

MINUTES
Oversight Committee Quarterly Board Meeting
Cancer Prevention and Research Institute of Texas
Thompson Auditorium, 1st Floor, Texas Medical Association
401 W. 15th St., Austin, TX
February 20, 2009

James Mansour, Chairman, announced a quorum and called the meeting of the Cancer Prevention and Research Institute of Texas (Institute) to order at 1:10 p.m.

Members Present

Dr. Malcolm Gillis, Vice Chairman
Dee Kelly, Secretary
Cindy Brinker Simmons, Member
Dr. Joseph Bailes, Member
Scott Sanders, Member
Lionel Sosa, Member
Charles Tate, Member
Jay Dyer (Designee for the Attorney General)
Martin Hubert (Designee for the Honorable Susan Combs)

Members Absent

The Honorable Jeanne Phillips, Member

Legal Counsel

Melissa Juarez

Staff Present

Sandra Balderrama, Interim Administrative Director
Lisa Nelson, Operations Manager
Michelle Frerich, Program Manager
Marcie Moerbe, Program Specialist
Michelle Huddleston, Accountant
Yvette Jimenez, Administrative Assistant

Chairman Mansour recognized that The Honorable Jeanne Phillips was absent and that she has resigned from the Oversight Committee. ***Mr. Kelly moved to excuse today's absence and future absences due to her resignation from the Cancer Prevention and Research Institute of Texas. Dr. Gillis seconded. None opposed. Motion carried.***

Minutes

Mr. Sosa moved to adopt the minutes for the November 19, 2008 Cancer Prevention and Research Institute of Texas quarterly meeting. Ms. Brinker Simmons seconded. None opposed. Motion carried.

Ethics Policy including Rules for 25 TAC Ch. 702, related to the Ethics & Conflict of Interest

Ms. Brinker Simmons moved to publish the rules repeal of §§702.1 – §§702.4 in the “Rules Proposed” section of the Texas Register, in accordance with the requirements of the Administrative Procedures Act, Texas Government Code Annotated, Chapter 2001. Dr. Gillis seconded. None opposed. Motion carried.

Mr. Kelly moved to publish the new rules, as presented with today’s changes, throughout a new Chapter 702 in the “Rules Proposed” section of the Texas Register in accordance with the requirements of the Administrative Procedures Act, Texas Government Code Annotated, Chapter 2001. Dr. Bailes seconded. None opposed. Motion carried.

Closed Session

Pursuant to the Texas Government Code, section 551.074 of the act, Chairman Mansour called the committee into closed session to discuss employment matters regarding the vacancy and filling of the executive director position.

All non-Committee members and/or members of the public were asked to exit the room to allow the Oversight Committee to convene in closed session. Sandra Balderrama, Interim Administrative Director, was invited by Chairman Mansour to remain in the closed session.

The Oversight Committee Members went into closed session at 1:14 p.m.

The closed session ended at 1:55 p.m. The public was allowed back into the room to continue the open meeting.

The Oversight Committee Members reconvened at 2:00 p.m. with Chairman Mansour announcing a quorum; no action was taken in closed session.

Hiring of the Executive Director

Ms. Brinker Simmons moved to allow the Executive Committee to pursue the recruitment of the top two candidates and to make an employment offer as appropriate, based on feedback from today’s meeting. Mr. Tate seconded. None opposed. Motion carried.

Mr. Sosa moved to allow the Executive Committee to pursue a third ranking candidate and to make an employment offer should they be unsuccessful in negotiations with either of the top two. Mr. Kelly seconded. None opposed. Motion carried.

Approval of the Committee Members to the Texans Conquer Cancer License Plate Program

Mr. Sanders moved to appoint the following individuals to serves as members of the Texans Conquer Cancer License Plate Advisory Committee:

-Claire Neal (re-appoint)
-Claire Buie Chaney, Ph.D., L.P.C. (new appointment).
Dr. Gillis seconded. None opposed. Motion carried.

Nominations Committee report from Dr. Joseph Bailes

Clarification of the Science and Prevention Advisory Council's name

Dr. Gillis moved to change the name of the Science and Prevention Advisory Council, substituting "Scientific" in place of "Science". Ms. Brinker Simmons seconded. None opposed. Motion carried.

Scientific and Prevention Advisory Council (SPAC) membership

Mr. Sosa moved to increase the number of members in the Scientific and Prevention Advisory Council from 15 to 20 members. Mr. Tate seconded. None opposed. Motion carried.

Dr. Bailes named the nominees for the Scientific and Prevention Advisory Council:

- Mary Louise Adams, Ph.D.
- Juan Carlos Bernini, M.D.
- Raymond N. DuBois, M.D. Ph.D.
- C. Mark Chassay, M.D., M.Ed.
- Leonides G. Cigarroa, Jr., M.D.
- Christopher Karam, FACHE
- Suzanne Lockwood-Ravermann, Ph.D.
- John Andrew (Andy) Miller, MHSE, CHES
- John D. Minna, M.D.
- John J. Nemunaitis, M.D.
- C. Kent Osborne, M.D.
- Amelie G. Ramirez, M.P.H., Dr P.H.
- Angelique M. Ramirez, M.D.
- Curtis Wade Turner, M.D., F.A.A.P.
- John Weindanz, M.P.H., Ph.D.
- Matthew Morris Winkler, Ph.D.

The following are pending positions for which they are waiting recommendation from areas:

- Komen Foundation, Cancer Advocacy Group
- Mr. Lance Armstrong, Member at Large/Survivor
- Individual from the El Paso Area.

Statement for the Record on the Advisory Committee's Function:

For purposes of clarification for the new members of the SPAC and for those present, I would like to state on behalf of the Oversight Committee that the advisory committee has been created as a purely advisory body. To that end, it should be remembered that the Oversight Committee will have approval authority on all matters reported from the council.

It is expected that the council will present the Oversight Committee with all information relevant and necessary to making an informed decision and with all appropriate options.

Dr. Gillis moved to approve the individuals presented to the Oversight Committee today for membership on the Scientific and Prevention Advisory Council. Ms. Brinker Simmons seconded. None opposed. Motion carried.

Economic Development and Commercialization Committee report from Mr. Charles Tate

At the next oversight committee meeting in May, the Economic Development and Commercialization Committee will have recommendations as to what the Commercialization and Development activities of the Institute should be. This will be a decision for the Oversight Committee of what they will approve. The Economic Development and Commercialization Committee have had one meeting and will have 2 additional meetings.

Agency Move

Ms. Balderrama announced that the agency would be relocating to the Southwest Tower Bldg. in Austin at 7th and Brazos Streets, the second week of March.

Budget and Performance

Ms. Frerich provided information from the FY 2009 Performance Measure Report, First Quarter Summary. Ms. Huddleston provided information from the FY 2009 Expenditure Report.

Programmatic Issues

Mr. Sanders moved for the Institute to approve the following Proposed FY 2009 Contract Amendment Request. Ms. Brinker Simmons seconded. None opposed. Motion carried.

- Texas Medical Association – Special Funds Foundation – Physician Oncology Education Program
Approved at \$20,000
- Texas Nurses Association/Foundation – Nurse Oncology Education Program
Approved at \$3,235
- Texas A&M University System Health Science Center Research Foundation – Dental Oncology Education Program
Approved at \$7,430
- Cancer Foundation for Life – Cancer Foundation for Life Physical Conditioning Program
Approved at \$20,391

- University of Texas Medical Branch – Cancer Nutrition Network for Texans
Approved at \$4,365

FY 09 Texans Conquer Cancer Patient Support Services Grant Applications

The following are the 14 grant applications received:

- **Candlelighters of the El Paso Area, Inc.**
- **Compassionate Touch**
- **Covenant Health Systems Foundation for Chorus of Angels Fund**
- **Lee County Area Cancer Resource Center dba Combined Community Action**
- **Partners Together for Health, the Foundation for JPS Health Network**
- Cancer and Chronic Disease Consortium
- Cancer Connection Patient Care Fund
- Cancer Victims Foundation
- Guadalupe Economics Services Corporation
- Light and Salt Association
- Moncrief Cancer Resources
- Planned Parenthood of Willacy and Cameron Counties
- Wonders and Worries
- YMCA of Metropolitan Dallas – Lake Highlands Family YMCA Branch

Ms. Brinker Simmons moved to fund the top five applications selected by the Texans Conquer Cancer Advisory Committee at \$2,000 each. Mr. Tate seconded. None opposed. Motion carried.

Executive Committee Update

Chairman Mansour announced Dr. Joseph Bailes as a new member to the Executive Committee.

Closed Session

Chairman Mansour called the committee into closed session pursuant to the Texan Open Meetings Act, to receive legal advise from its attorney under section 551.071 of the act, including legal matters related to the 2009 Legislative session.

All non-Committee members and/or members of the public were asked to exit the room to allow the Oversight Committee to convene in closed session. Sandra Balderrama, Interim Administrative Director, was invited by Chairman Mansour to remain in the closed session.

The Oversight Committee Members went into closed session at 2:33 p.m.

The closed session ended at 3:33 p.m. The public was allowed back into the room to continue the open meeting.

The Oversight Committee Members reconvened at 3:38 p.m. with Chairman Mansour announcing a quorum; no action was taken in closed session.

Presentation from Ken Shine, M.D., of the University of Texas System

Dr. Shine from the University of Texas System shared how to stimulate research and explore areas that are not in the mainstream.

Future meeting dates and agenda items

The following Institute dates were discussed and stands as follows:

- May 15, 2009
- August 7, 2009

Executive Committee meetings will begin at 10:00 a.m. and the Oversight Committee meeting will begin at 1:00 p.m.

Public Comment

Dario B. Crosetto from the Crosetto Foundation to End Premature Cancer Death requested an opportunity to have a public hearing about the substantiation of his claims, possible doubts raised by the experts, and his rebuttal.

Dr. Billy Phillips from the University of Texas Medical Branch and **Dr. Melanie Williams** from the Texas Cancer Registry presented the updated version of the *Cost of Cancer in Texas*. Dr. Phillips was commissioned by the Texas Cancer Registry at Texas Department of State Health Services to provide this update. Hard copies should be available next week.

Mr. Timothy Culliver is a Founder of the Adam's Angels Ministry and he requested that the Cancer Prevention and Research Institute of Texas remember the children, like his son who died of cancer, when they are establishing funding priorities.

There being no additional business to conduct and no further comments forthcoming, **Dr. Bailes moved to adjourn the meeting. Ms. Brinker Simmons seconded. None opposed. Motion carried. The meeting was adjourned at 4:08 p.m.**

Signature

Date