Hyatt Lost Pines from May 19th to the 21st.

Dr. Ilahi announced the date and location of the 2012 TOA Annual Meeting. He said that the Houstonian was being considered as a possibility for the location. He said that a date in May was being considered, but that he realized this was in conflict with another important meeting. Staff will look into an April 12-14 meeting date. Dr. Ilahi discussed the possibility of combining future TOA meetings with regionals again and said he also felt uncertain about how this would impact TOA. Dr. Finnegan asked if there could be a four year rotation with regional orthopaedic societies. Dr. Smoot was asked his opinion about the financial impact to TOA. He offered to address this concern in his report.

Donna Parker, TOA EVP, gave the Executive Office Update. She asked the group to review and initial the governance book being circulated. She suggested that a TOA membership survey be sent asking members about their state association activities. She thought this kind of information would be valuable and that a TOA task force study and decide issues such as initiating registration fees for TOA programs and social events.

Ms. Parker addressed financial assistance needed by the Texas Orthopaedic Foundation (TOF) and the expenditures surrounding educational programming during the jointly held meetings with TOA and TSSM. She asked the Board to help with fundraising for TOF and that without a doctor contact it was questionable whether industry would continue to help hold educational workshops or sponsor events during the Annual Meetings rather than just exhibit.

The highlighted topic in Donna's report was the CME Online that TOA members would be able to access through the Foundation's website. An example of a presentation given and filmed at the 2009 TOA Annual Meeting was shown. She presented the educational possibilities of TOA members adding CME hours for their maintenance of certification. She also spoke of the possibility of shoring up the Texas Orthopaedic Foundation through a subscription to this CME feature and partnering with industry. Dr. Mabrey suggested that one of the CME presentations be placed on the TOA and TOF home pages as an introduction to the TOF CME Online.

Ms. Parker asked Angel Moss, TOA Member Services Director and CME Director to give the CME Update. Ms. Moss spoke to the group regarding the TOA's CME Accreditation status and the upcoming audit. She said that TOA was accredited through 2011 and will be reviewed at that time. Angel said she hoped to add revenue by holding additional coding and workers' compensation workshops sponsored by TOA.

Masa Pettit, Marketing and Communications Manager, gave an update on sponsorship revenue to date. Ms Pettit asked for assistance from the Board to help contact industry and raise funds to continue to underwrite the TOA meetings. Dr. Seade suggested that all board members should be

willing to try to obtain workshops for the upcoming meeting. Several Board members volunteered to contact companies.

Dr. Smoot gave the Secretary-Treasurer's report. He asked told the Board of a decrease in revenue for the 2009 year and an increase in expenditures. Dr. Smoot listed actions TOA would take to increase the revenue in 2010 by stepping up recruitment, meeting registration fees, obtaining more grants and sponsorship, along with a concentrated effort to collect dues owed. He said that several expense line items would not be repeated in the 2010 budget so there should be less outflow.

Dr. Smoot addressed the question regarding combining TOA with regional meetings. He pointed out that 1/4th of TOA yearly income comes from the sponsorship program. He suggested that TOA could not afford to lose any income by sharing the proceeds from the TOA sponsorship program. Registration fees at TOA meetings and other meetings were again discussed, along with travel stipends for non-Councilor NOLC attendees. Dr. Finnegan suggested offering a set amount to go towards NOLC travel. Dr. Kant thought members should be interested enough to pay their own way. Dr. Smoot suggested that if TOA is doing well that year, there could be a stipend. If not, it will not be offered. There was discussion regarding sending two residents to NOLC and that was approved.

Dr. Early asked Dr. Finnegan to give the Membership Report. She and Angel Moss discussed the issue with delinquent dues. She suggested a new policy for delinquent members which would split the delinquent dues payment between TOA and the TOF. Giving directly to TOF would provide the TOA member a way to support both entities. This idea was well received by the Board. Dr. Finnegan asked Angel Moss to send the entire Board a list of delinquent dues members, as well as the non-member list so the Board could assist in recruitment efforts.

Dr. Finnegan asked the Board what TOA should do if a complaint against a member is received regarding anything other than standard of care – which is the TMB's realm. She said this kind of concern falls under the Standard of Professionalism at the AAOS level. Dr. Kant made a motion to move this kind of complaint to the AAOS because of their mechanisms and ability to deal with ethical issues rather than treatment issues. This motion was seconded by Dr. Finnegan.

Dr. Smoot asked that the group review the request for TMA Council and Committee members so he could report during the next Interspecialty Society Meeting. He said he thought the TMA ISC was an important committee particularly because it addresses issues within the medical community such as pain management and radiology's attempt at blocking other specialties from offering imaging services to patients. Dr. Smoot then passed this issue to Mignon McGarry.

Mignon McGarry began the Legislative Report by introducing Susan Henricks, of Hull, Henricks & McRae. Susan Henricks is legal counsel involved with the TOA/TMA lawsuit against Texas State Board of Podiatric Medical Examiners. She updated the group on recent activity regarding the lawsuit that is pending in the Texas Supreme Court. Ms. Henricks said that since the Third Court of Appeals opinion that podiatrists could not promulgate a rule increasing their scope of practice beyond Texas statute, there had been formal and informal mediation with the Texas Podiatric Medical Association and the Podiatric Board. She added that while the TSBPME now seemed to be in agreement with TOA and TMA, the TPMA was not. TPMA had closed the door on a mutual agreement to be presented to the legislature. Ms. Henricks said TOA and TMA oppose any TSBPME rule that would involve unlawfully increasing the podiatric scope of practice.

Mignon McGarry, TOA Legislative Advocate, gave the Legislative Committee Report. She listed the important upcoming elections and stressed that orthopaedic surgeon, Dr. Charles Schwertner, was running for District 20 – Georgetown. Mignon said that her office had been walking the district with him when possible and that he seemed to be well received in the community.

Ms. McGarry addressed the Interim Committee charges, the agencies under sunset scrutiny and the cutting of the Texas budget. She mentioned the Governor's race and some of the other interesting elections. She announced there would be an interim committee hearing on February 23 regarding the corporate practice of medicine. Mignon listed several issues of interest, such as imaging, and asked that the group support Dr. Schwertner in anyway possible. Dr. Mansfield thanked Mignon for setting up the credit card system so TOA members could easily donate to the TOPAC.

Nominating Committee Chair, Dr. Tim Beck said he was working on the slate for the Annual Meeting.

Dr. Andy Kant gave the Socioeconomic Committee Report. He began by talking about the regulations concerning electronic medical records. He said there are no systems out at this time addressing all the items demanded by the government. The deadline for physicians to have their EMR systems government complient is 2014. If physicians do not have EMR systems up and running they will be fined.

Dr. Kant spoke about Workers' Compensation system and discussed some of the issues still plaguing providers and injured workers. He invited all those interested in attending the 3:00 pm meeting with Bonnie Bruce (Rep. Solomons Legislative Aide), TDI/DWC representative Matt Zurick and TMA staff to stay for the meeting immediately following the strategy session.

Dr. Kant asked Dr. Palmer to speak about CMS and the Recovery Audit Contractors. Dr. Palmer explained that the RACs would be looking at physicians who have been flagged if Medicare billing indicates they may be coding improperly or their billing analysis shows a larger than average number of complicated procedures and/or higher codes. He suggested that all orthopaedic practice management staff make sure coding is correct and that medical documentation can support the claim. Dr. Palmer said the RACs could cause clinics to experience a serious financial crisis and that if possible, an in-clinic pre-audit to determine any problems would be wise. He mentioned that more on the RACs would be covered in the Summit program.

Dr. McKay asked if everyone had signed up for Medicare's Provider Enrollment, Chain, and Ownership System (PECOS). It is a document that enrolls or updates one's Medicare application. Most of the group did not know about PECOS.

Dr. Palmer then briefly covered the Acute Episode Care Program at the Baptist Hospital in San Antonio. He described the program as a government run gain-sharing program that was established in some hospitals as a cost containment vehicle. This program is popular to some Medicare patients because they received money back for participating. In some hospitals signed up for the pilot program, cardiology and orthopaedics are being targeted to participate.

Dr. Merriman was introduced to the group as the Resident Representative to the TOA Board of Directors. He said he was learning a lot about orthopaedic issues by attending the Board meeting. He plans to attend NOLC.

There was no report from the AAOS Councilors at this time.

Michael Berkowitz, T-Bones Representative to the TOA Board of Directors, said T-Bones members were looking forward to the meeting at Great Wolf in April.

Due to time constraints the TOA Board of Directors agreed that the Texas Orthopaedic Foundation meeting would be postponed until April.

The meeting was adjourned.

Texas Orthopaedic Association
2009 Annual Business Meeting
Saturday, April 25 – Sheraton Austin Hotel

1. Call to Order: Timothy L. Beck, MD - TOA President
   Welcome and Announcements

   Introduction of Texas Senator Kevin P. Eltife, TOA Luncheon Speaker

2. Minutes of the Austin, 2008 Annual Business Meeting are reviewed.

3. Recognition of deceased orthopaedists:

   R. Craig Ponder, MD, Houston — Robert Higgins, MD, Amarillo

   Theodore Lewis, MD, Sherman — Lawrence Coleman, MD, Bryan

   Delyle Youngman, MD, Ft. Worth

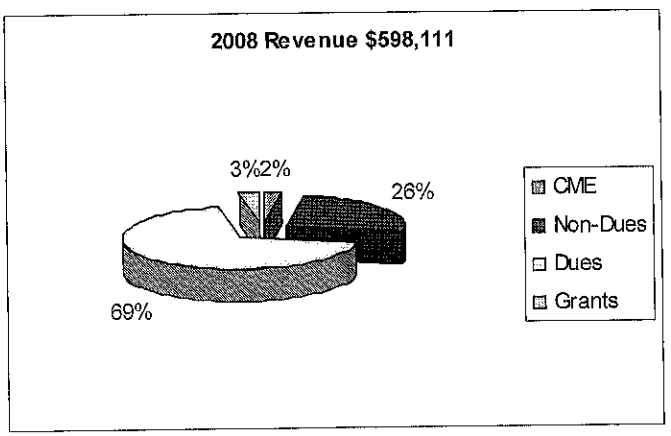
4. TOA Reports:
   Secretary/Treasurer – Brannan Smoot, MD
   Membership Report – Maureen Finnegan, MD
   Legislative Report – David Teuscher, MD
   & Mignon McGarry, TOA Legislative Advocate
   TOPAC Report - Richard McKay, MD

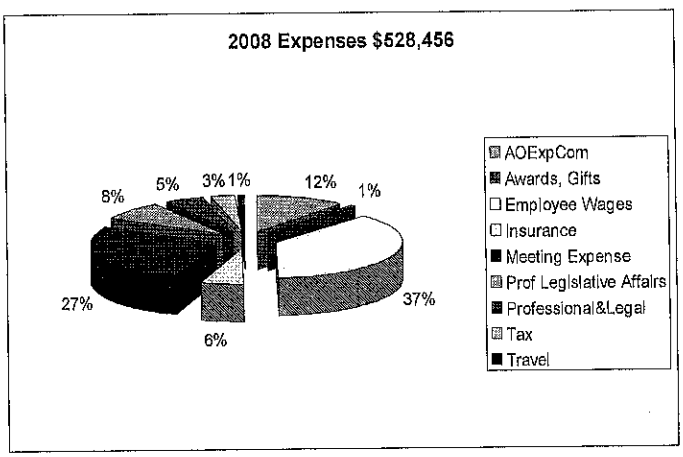
5. AAOS Councilor Report – David Mansfield, MD

6. Nominating Committee Report – John T. Gill, MD
   A. Slate of Officers – 2008-2009 for Membership Approval
   Second President Elect –
   AAOS Councilor – Marc DeHart, MD, Austin
   B. Election of four members for the 2010 Nominating Committee

7. Installation of John S. Early, MD of Dallas, as 2009-2010 TOA President

8. Adjourn to scientific session.





TEXAS ORTHOPAEDIC ASSOCIATION, INC. BYLAWS
Bylaws Revisions – April 25, 2009

Suggested Revisions: Underlined

ARTICLE III
Membership
Section 2. Qualifications for and privileges of membership:

A. Active Membership:
Active members in good standing are eligible to vote and hold office, and shall pay dues.

1. Conduct him or herself in a highly ethical and moral manner as outlined in the Code of Ethics of the AMA, and the Standards of Professionalism of the AAOS.

B. Emeritus Membership:
Emeritus members may vote but shall not hold office and shall not be required to pay dues.

1. An Active member who has been in good standing and has reached the age of 70 may be transferred to Emeritus status on written request to the Secretary and on approval of the Board of Directors.
2. An Active member who has been in good standing in the Association for a period of ~~25~~ 20 years or more, and is retired from active practice of medicine, may be transferred to Emeritus status on written request to the Secretary of the Association and on approval of the Board of Directors.

ARTICLE IV
Board of Directors

A. Ex-Officio Members are non-voting members of the Board of Directors:
7. TOA Chief Executive Officer

ARTICLE VI
Committees

3. Legislative Committee:
The Legislative Committee shall consist of the Delegates to TMA; the members of the Board of Councilors of AAOS and two members appointed by the Board of Directors. The Chair shall be selected by the President.

A. Professional Liability Committee:
The Professional Liability Committee shall consist of a Chair and members appointed by the President with the approval of the Board of Directors. The purpose of this Committee shall be to consider issues involving professional liability and patient advocacy primarily relating to orthopaedic surgery in Texas.

4. **Research and Education Committee:**
The Research and Education Committee shall consist of a Chair and members appointed by the President with the approval of the Board of Directors. The purpose of this Committee shall be to promote public education of Orthopaedic Surgery. This Committee would include all Texas residency training program directors or their designees, Annual Program Committee Chairs, the Residents Issues Chair and additional members as needed to handle the Business course for Residents, and any additional TOA CME Programming.

   A. **Program Committee:**
   This Program Committee is in charge of presenting the scientific program of the annual Texas Orthopaedic Association meeting. The Chair of this Committee is selected by the President of the Association. The other two members are selected by the First President-Elect and the Second President-Elect.

      1. **CME Program Committee:**
      The purpose of the CME Program Committee is to increase the knowledge in the area of musculoskeletal health, disseminate updates in technical developments and research to musculoskeletal health care providers, foster the most cost efficient, patient centered, professional treatment of musculoskeletal disease and injuries available, and meeting or exceeding the Essential Areas and Policies of the Texas Medical Association intrastate CME accreditation program. The Chair of this Committee is selected by the President of the Association and serves a 5 year terms.

5. **Socioeconomic Committee:**
The Socioeconomic Committee shall consist of the Chair and members appointed by the Board of Directors. The Committee will also advise the Association of current and expected socioeconomic issues that involve orthopaedics so that policy can be formulated. The Worker's Compensation and Ancillary Services Committee are consolidated under the Socioeconomic Committee.

Revisions will be submitted to the TOA Membership –April 25, 2009

- 16 present -

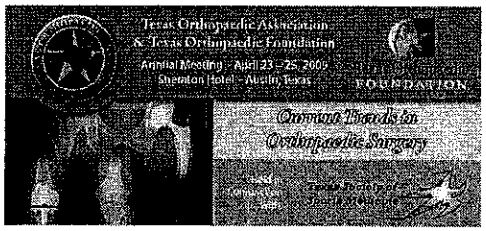
Masa's Copy

- Dr. Finnegan conferenced in -

TOA Board of Directors 2009 Annual Meeting

Thursday, 5:00-6:30 pm April 23, 2009
Sheraton Austin Hotel
Creekside II

Minutes



RE: Summit Feedback

- Dr Mansfield would like Bob Cimasi to come back with more time to talk -

motion - Dr Finegan seconded

Dr. Teusher discussed distributing TOA recommendations for ~~420~~ people nominated

Dr. Teuscher nominating to AAOS 2nd elect - Omer Ilahi Nominating Committee (?)

Marc Dellart - counselor

Braman Smoot - ?

- Dr. Finegan continue see slide ethics -

David Merriman - Resident Board Member

Early - new counselor

TOA Board of Directors Meeting

Agenda – April 23, 2009

1. Call to Order – Timothy L. Beck, MD, TOA President
2. Minutes of the January 2009 Board of Directors Meeting
3. President's Report – Tim Beck, MD
   - 2009 Annual Meeting – Sheraton Austin Hotel
     - L. Edward Seade, MD - 2009 Program
   - Summit – Stephen F. Austin Hotel, Austin
     - Invite all Texas Surgical Residents with registration charge
   - AAOS Nominating Committee
   - Additional Councilor for Texas
   - 2009 NOLC – April 29-May 1, Washington DC
   - TOA Staff Change

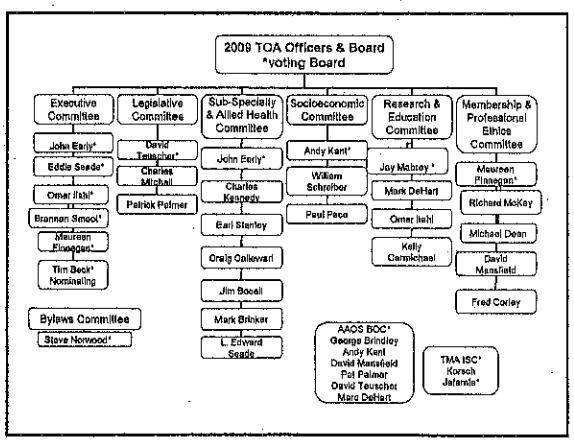
Nominating Committee Report

John T. Gill, MD, 2007-2008 President

- 2nd President Elect – Omer Iiahi, MD
- 2010 AAOS Board of Councilors – Marc DeHart, MD
- Secretary-Treasurer – Brannan Smoot, MD, Austin
- Membership and Professional Ethics Chair – Maureen Finnegan, MD, Dallas
- Resident Board Member – UTMB
- T-Bones Board Member - Michael Berkowitz

4. **John S Early, MD, President Elect**

- 2010 TOA Annual Meeting, April 23-25 – Great Wolf Lodge, Grapevine
- 2010 Program Chair – Jay Mabrey, MD
- Board Retreat – Board Member Training & Goal Setting
- 2010 Summit/January at the Stephen F. Austin Hotel
- 2008-2009 Committee Structure – a see slide
- New Appointments



April 22nd-24th ~~23rd-25th~~
Great Wolf Lodge

- appropriate med. review

Summit- fewer speakers given more time -
-add time for Q&A -
Cimasi to talk at summit & Resident course-
Dr. Kant suggests: Speakers from CMS or DOJ

★
- Need to work with Dr. Kant & Mignons office on legislative issues
Richard

★add Dr. ~~Bob~~ McKay @ NOLC

May 18-20 2011

mini- meeting in El Paso supported by TOA

☆ Andy palafox interested in leadership position (possibly worker's comp committee)

- combined meeting in santa fe w/ New Mexico joint committee

Dr. Seade suggested meeting charging for future meetings (promote MOCs)

- sports meeting session over at 1:00pm

- reciprocity w/ regional associations for meetings

get current on dues or pay $750 to attend meeting

☆ motion to vote anything over $750 given only ☆ - ☆

Dr. Seade. pay $750 for meeting plus past 3 dues

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5. Eddie Seade MD, 2nd President Elect

- 2011 Annual Meeting Location – Hyatt Lost Pines, Austin

6. Brannan Smoot MD, Secretary-Treasurer

- TOA Assets as of April 15, 2009
- Cash and Bank Account
  - TOA Checking: $123,128
  - Dues: 726 Members Paid out of 884 Dues Paying
  - Owed $75,000 w/Delinquent Dues

7. Maureen Finnegan MD, Membership and Professional Ethics

- Membership 1502
  - Active 758, Associate 84, Emeritus 274, Military 9, Residents 249, Honorary 28, Inactive 99
  - 8 Applicants Pending
  - 2009 Dues: $388,000
- Impact of DOJ on Orthopaedic Industry and Physician Consultants
- Advertising Ethics

☆ motion for new membership accepted

New Membership

- Active Membership
- Malone V. Hill, MD Austin, TX
- Jack Seaquist, MD Austin, TX
- James Mathis, MD Tomball, TX
- Melvin Harrington, MD Houston, TX
- Andrew Ebert, MD Houston, TX
- Michael Wirth, MD San Antonio, TX
- Anil Dutta, MD San Antonio, TX
- Associate Membership
- Michael Loeb Austin, TX
- Richard Burg Allen, TX

TOA left TMA
.. supports unrestricted grants

8. **Andrew Kant MD, Socioeconomic Committee**
   - Workers' Compensation
   - Industry Relations
   - Ancillary Services
9. **John Gill MD, AAOS Councilor**
   - AAOS Nominating Committee
   - **Patrick Palmer, MD AAOS Councilor**
     - ACE Pilot Program in San Antonio
     - ID Theft Red Flag Alert – May 1st Deadline

Dr. Kant

Winn Smoots Governors Board

Acute care Episode – OOG handout – template from AMA for compliance

10. **Mignon McGarry & Associates**
    TOA Legislative Advocate
    - Key issues
    - Recent political news
    - Alliances
    - Key dates
    - **David Teuscher MD, Legislative Committee Chair** - Update

11. **Resident Board Representative**
    - Niki Leontiritus MD, UTMB-Galveston
    - David Merriman MD, UTMB
12. **T-BONES Board Representative**
    - Michael Berkowitz, KSF Orthopaedics
13. **TMA ISC** - Brannan Smoot, MD
    - Niki Leontaritus
14. **New Business**

Adjournment – TOA Leadership Dinner

Minutes
Texas Orthopaedic Association - Board of Directors Meeting
January 30, 2009
Stephen F. Austin Hotel, Austin

The meeting was called to order by TOA President Tim Beck, MD. In attendance was Drs. John Early, Andy Kant, Richard McKay, Jay Mabrey, David Mansfield, Omer Ilahi, Ed Seade, ~~James Bocell~~, Steve Norwood, Pat Palmer, David Teuscher and ~~Bill Schreiber~~. Michael Berkowitz, Representative Board member from T-Bones attended. Mignon McGarry, TOA Legislative Advocate was present and Donna Parker, Jeseka Kreitner, and Angel Moss staffed the meeting.

teusher

chuck

The minutes of the May 2008 Board of Directors Meeting were approved as distributed.

The President's Report was delivered by Dr. Beck. He said the TOA Socioeconomic Summit's move to January had been successful and that the Stephen F. Austin Hotel was an ideal location. The Board agreed that the January date seemed to be well attended. The resident course was discussed and a suggestion was made that all surgical residents in Texas should be invited next year. There was a motion that all surgical non-orthopaedic residents should be invited, but charged for the Resident Practice Management course at $75 a person.

Dr. Beck asked staff to research the Hyatt Lost Pines and Great Wolf Lodge in Grapevine for future annual meetings. The next Summit will take place in January 2010 and the Board agreed to hold it again at the same time as the TMA Winter Conference. Dr. Early suggested the board have a conference call in August of 2009, or plan a Board Retreat to take the place of the fall board meeting.

Dr. Beck stated that the 2009 Annual Meeting will be held on April 23rd-April 25th at the Sheraton Austin Hotel. Drs. Beck, Ilahi and Bocell invited the keynote speakers for the meeting. Each symposium would be moderated by an expert in the particular topic/subspecialty. The board agreed to keep paper presentations, unless given by guest speakers, to six minutes and the hands-on workshops to forty-five minutes. Mignon was asked to arrange Capitol Visits on Thursday afternoon, April 23.

Board members were asked to review and initial the policies and governance notebook that was passed. Staff will make these files available electronically for the presidential line.

Dr. Early, MD, President Elect, discussed the 2010 Annual Meeting. Dr. Early stated that the meeting will be held on April 23rd-25th in Grapevine at the Great Wolf Lodge and asked staff to research the property and get a contract in when possible. Dr. Early asked Dr. Jay Mabrey to serve as the 2010 program chair.

Dr. Seade, MD, 2nd President Elect, said he was considering holding the 2011 Annual Meeting at an Austin resort location. Staff was asked to research hotels in the area, particularly the Hyatt Lost Pines.

The Secretary-Treasurer's Report was reported by Dr. Smoot. He referred to the combined Secretary-Treasurer and Membership Report slide and gave a comprehensive report for year 2008 during the January TOA Board meeting.

The membership report was given and the Board agreed dues for orthopedists in their first year in practice will be cut to one-half.

Committee Reports were discussed.

Dr. John Early discussed meeting with TPMA officers to explore options to solve the contentious rule that the TSPBME proposed which led to the long litigation. This issue was discussed and the Board agreed that grandfathering uncertified podiatrists was not in the best interest of public health. There cannot be a compromise made for even RRA certified without knowing UMSLE tests and scores.

An action item was mentioned under Dr. Kant's Socioeconomic Committee Report. Physician ownership is under attack again and all were asked to send any research or white papers to him regarding this issue. Donna mentioned contacting healthcare consultant Robert Cimasi.

The PT Issue was discussed by Dr. Ed Seade. He mentioned that PTs wanted the "Doctor" title and there some other issues with the bill that was being proposed. The Board made a motion to take the message back to the physical therapists that TOA could not support the Bill as written. A motion was made and approved that Mignon would take this message back to the PTs.

Mignon McGarry, Legislative Advocate, reported on the status of the 81st legislative session and TOPAC. After lengthy discussion the board approved acceptance of credit card donations directly through the bank. This would build the funds and make it easy and convenient for TOA members to donate to the TOPAC.

Ms. McGarry reported the status of the TOA vs TSBPME lawsuit. She mentioned the next TSBPME hearing on February 27th in Austin. TOA members will be contacted to testify at the hearing.

Other items discussed with Ms. McGarry were: securing a legislator to speak at the 2009 Annual Meeting, implementing credit card donation system for TOPAC, narrowing the tracked bills sent every session, and researching the corporate practice of medicine.

Dr. Norwood discussed the needed Bylaws revisions. The age to change from active to emeritus membership was covered. One revision needs to state "if a member is in good standing and up-to-date on their Association dues, they will be granted Emeritus Status."

The Board reviewed the list of names on the new induction list. There was some discussion, but the list was approved for membership.

After discussion, the Board decided to pay the next PatientsFirst invoice TOA receives. Dr. Teuscher is the chair of this organization fighting to see that no short cuts are allowed when it comes to patient safety.

Jay Mabrey, MD discussed CME via Internet on the TOA website. He thought that general Maintenance of Certification information should be linked.

Dr. Andy Kant, TOA Socioeconomic Chair, said he was meeting with Howard Smith, MD of the TDI/TWC department regarding worker's compensation communication between the government entity and the orthopaedic surgeons. Peer review, treatment guidelines and TDI regulations would be discussed. Dr. Kant also mentioned the new "never events" rule passed by CMS.

The meeting was adjourned followed by the Leadership Dinner.

2009 Socioeconomic Summit

Attendees: Beck, McKay, Early, Kant, Mignon, Ilahi, Mansfield, Bocell, Seade, Berkowitz, Palmer, Teuscher, & and a few I did not know.

1. Minutes were reviewed with the board and were approved by all.
2. President Report:
    a. The Summit works well being scheduled at the same time as the TMA Winter Meeting.
    b. Podiatry: Board would like to come to some decision on a rule that will be comparable.
        i. Education is a must: Pod's should be required to take the USMLE Scores and pass in order to do surgeries above the ankle.
        ii. John Early was voted on and asked to meet with the Podiatry Association and see if we would come to a mutual agreement.
    c. HR2 Bill:
        i. 200 hospitals will be affected. 100 are under construction at this time.
        ii. Dr. Kant has been discussing the Bill with Nancy Palocy & Christina McWilson.
        iii. We need to be in contact with our Senates and voicing loud the options on this bill.
    d. 2009 TOA/TOF Annual Meeting: Mignon will pick a legislator to speak to the Board of Directors on Thursday, April 23, 2009. Will give 10 mins to talk.
    e. Physical Therapist:
        i. We would like to work together and come up with a compromise. Mignon will need to rally with Dallas Doctors.
        ii. Eddie Seade was voted on and asked to be the leader for the Board to work on the PT case.
    f. Membership:
        i. Members have to abide by the By-laws. A member can not be an Emeritus unless he/she is 70 years of age or has been with TOA for 25 years. Plus they have to be in good standing.
        ii. Any questionable request must go through the board.
    g. CME Mission Statement: Board approved the addition to the by-laws.
    h. TOA will be planning Coding workshops in the future as well as joint partnership that will supply the CME other groups need. This will generate extra revenue for 2009.
    i. Workers' Compensation: An understanding between TWC & Physicians needs to happen. Rules that are to be comprehensible and that will work with physician instead of punishing them. Patient care is the most important and TWC need to remember that.
        i. Fairness to the medical field
        ii. Peer reviews need to be handled by a TMB licensed physician
        iii. Guidelines are not used correctly
    j. Legislation Updates:
        i. Tort Reform: Richard Raymond is hopefully on our side to lower the cap
    k. Announcement that David Teuscher is now the Treasurer of the Board of Councilors.
    l. Reminder of the First Tuesdays: March 3rd, April 7th & May 5th. Be there with your white coats on!

Meeting Adjourned at 2:42 pm
ajm

Minutes
Texas Orthopaedic Association – Board of Directors Meeting
May 13, 2007
Four Seasons Austin

Dr. John Gill, 2007-2008 TOA President, called the Board of Directors meeting to order. Members attending were: Drs. Tim Beck, Mark Brinker, Stephen Norwood, Omer Ilahi, Korsh Jafarnia, Andy Kant, Richard McKay, Charles Mitchell, Eddie Seade, Brannan Smoot, David Teuscher, Stephen Wilson, David Mansfield, and resident representative, Sonya Ahmed. Donna Parker, Jeseka Wallace and Mignon McGarry, TOA Legislative Advocate, also attended.

Dr. Gill asked everyone to introduce themselves. After the introduction, the minutes of the January 2007 Board and Strategy Meeting were approved as distributed.

Dr. Gill thanked Dr. Teuscher and Dr. Bob Kramer for planning an excellent program for the 2007 Annual Meeting. He also thanked Dr. Brinker for developing another great "Resident Quiz Bowl." Dr. Gill mentioned that the Nominating Committee had an additional task of offering a candidate, Dr. Kant, for the AAOS Board of Councilors since he would vacate his spot when he took the office of BOC Chair.

The President's Report was given by Dr. Gill. The first item of business was to list the items from the 2006 Strategy Retreat that had been accomplished and those that were being developed. The first of three goals had been defined as better communication with the TOA membership and the orthopaedic community. Dr. Gill stated that the TOA weekly E-Connect had played an enormous role in the accomplishment of this goal. He thanked Dr. Teuscher and the TOA Executive Staff for developing and delivering this very effective communication vehicle. Dr. Gill said that improved communication was a great start to assist with the other two long term strategic goals: (1) increasing the interest in the Texas Orthopaedic Political Action Committee and, (2) beginning a public education and relations campaign on behalf of Texas orthopedists and their patients. He thought AAOS would be able to offer a great deal of help with the launching of a public relations campaign in Texas.

Other items in Dr. Gill's President's Report included the AAOS Leadership Program, Regional Orthopaedic Society involvement and the recent National Orthopaedic Leadership Conference.

Dr. Gill mentioned some of the Texas orthopedists that had been selected for the Leadership Program, such as Drs. Howard Epps, David Teuscher, Valerie Lewis and Lisa Cannada. He thanked Dr. McKay for serving as a Leadership Program mentor.

There was some discussion regarding Texas' dilemma of being sought after by several regional orthopaedic societies. Was TOA considered in the group of Western, Mid-

Western, Southern, or another orthopaedic society? Drs. Gill and Teuscher had been contacted to become more involved and they mentioned time limitations of such involvement. It was decided that speaking engagements or invitations to attend these meetings would be accepted if schedules allowed and travel funds were offered to TOA. All thought orthopaedic unity was important and that each member should support at least one Regional Orthopaedic Society. It was suggested that AAOS form a work group of the regional societies.

The Board agreed that the 2007 NOLC was a huge success for the 15 TOA members making up the Texas Delegation. Dr. Gill said the scheduling of Capitol visits had been efficient and effective. He thanked Dr. Kant for arranging a room at the Capitol for the morning session which allowed quite a few Senators and Congressmen to speak to the Texas Delegation. Dr. Gill was proud to announce that a good majority of all federal legislators from Texas had been contacted by the NOLC Texas Delegation either through appointment scheduling or by "drive bys."

Dr. Smoot, one of the Texas Delegates at NOLC, said this event was a great first experience. All agreed that it was as effective as last year's Texas NOLC. Dr. Ahmed was asked to attend next year's NOLC as the TOA Resident Board Member.

Dr. Gill gave the date and location of the 2008 TOA Annual Meeting being held in San Antonio. Dr. Ilahi will be the Program Chair. Dr. Ilahi said he was already working on ideas for a full two day scientific program. Dr. Gill reminded the Board that the TOA Socioeconomic Summit would be held at the Driskill Hotel in Austin on August 10th and 11th. He asked for programming ideas.

Dr. Beck, TOA President Elect, gave his report. He said he was convinced that holding the Annual Meeting in Austin during legislative sessions was a good idea. He asked TOA Executive Staff to research hotel locations for an April meeting in 2009 and felt the Capitol Visitation should be held on the Thursday before the scientific sessions.

Donna Parker, TOA Executive Director, gave the Secretary-Treasurer's Report for Dr. Earl Kilbride. Dr. McKay gave the TOA Membership Report. The new member applicants were approved.

Mignon McGarry gave the Legislative Update. She handed out a packet of pending bills important to medicine. There was discussion on generating support for the UIL bill. Dr. Teuscher mentioned the large number of E-Connect Red Alerts going out to the membership. All agreed that Rep. Helen Giddings had championed workers comp issues.

The continued building of TOPAC was discussed by Dr. Teuscher along with the continued efforts on scope of practice issues.

Andy Kant, MD, TOA Socioeconomic Committee Chair gave his report. He began by congratulating this year's Workers' Compensation Seminar and pointed out the importance of focused speakers, good topics, and the addition of the T-Bone's meeting.

He felt there needed to be continued presentations that were without commercial bias. Dr. Kant said the Workers' Compensation legislative agenda had been very successful during this year's legislative session and thanked Drs. Wilson and Norwood for their work. He also mentioned the contributions from Michael Reed, of TMA, during a fast and furious session. Dr. Kant felt there had been significant improvements made to the workers' compensation system through legislation.

There were no more reports and the meeting was adjourned.

Texas Orthopaedic Association
Board of Directors Meeting

August 12, 2006
Barton Creek Resort, Austin

5:00 – 6:30 pm
Austin Room

TOA Board of Directors - August 12, 2006

1. **Call to Order**
   David Teuscher, MD, President 2006-7
2. **Minutes** of May Board of Directors Meeting
   ***
3. **President's Report** – David D. Teuscher, MD

- **Strategy Retreat & 2006 Summit**
- **2007 Annual Meeting, May 11-13 Austin Four Seasons**
  Program – Robert Kramer, MD, Chair
- **TOA Committee Structure 06-07**
- **Issue Activity and Discussion:**
  - PatientsFIRST - GeoMaps of Patient Access
  - Recent WC Survey
  - Industry Liaison Program
  - Grants from AAOS & AMA
  - TOA Foundation

2007 TOA Annual Meeting

May 11-13 Austin Four Seasons

Friday, May 11

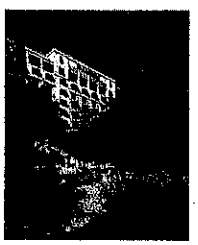
Legislative Briefing/Morning Visits
Sports Medicine Scientific Session
Coding Course
TOA Reception

Saturday, May 12

Orthopaedic Scientific Session

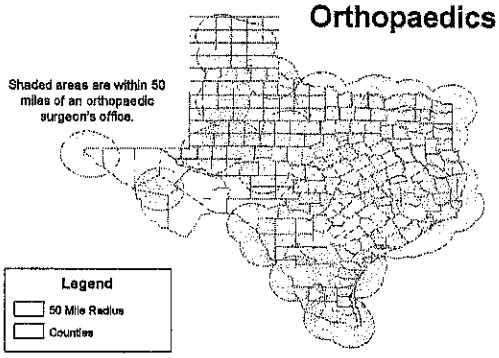
Sunday, May 13

Orthopaedic Scientific Session
Mothers' Day Brunch
Workers Comp Seminar



Orthopaedics

Shaded areas are within 50 miles of an orthopaedic surgeon's office.

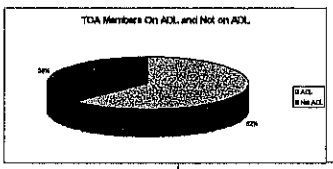


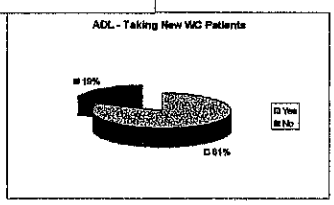
Orthopaedics Population

25 Miles		
	Number	Percent
Total Texas Population	20,906,544	100
Tract Population within 25 Miles	19,879,714	95.1
Tract Population not within 25 Miles	1,026,830	4.9

50 Miles		
	Number	Percent
Total Texas Population	20,906,544	100
Tract Population within 50 Miles	20,785,283	99.4
Tract Population not within 50 Miles	121,261	0.6

TOA Members/WC ADL or NonADL





Board of Directors August 12, 2006

4. **President-Elect's Report**
   John Gill, MD
   2008 Annual Meeting
   San Antonio
   Westin Riverwalk, May 22-24, 2008
   Program Chair for 2008

5. **2nd President Elect's Report**
   Tim Beck, MD

Secretary/Treasurer's Report
Earl (Trey) Kilbride, MD

- TOA Assets as of August 8, 2006
  - Cash and Bank Account
    - **TOA Wells Fargo: $29,947.34**
    - YTD Revenue: $325.124
    - YTD Outflow: $350,714
    - Balance 1/1/06: $65,078

2006 Dues (801 Members) To Date: **$395,325**
Legal Grants TD: **$24,494**

Membership & Professional Ethics Report
Richard McKay, MD, Chair

Active	**745**
Associate	**206**
Military	**6**
Emeritus	**185**
Resident	**304**
Honorary	**30**
Inactive	**59**
App Pending	**39**
Total	**1574**

- **2006 Just Bill 'Em Campaign (76@ $475): $36,100.00**

Committee Summaries & Reports

- **Resident Board Representative**
  - Sonya Ahmed, MD, UTMB-Galveston
- **T-BONES Board Representative**
  - Michael Berkowitz, KSF Orthopaedics
- **TMA ISC Delegate**
  - Korsh Jafarnia, MD
- **AAOS Councilors' Report**
  - Tim Beck, MD
  - Health Policy Fellowships/Washington
  - Committee Openings

- *AAOS Committee Appointment Program Vacancy Announcements*

Board of Directors - August 12, 2006

- **New Business: MQRP/TWC**
- **Adjournment**

Thank you for your continued leadership and commitment.

Minutes

Texas Orthopaedic Association – Board of Directors Meeting

Saturday, August 12th at 4:00 pm

Barton Creek Resort

The meeting was called to order by TOA President David D. Teuscher, MD. In attendance were Doctors Andy Kant, Robert Kramer, John Gill, Steve Norwood, Tim Beck, Richard McKay, Charles Mitchell, John Early, Paul Pace, Steve Wilson, and David Mansfield. Mignon McGarry, Jeseka Wallace and Donna Parker staffed the meeting.

The minutes of the May 2006 Board of Directors Meeting were approved as distributed.

President's Report was delivered by Dr. Teuscher.
The Friday Strategy Retreat was discussed. Dr. Teuscher was impressed by the large number of TOA leaders able to attend the Retreat. It was agreed that Jerry DeVries, strategy facilitator, had done an excellent job putting together a very inspired session. Dr. Teuscher thanked the Board for their participation and told them that Mr. DeVries was very complementary about the lively participation and outcome of the session. The goals agreed to at the TOA leadership retreat form a three pronged strategy: 1) Improved Communication with the Membership; 2) Public Relations and Education efforts geared toward the public and healthcare community; and, 3) Increased PAC activity, awareness, and fundraising.

Other good ideas and issues were listed to be considered when addressing long term goals, but it was agreed that the TOA leadership focus would be on improved communication, public relations, and increasing the PAC activity as the most important to accomplish within the next year.

The communications with the membership will be overhauled and improved both in frequency and content. A significant upgrade in the TOA website is underway and will serve as a focal point with member messaging used to drive members to the website and use it.

TOA branding and raising the profile of orthopaedic surgeons in Texas will be coordinated by staff and volunteer leadership The cost for an outside PR firm will be researched by Donna Parker and she will draft a business plan/budget to develop a TOA public relations program whether it included added staff or a combination of staff and an outside firm. The coordination of communications with allied health associations, such as the Arthritis Foundation was also found to be important. Dr. Kant agreed to go through research AAOS materials that are already available. The opportunity to use Bone Bash/ Dr. Burkhead, Arthritis walk participation (Jeseka is chair of Austin event) and other good ideas were discussed. It was agreed that TOA would publicize and lend our name as a sponsorship support to these groups with the focus on improving musculoskeletal health and the image of orthopaedists as the "go to" physicians in such matters.

TOA members will be recruited peer to peer and encouraged to become active in TOA activities, especially joining the TOA PAC. Each of the strategic retreat attendees was asked to go back to their community and contact at least 15 of their TOA colleagues to communicate with on a regular basis. Each Board member was asked to encourage their 15 or more TOA members to contribute to the PAC.

The 2007 Annual Meeting, to be held on May 11-13 at the Austin Four Seasons. This will be the first time the Annual Meeting will not be held in conjunction with the TMA meeting. A schedule for the Annual Meeting was listed and discussed. Dr. Teuscher plans to hold a legislative briefing and Capitol visits by the membership. He introduced the 2007 Program Chair, Dr. Robert Kramer, a hand surgeon in Beaumont. Dr. Kramer outlined the focus of the scientific program and some of the discussions of the program committee. An idea was offered by Dr. Kant that each future program should highlight at least three training programs to see what their research programs are doing. Dr. Gill suggested a well-known, TV or Sports personality to speak during the meeting. Mignon McGarry suggested Mac Brown, UT Football Coach. It was suggested that Dr. Windler be contacted to ask Coach Brown to speak. It was also mentioned that Dr. DeLee had a close relationship with Coach Brown having performed his knee replacement. Other suggestions for guest speaker were Daryl Royal or Ben Crenshaw.

It was agreed that with the legislative agenda, scientific sessions, and the seminars scheduled for the 2007 Annual Meeting, that this will be a fast paced meeting. Other functions such as resident recruitment hospitality suites and PAC fundraising events were discussed. Dr. Kramer said he would be in touch with staff to keep them updated of the program committee's final agenda.

Dr. Teuscher mentioned the information only items on his report and gave a PowerPoint presentation. He asked the attendees to view the following graphics (attached to these minutes):

- Committee Structure for 2006. He pointed out the committee list and the corresponding chair which was due to restructuring and Bylaws changes.

- Geomapping for the podiatrists in Texas. He stressed the coverage/access to care comparing orthopaedic surgeons and podiatrists. This information will be sent to the Texas Legislature, along with the geomapping for chiropractors compared to orthopaedic surgeons. There was discussion and agreement to continue participation in PatientsFirst.

- Workers Compensation Survey/8-06 to ADL and non-ADL TOA Members. The recent TOA survey results were reviewed. The results showed the number of orthopaedic surgeons still not taking comp or still limiting cases. There was some discussion about the membership's concerns about the comp system, particularly the Peer Review issues.

The Board discussed and debated the concept of TOA creating a 501c (3) as an educational foundation. It was decided that the TOA would not pursue that strategy at this time.

Dr. John T. Gill, TOA President Elect, discussed the 2008 location and date for the Annual Meeting. He said the meeting would be held at the San Antonio Westin Riverwalk, May 22-24; He will select his Program Chair soon.

Dr. Tim Beck, MD, 2nd President Elect, ask for location ideas for the 2009 Annual Meeting. Some of the comments from the Board confirmed that he should wait until more information regarding the TMA meeting location/dates, along with AAOS BOC dates, can be obtained.

The Secretary-Treasurer's Report was attached. Dr. Kilbride attended the Retreat and the Summit, but could not attend the Board meeting. Dr. Teuscher pointed to the slide showing the report, and noted the financial assistance from AMA of $20,000, and AAOS of $25,000 for the podiatry lawsuit.

The Membership and Professional Ethics Report was made by Dr. Richard McKay. There were questions regarding the membership induction process. The TOA Executive Director will be asked to explain the induction periods. A slide was shown of pending applicants. Dr. McKay said he would review the list. Dr. Teuscher also asked about the induction of members according to the Bylaws. Staff will send Dr. Teuscher and Dr. McKay the member induction process as it stands. A motion was made to approve all names on the applicant list if check out by the Texas Medical Board.

Mignon McGarry, Legislative Advocate, felt that most of the legislative information had been covered earlier. Dr. Craig Callewart has been appointed the TOA Legislative Committee Chair.

Dr. Early spoke to the Podiatry Issues Committee activity. He said the TOA vs. TSBPME ruling was still not issued by the 3rd Court of Appeals. The same activities and methods of rule changing are now being used by the chiropractors to unlawfully expand their scope of practice. It was acknowledged that the podiatry case will likely go to the Texas Supreme Court. Dr. Teuscher mentioned the assistance of the excellent Amicus Brief filed by AMA and others, and that this brief would assist other states facing the same problems.

Socioeconomics Committee Report was given by Dr. Andrew Kant. The Industry Relations Liaison Program, being developed by staff and Drs. Schreiber and Mabry, had been mentioned earlier and he had nothing to add. He deferred to Dr. Steve Wilson and the Workers' Compensation Report.

Dr. Wilson was then asked to discuss Workers' Compensation Committee activities. Many problems with the new rules regarding treatment guidelines, networks, medical records and the peer review process have been identified. These included ramifications of being perceived an outlier if billing was considered high, the possibility of being accused of statutory violation if a physician doesn't bill "usual and customary" charges, and the DWC rule-making process could result in actions that could potentially place a physician's license in jeopardy if referred by DWC to the Texas Medical Board. Treatment guidelines for orthopaedic surgeons must be high quality, evidence based, and clinically relevant to Orthopaedic surgeons and the unique workers compensation patients. The Board agreed that guidelines that meet those criteria do not yet exist. Development of new AAOS treatment guidelines, modification of existing non-AAOS guidelines, or creation with TOA member input of a whole new set of treatment guidelines was discussed. The expense of developing new guidelines was discussed; along with the viability of acceptance by the Department of Workers' Compensation was the major factor that lead the Board to decide not to proceed with TOA independently developed guidelines at this time.

Jay Mabrey, MD was not present to give the Research & Education Committee Report.

The CME Program Report and future TOA Scientific Tour activities were discussed.

Resident Board Representative Sonya Ahmed, MD, of UTMB was not present and a written report was not received.

T-Bones Board Representative Michael Berkowitz, of KSF gave a brief report.

AAOS Councilors Report was given by Tim Beck, MD. The AAOS Health Policy Fellowships in Washington were discussed and will be publicized to the Residents and Fellows.

Korsh Jafarnia, MD was not present to give the TMA Interspecialty Society Report.

New Business: Medical Quality Review Panel – TDI-DWC

The meeting was adjourned followed by the Leadership Dinner.

Texas Orthopaedic Association
Board of Directors Meeting
January 21, 2006
Southwest Airlines Conference Center, Dallas, TX

TOA President Stephen Norwood, MD, called the meeting to order. In attendance were Drs. Charles Mitchell, Steve Norwood, Paul Pace, Kelly Carmichael, David Teuscher, Bill Schreiber, John Early, Maureen Finnegan, Jack Henry, Tim Beck, Steve Wilson, Andy Kant, Allen Meril and Richard McKay. Also attending were TOA staff Donna Parker, Jeseka Wallace and Lindsay Pavelka as well as TOA Legislative Advocate Mignon McGarry and Michael Berkowitz, T-BONES representative.

Dr. Norwood asked for approval of the minutes from the August 2005 Board of Directors Meeting. The approval was unanimous.

Dr. Norwood reported on the Texas Orthopaedic Association Leadership Conference. The TOLC is scheduled for February 28 – March 1. Dr. Teuscher discussed the agenda and the goals for the conference. TOA members who are interested in attending that meeting include: Drs. Teuscher, Kant, Mitchell, Beck, Mabrey, Carmichael, Gill, Norwood, Palmer, Schram, Wilson, Brown, DeHart, McKay, and Michael Berkowitz.

Dr. Norwood asked for approval of the TOA CME mission statement. After some discussion, the approval was unanimous. Dr. Norwood then reported on the 2006 TOA annual meeting. This meeting is focusing on new concepts in orthopaedic surgery with scientific presentations all day Friday and Saturday morning. Dr. Norwood showed the results of the August membership survey to the board and stated that a high percentage of those who responded would like to see information on technology in medicine, computer use in practice, pharmaceutical/device advances, as well as, ethics and workers' comp. Dr. Norwood stated the key speakers for the meeting will be Dr. Daniel Cooper and Dr. Adam Starr. Dr. Cooper will address current trends and concepts in ACL reconstruction. Dr. Starr will address pelvic fractures. Dr. Norwood stated that the abstract deadline is set for the end of January and once all abstracts are received the planning committee will rank them appropriately. Dr. Norwood also stated that Dr. Bob Haralson and Dr. Stu Weinstein could be possible speakers. On Thursday an orthopaedic coding course is scheduled for orthopaedic administrators, coders and orthopaedic surgeons. The board of directors meeting and leadership dinner will follow the coding course. Dr. Teuscher asked staff to send him the agenda for the meeting and Dr. Carmichael asked staff to send him the contact information for resident directors. Dr. Norwood suggested that Mignon McGarry give a legislative update at the TSSM business luncheon. Dr. Teuscher reported on the AAOS professional compliance program and expert witness program. Dr. Teuscher stated that he will be presenting on these topics at the AAOS annual meeting in March. The board agreed that the ethics hour at the annual meeting will be these two topics combined and Dr. Teuscher will give this ethics hour on Saturday afternoon. Also on Saturday afternoon TOA will hold a workers' compensation panel. The speakers for this panel are yet to be determined.

Dr. Norwood reported on the TMA Councils/Committees. Recommendations for the Texas Medical Association Councils were as follows: COUNCIL ON SOCIOECONOMICS – Dr. Charles Mitchell, COUNCIL ON LEGISLATION – Dr. Stephen Norwood, COUNCIL ON HEALTH SERVICE ORGS – Dr. Paul Pace and COMMITTEE ON CHILD AND ADOLESCENT HEALTH – Dr. Howard Epps. Dr. Finnegan suggested that TOA staff send an update of TOA members that serve on TMA Councils/Committees to the membership and ask the

membership for nominees for the various councils/committees. Dr. Teuscher suggested that TOA staff send a list of AAOS committees as well.

Dr. Teuscher gave the President-Elect's Report. The socioeconomic summit is scheduled for the second weekend in August at the Barton Creek Resort in Austin. Dr. Teuscher mentioned the possibility of adding a coding course to the fall socioeconomic summit and he asked staff to research a possible speaker. Dr. Teuscher suggested that we reduce the resident course to one day instead of two and combine some of the presentations. Also, Mignon McGarry as well as state leaders will present on issues that affect orthopaedic surgeons. Dr. Teuscher also suggested adding a board strategic planning session. In 2007 the annual meeting will be held on May 10 – 13 at the Four Seasons Hotel in Austin. Dr. Teuscher mentioned that this meeting will have a different format. The legislature will be in session in 2007, so it may be possible to ask a state representative to speak at the meeting. At this meeting the attendees will make Capitol Hill visits on Friday followed by a reception at the Four Seasons Hotel. Dr. Teuscher's program chair has not been determined.

Dr. Teuscher gave Dr. Gill's 2nd president-elect's report. After some discussion the board decided to hold the 2008 annual meeting in San Antonio. Donna Parker stated that TOA staff will research the Westin Riverwalk and the Westin la Cantera Resort.

Donna Parker reported on the secretary-treasurer's report. This presentation showed 2000 to 2005 comparisons of projected revenue and expenses (i.e. commercial support, dues, grants, legal and professional fees, and travel and meeting expenses). Dr. Kant asked Ms. Parker to send an email to the board after the meeting explaining the increase in 2006 expenses. Donna mentioned that some of the expense is carry over from 2005. Ms. Parker asked the board if they had any other questions on the operating expenses from 2000 to present. Dr. Teuscher expressed his opinion that TOA has potential to develop programs to include primary care doctors with an interest in orthopaedics. Dr. Teuscher asked Jeseka Wallace to research and to start the paperwork for these programs.

Dr. Norwood reported on the grants from AAOS and AMA regarding the podiatry appeals process. The amounts are $20,000 from AAOS and $25,000 from AMA. AMA will reimburse TOA for the appeals process; in return AMA would like TOA to promote AMA membership to TOA members. Dr. Norwood recommended acknowledging AAOS and AMA in the TOA newsletter. Dr. Norwood and Dr. Teuscher asked Ms. Wallace to invite Mike Mays, Executive Vice President of AMA, to speak at the socioeconomic summit. Dr. Norwood stated that TOA should use the funds from AAOS for present and future budgets.

Dr. McKay gave the Membership & Professional Ethics report. The Just Bill 'Em results for 2005 included 29 new members, active and associate, and has created over $14,350 in revenue. Dr. McKay asked the board to promote TOA membership in their areas. The board decided to give Katrina evacuees a free year of membership.

During the Legislative report Mignon McGarry reviewed the list of candidates running in this election year. Ms. McGarry noted that she will spend a significant amount of time this fall meeting new candidates and interviewing them on issues that matter most to TOA. The Senate will spend time on Medicaid and out of network charge issue. The special session will occur in late March or early April to discuss the taxes. Ms. McGarry plans on sending out a solicitation letter for TOPAC. Ms. McGarry stated that there is going to be a joint hearing for workers compensation to review the internal workings of the new structure. Dr. Early discussed the allied

health professionals and their goals for the next legislative session. The board agreed to match TMA on the PatientsFIRST Coalition.

Dr. Schreiber reported on Technology and Industry. Dr. Schreiber asked the TOA staff to collect industry contact information i.e. marketing directors from the TOA board members.

Dr. Wilson gave the Workers' Comp. Report. The main focus regarding workers' comp has been the cost of the system and the second focus has been the standards that are being used to assess treatment guidelines. Dr. Wilson stated that it is important to be aware where the dollars are and what they total. The figures given from Representative Zedler's office estimated that the total amount paid out in 2005 was about fifty percent of the premiums going in. Over the past five years the trend has been that insurance companies are collecting in the range of about two billion dollars annually and paying out less than one billion dollars. That money is being accumulated back into the Medicaid and county health systems. The questions raised are where and how the money got shifted. Dr. Wilson stated that his main goal regarding treatments is to make sure the AAOS directives are going to be implemented in the state law or state rules. The AAOS directives mainly focuses on definitions of evidence based medicine and treatment guidelines. Dr. Norwood stated that the biggest problem of the TDI is an eight year back log of medical dispute resolution cases. Dr. Norwood stated that to date there are no networks in existence. Eight networks have submitted paperwork to TDI; however none of them had any hospital contracts. All the networks are currently undergoing credentialing. Dr. Norwood stated that the MQRP is currently under review. Ms. Wallace asked the board to vote on continuing the workers' comp seminars. The approval was unanimous. Dr. Wilson suggested including TMA staff in the workers' comp seminars.

Dr. Kant gave the Socioeconomics Report. Dr. Kant stated that TOA received fifty orthopaedic affiliate member applications. Ms. Parker stated that the affiliate members receive a discount to TOA meetings as well as the Orthopaedic Connection newsletter.

Dr. Carmichael reported on the issue involving the work restrictions for orthopaedic residents. Dr. Norwood expressed concerns about availability of doctors to patients if the new work restrictions are set as a standard. Dr. Carmichael stated it is important to monitor the number of cases each resident performs. Dr. Finnegan suggested that TOA work with the AAOS Committee on Professional Liability to set a standard on resident work hours, staff change over and training.

Dr. Finnegan gave the Nominating Committee Report. Dr. Finnegan asked the board to email her ideas of possible candidates for TOA office. Dr. Norwood mentioned that if one of Texas' AAOS Councilors can not attend a meeting, a surrogate can attend the meeting in their place. Dr. Finnegan asked the TOA staff to send a reminder for the meetings three months in advance.

Michael Berkowitz thanked the board for allowing the administrators to be a part of the meeting. Mr. Berkowitz stated that the T-BONES meeting will occur on May 5th at the Four Seasons Hotel in conjunction with the TOA annual meeting.

Jeseka Wallace reported on the updated TOA website. Per Dr. Finnegan's suggestion a drop down menu was added to provide better navigation throughout the website. Lindsay Pavelka recommended that the board log in to the website and encourage their partners to do the same. Dr. Teuscher asked the TOA staff to send an email to the members with their username and password information and add Senators to the website.

With no more topics to be discussed, Dr. Norwood adjourned the meeting.

Minutes
Texas Orthopaedic Association
2006 Annual Business Meeting
May 6 – Four Seasons Houston

The 2006 TOA Annual Business Meeting was called to order by Stephen Norwood, MD, President. He thanked the Board of Directors and Committee Chairs, as well as the executive staff of the Texas Orthopaedic Association.

Minutes of the Las Colinas, 2005 Annual Business Meeting were reviewed and approved.

Dr. Norwood asked for a moment of silence in recognition of deceased orthopaedists: Drs. Blum, Burdeaux, Czitrom, Lang, Loyd and Dr. Renshaw.

TOA Officer and Committee Reports were given.

- Dr. Richard McKay gave the Membership Report and also gave the Secretary/Treasurer report on behalf of Dr. Drake Borer.
- Dr. David Teuscher gave an update the on recent legislative activities and urged members to support their PAC.
- The AAOS Councilor Report was given by Steve Norwood, MD. He listed important initiatives recently undertaken by the Academy. Dr. Norwood stressed the important of giving to the Orthopaedic Research and Education Foundation.

The Nominating Committee Report was given by Archie Whittemore, MD and Maureen Finnegan, MD
2006-2007 Slate of Officers offered for Membership Approval were:

. Tim Beck, MD of Tyler for Second President Elect
Earl Kilbride, MD of Austin for Secretary/Treasurer
George Brindley, MD of Lubbock for AAOS Councilor, West Texas
Sonya Ahmed, MD to remain the Resident Board Member

David Teuscher, MD and John Gill, MD will serve as 2006-2007 President and President-Elect.

The election of four members for the 2007 Nominating Committee was held and Drs. Jay Mabrey, Kelly Carmichael, Charles Baker, and Rufino Gonzalez were elected to serve.

David D. Teuscher, MD was sworn in as 2006-2007 TOA President. All officers, committee chairs and board members were sworn in to serve in the 2006-2007 term.

The meeting ended and members adjourned to the continuing 2006 scientific session.

Agenda

Texas Orthopaedic Association – Board of Directors Meeting

Thursday, May 4, 2006 at 5:00-6:30 pm

Houston Four Seasons – Conroe Room

1. Call to Order – Stephen Norwood, MD, TOA President

2. Minutes of the January 2006 Board of Directors Meeting

3. President's Report – Stephen Norwood, MD
   - Texas Orthopaedic Leadership Conference, Washington, DC: Feb 28-Mar 1
   - 2006 Annual Meeting, May 4-6 Houston Four Seasons
     Program – Earl Kilbride, MD, Chair
   - Arthritis Walk
   - Nominating Committee Report
   - Term Wrap Up

4. David Teuscher, MD, President Elect
   - 2007 TOA Annual Meeting, May 11-13 – Austin Four Seasons
   - Summit 2006 – August 11&12
   - Board Strategy Retreat
   - Legislative Report in Brief

5. John T. Gill, MD, 2nd President Elect (by report)
   2008 Annual Meeting – San Antonio

6. Secretary-Treasurer's Report – Donna Parker for Dr. Borer

7. Membership and Professional Ethics Report – Richard McKay

8. Committee Summaries & Reports
   - Legislative Committee – Mignon McGarry, Legislative Advocate
     - Professional Liability Committee –Survey
     - Podiatry Issues – April 26, 2006 Third Court of Appeals
   - Socioeconomics Committee – Andrew Kant, MD
     - Technology and Industry – Bill Schreiber, MD
     - Ancillary Services – Paul Pace, MD
     - Workers' Compensation – Steve Wilson, MD – Seminars/Reports
   - Research & Education Committee - Mark Brinker, MD
     - CME Programming – Ed Seade, MD

9. Resident Board Representative – Sonya Ahmed, MD, UTMB-Galveston

10. T-BONES Board Representative – Michael Berkowitz, KSF Orthopaedics

11. AAOS Councilors' Report – Stephen Norwood, MD

12. TMA Interspecialty Society Report – Korsh Jafarnia, MD

13. Adjournment

Texas Orthopaedic Association

70th Anniversary 1936-2006

Board of Directors Meeting

May 4, 2006
5:30 – 7:00 pm
Four Seasons Hotel
Houston, TX

Board of Directors
May 4, 2006

- **Call to Order**
  - Stephen Norwood, MD, President 2005-6
- **Minutes of January 21st Board of Directors Meeting** ***
- **President's Report**
  - Stephen Norwood, MD

President's Report
Stephen Norwood, MD

- **2006 Texas NOLC ("TOLC") Wrap-Up**
  - February 28th – March 1st, Washington, DC

President-Elect's Report
David Teuscher, MD

- **2007 Annual Meeting Proposed Schedule**
  - New format, deviating from TexMed
  - May 11th-13th, 2007
  - Four Seasons Hotel, Austin
  - Friday Morning at the Capitol
  - Mothers' Day Weekend
    - Activities and Events for Families & Moms
- **2006 Socioeconomic Summit**
  - (continued on next slide)

2006 Socioeconomic Summit & Resident Course

- **Barton Creek Resort, Austin**
  - August 11-12, 2006
    - Board Strategy Retreat Friday, dinner Friday night
    - Summit Saturday
    - Resident course Saturday afternoon

President-Elect's Report
David Teuscher, MD

- **Board Strategy Retreat**
  - Friday, August 11, 2006
  - For BOD members as well as TOA members who wish to become involved with TOA's long-term goals and strategy
- **Legislative Report** (in brief)

TOA Membership Applicants for May 2006 Induction

Active Membership

Don Buford, MD	Dallas
T. Bradley Edwards, MD	Houston
Donald C. Faust, MD*	Lubbock
Ty H. Goletz, MD	San Antonio
George Harrington, MD	El Paso
Robert G. Johnson, MD	San Antonio
Alan Jones, MD	Dallas
Atul B. Joshi, MD	**Lubbock**
Kalin D. Kelso, MD	Austin
Rory H. Lewis, MD	Mexia
Keith Meister, MD	Arlington
Christopher Miskovsky, MD	Corpus Christi
Donald L. Plowman, MD	Victoria
David A. Podeszwa, MD	Dallas
Edward B. Roberts, MD	Houston
Jeffrey R Schlimmer, MD	Corpus Christi
Richard T. Steffen, MD	San Antonio
Douglas Thompson, MD	Texarkana
Nicholas Tsoumas, MD	Austin

* new member from Louisiana
** elevating from Resident member status

Associate Membership

Miguel A. Berastain Jr., MD**	Corpus Christi
Michael L. Blackwell, MD	Tomball
Michael Di Donna, MD	El Paso
Michael Earle, MD	San Antonio
Robert Gledhill, MD	San Antonio
Tyler Goldberg, MD	Austin
W. Barry Humeniuk, MD	Plano
Joseph J. Iero, MD	Bryan
Mark A. Kazewych, MD	Irving
Stefan Kreuzer, MD	**Houston**
Mark A. Kwartowitz, DO	Tyler
Jeffrey McGowen, MD	Fort Worth
Michael Pappas, MD	Texarkana
Richard J. Post, MD	Sherman
Michelle M. Prince, MD	Houston
E. Peter Sabonghy, MD	Houston
Irvin K. Sahni, MD	Seguin
William E. Swan, MD	Corpus Christi
Steven J. Thornton, MD	Dallas
Matthew Wasserman, MD**	Katy
Scott A. Wenger, MD	College Station
Eric S. Wieser, MD	Dallas

Committee Summaries & Reports

- **Podiatry Issues**
  - John Early, MD
- **Socioeconomics**
  - Andy Kant, MD
- **Technology & Industry**
  - Bill Schreiber, MD
- **Ancillary Services**
  - Paul Pace, MD
- **Workers Compensation**
  - Stephen Wilson, MD

Board of Directors May 4, 2006

- **Resident Board Representative**
  - Sonya Ahmed, MD, UTMB-Galveston
- **T-BONES Board Representative**
  - Michael Berkowitz, KSF Orthopaedics
- **TMA ISC Delegate**
  - Korsh Jafarnia, MD
- **AAOS Councilors' Report**
  - Steve Norwood, MD