

Exhibit A

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Narcisse: [00:00:19] Hey Tomas.

Rios: [00:00:19] Hey. How are you?

Narcisse: [00:00:19] Good sir. Thanks for taking some time.

Rios: [00:00:19] Yep.

Narcisse: [00:00:19] (inaudible).

Rios: [00:00:19] I'm sorry?

Narcisse: [00:00:19] Did you just get here?

Rios: [00:00:19] Yeah, yeah. Yes sir.

Narcisse: [00:00:42] Thank you sir.

Law: [00:00:42] (inaudible), or not?

Rios: [00:00:42] Not Too bad, building up.

Law: [00:00:49] Let me, Let me tell you how I fit and, Why I wanted to visit with you.

Rios: [00:01:04] ok.

Law: [00:01:15] i'm in private practice. IPC has medical Malpractice coverage for all of you through the doctors company. when there is a malpractice lawsuit, I'm one of several lawyers that the doctors company will hire to represent the doctor who's employed by IPC.

Rios: [00:01:39] ok.

Law: [00:01:43] The policy that the doctors company has for IPC also has what's called a mediguard endorsement which is to provide legal expense coverage for representing physicians through the Texas Medical with complaints with the Texas Medical Board. So I do that as well.

Rios: [00:02:05] OK.

Law: [00:02:09] This falls kind of within that framework in terms of peer review and that kind of thing,

Rios: [00:02:14] Ok.

Law: [00:02:14] Ok?. So I got the call this morning to see if I could offer you advice, counsel, make sure we're all on the same page in terms of what's going on out there in an effort to try to resolve or not.

Rios: [00:02:43] Right.

Law: [00:02:44] I don't have to be your lawyer at the end of the day but I can give you some insight

in terms of where things are what's going to happen now. Here's what I don't know. I don't know the specifics of St Luke's bylaws with respect to due process, fair hearing those types of things.

Rios: [00:03:07] Ok.

Law: [00:03:09] In large part, they're almost all the same.

Rios: [00:03:14] Yeah.

Law: [00:03:16] I don't know and i havent talked with anyone at st luke's about you.

Rios: [00:03:19] ok.

Law: [00:03:21] I haven't done any of that. But I understand that there may or may not be some time fuse. I don't know whether there is or not we can talk about that.

Rios: [00:03:37] Ok.

Law: [00:03:37] But I know generally how the system works and generally what they do.

Rios: [00:03:46] Ok.

Law: [00:03:49] I'm interested in trying to do visit with you and understand the issues and then see if there's some way I can help you in making decisions about what you want to do.

Rios: [00:04:02] Ok.

Law: [00:04:02] Ok? And I wanted Dr. Narcisse here because he interfaces with the physicians in your pod, and he also interfaces with St Luke's to the extent there are issues related to the physicians in your pod.

Rios: [00:04:27] Right.

Law: [00:04:27] Ok? So he's kind of he's kind of a IPC conduit as well as a conduit between all of you and St Luke's. I don't know that it's necessary and I don't want to waste your time to talk about the medicine involved in various issues. I think we may get to that at some point but I don't know whether because of the time fuse involved whether or not it's it's pertinent to have a discussion about it. Let's talk for a minute and decide.

Rios: [00:05:20] Ok.

Law: [00:05:21] Do we, are we of the thought that something related to Dr. Rios is going to go to peer review?

Narcisse: [00:05:33] Definitely.

Rios: [00:05:33] Yes.

Law: [00:05:34] OK. We know that?.

Rios: [00:05:35] Yeah.

Narcisse: [00:05:37] That's been communicated to Dr Rios directly. That's been communicated to myself.

Law: [00:05:40] and communicated to him directly by.

Rios: [00:05:42] The chief of staff.

Law: [00:05:43] Chief of staff.

Narcisse: [00:05:48] And and, verbally and not in paper.

Rios: [00:05:49] Well, right.

Law: [00:05:50] OK. And under due process they have to give you written notice of the hearing. It's usually not sooner than 30 days after the notice goes out.

Rios: [00:06:04] ok.

Law: [00:06:05] You have a right to Counsel.

Rios: [00:06:05] Ok.

Law: [00:06:06] You have a right to get all of the medical records for all of these patients and (inaudible) so that you can go. ok? Possibly pertinent now is, are all of these medical care issues are they something else?

Rios: [00:06:31] I think the ones that he brought to their attention are related to medical care. But I don't know what his. I don't know how you go about filing a specific complaint for peer review or if he has a specific issue and it's something else. I don't know. But it sounded to me like at least one or two of them were were medical care issues.

Law: [00:06:52] Ok. And do we think that they are medical care floor issues, or are they ICU issues or possibly both?

Rios: [00:07:01] Both.

Law: [00:07:01] Ok. Are there any other issues that may be submitted to peer review not related to medical care?

Rios: [00:07:16] I mean I don't know.

Narcisse: [00:07:16] The answer's yes.

Law: [00:07:16] Ok.

Rios: [00:07:16] Ok.

Law: [00:07:20] And that's going to relate to something political?

Rios: [00:07:23] Ok right, probably.

Narcisse: [00:07:27] Actually, before you go down the political rabbit hole. What's going to happen

in my estimation is that, every time Dr Rios' name has been linked with a patient safety net notification, or PSN, all of those are going to be brought to this this peer review for additional evaluation. It may go nowhere. It may go somewhere and have some legs. I'll tell you, Tomas, I received an email from Dr. Berger, confidential email. I'm going to tell you, and I'm reluctant to tell you but I'll tell you, of patient complaints that have been lodged against you. I've read through them and it's, three or four of them seem to be about IV benadryl and pain management.

Rios: [00:08:21] Right.

Narcisse: [00:08:22] I mean it's just like Are you kidding me.

Rios: [00:08:24] Right.

Narcisse: [00:08:25] This is ridiculous.

Rios: [00:08:26] Right.

Narcisse: [00:08:26] Kinds of things. But what I'm going to tell you and I want to be very clear about this is any time Dr. Rios' name and administration were in the same sentence, that's going to be brought to this peer review. Some of those things are going to be very very simple to explain. Some of those are going to be very very appropriate to explain. Some of those may or may not be. I can't adjudicate every single one. I can tell you about the one's that I've looked at in the last 10 minutes.

Law: [00:08:59] How many do you think there are?

Narcisse: [00:09:02] There were four that were sent to me just now was another complaint. I think it's going to be under 10.

Law: [00:09:04] Ok.

Rios: [00:09:07] So I've only been made aware of, from the patient complaint office, I've been made aware of Lamesha Jones which was earlier when I first started.

Narcisse: [00:09:18] Sure.

Rios: [00:09:19] There was I think maybe two others that I'm aware of. And then I recently got an email about Kimberly Crease, and it said something about a doctors. It was weird. I don't even know if I was the rightful physician. It was really weird.

Narcisse: [00:09:34] The four that were sent to me, February 11th. I have a medical record number that's, not a name.

Rios: [00:09:39] Ok.

Narcisse: [00:09:41] It says a patient. That you didnt, that not listening regarding effectice medications, refuses to give IV benadryl.

Rios: [00:09:44] Yeah.

Narcisse: [00:09:47] Did not explain why.

Rios: [00:09:48] Right.

Narcisse: [00:09:48] Want to change physicians.

Law: [00:09:48] Ok.

Narcisse: [00:09:48] That's, you know its those kinds of things.

Law: [00:09:48] Ok. Is there anything else going on that's.

Rios: [00:09:58] Yes there is,

Law: [00:09:59] Interpersonal stuff?

Rios: [00:10:00] There's, so the medical ICU director has, he's been known, this has been said not by me, by others that he's got a vindictive nature. I had a communication with him regarding a patient where I felt that there was a certain way that this patient should have been treated in a rapid fashion. And it was at the time that the hospital was changing from an open to a closed ICU. But we as hospitalists were still accepting patients from the transfer center. So I was called, and they said your patients going to the ICU, this bed. And then when the patient got to the floor, I got called the nurse your patient has arrived. So I went to go see the patient, and then I did things as I felt appropriate for the patient. And actually I brought this because this kind of details what happened for the patient and then it tells,

Narcisse: [00:10:50] That Beryl Barnett?

Rios: [00:10:51] Yeah and then tells you about the next day when Dr. Herlihy who is the ICU physician called me and started acting what I feel is definitively in a disruptive manner according to this, is an article from the physicians ethics professional human rights committee, that he actually exhibits these types of behavior that is very disruptive. Ironically when he wants to do is to label me as a disruptive physician as an impaired. And I'll tell you right here. This thing specifically says, when you talk about that, it says, on the other hand, it's it talks about identifying disruptive physicians, and it says, on the other hand physicians should not disparage the professional competence, knowledge, qualifications or services of another physician without substantial evidence, he's been doing this to me.

Law: [00:11:42] Ok.

Rios: [00:11:43] And so he's getting all these things together and he wants.

Law: [00:11:47] You sent this?

Rios: [00:11:47] I sent this to him and I don't know who else who else got it.

Narcisse: [00:11:50] (inaudible).

Law: [00:11:50] Has it gone anywhere?

Narcisse: [00:11:50] No.

Law: [00:11:53] Ok So in the middle of July something was going on.

Narcisse: [00:11:55] Yeah.

Law: [00:11:56] This has been going on for awhile.

Rios: [00:11:57] Right.

Law: [00:12:02] You must have gotten notice about peer review in July, no?

Narcisse: [00:12:06] No no.

Law: [00:12:07] Or is this just this.

Rios: [00:12:08] I was.

Law: [00:12:09] (inaudible).

Rios: [00:12:09] I was.

Narcisse: [00:12:09] Actually, if I may, I actually communicated, at Dr Rios' request, a request for peer review for this particular case.

Law: [00:12:16] ok.

Narcisse: [00:12:20] Because the issues that Dr Rios brings is that there there are substantial.

Rios: [00:12:26] Patient safety issues.

Narcisse: [00:12:27] Care concerns, on behalf of the other physicians. Where this is going to lead, I asked Dr Rios to prepare this document, thinking that there would be a peer review, sort of, in a rapid fashion. There was not, because the hospital's peer review process has been (inaudible) in the post CHI acquisition of St Luke's Episcopal. So this particular case will be part of all of this. But this particular document has not gone to the hospital administration.

Law: [00:13:01] ok and. and.

Rios: [00:13:04] That, I mean that was Herlihy, what do you mean?

Narcisse: [00:13:06] Unless you sent it to Herlihy?

Rios: [00:13:07] Oh, he, I don't know if he got this actual letter.

Narcisse: [00:13:10] No i didnt send it.

Rios: [00:13:10] This case is involving that physician.

Law: [00:13:11] But the only place this has gone is to him.

Rios: [00:13:14] Right.

Law: [00:13:16] OK. So it sounds like this has been going on for several months and it's now coming to a head.

Narcisse: [00:13:23] Correct.

Law: [00:13:23] Right?

Rios: [00:13:26] Yeah.

Law: [00:13:26] Ok. And Herlihy's going to be a primary mover against you.

Rios: [00:13:32] Yes.

Law: [00:13:32] Ok. Peer review takes a long time. Obviously you have the right to defend yourself. Obviously you have a right to have a lawyer and do all those kinds of things. I Don't know whether there's any way to predict now.

Rios: [00:14:03] What's the outcome.

Law: [00:14:04] Whats the outcome, because the outcome if it's adverse for you is devastating to your career. I think. It gets reported to the National Practitioner Databank and everywhere else you should apply, has access to it, and you've got to explain everytime, just like you do with every lawsuit.

Rios: [00:14:26] Right.

Law: [00:14:28] And you've been on credentialing committees and you know all that kinds of stuff.

Rios: [00:14:32] Right.

Law: [00:14:33] So at some point you've got to make a value judgment about what are my chances of prevailing over this. Or what are my chances of not getting death penalty sanctions against me. And how strong do I feel about it, and I think you always got to factor into that, what's the political climate.

Rios: [00:14:55] Right.

Law: [00:14:57] With a new guy on the blopck, And someone who's been there 20 years. What's the livelihood of me prevailing. And problems the problems are that in most of these situations, the old main-stay people prevail. That's.

Rios: [00:15:17] That's just how it goes.

Law: [00:15:17] Just How it goes.

Rios: [00:15:18] Yeah.

Law: [00:15:19] Now the question is whether or not you can you can either win, or you can get something that's palatable to you in terms of sanctions.

Rios: [00:15:30] Right.

Law: [00:15:31] Or whether they're going to throw the mother load at you. And that's not something that's easily discernible. We can certainly come to a reasonable conclusion based on past experience, but i can't tell you that because I don't know the medicine.

Rios: [00:15:50] Right.

Law: [00:15:51] But if we're talking just about the players, and we're talking about a multitude of problems. It may well not turn out good for you. But you certainly have all rights that are associated with due process and fair hearing and all of that. And you have right exercise that.

Rios: [00:16:07] Now, that's the other thing. Is really going to be a fair hearing. Is it really going to be an independent review. That's the thing. I mean if it's if it's just kind of oh you know I've got a bunch of my buddies on an independent committee then.

Law: [00:16:17] and and, supposed to be, obviously.

Rios: [00:16:21] But he's the director of the ICU, and so if any of the issues are related to critical care, then.

Law: [00:16:29] It's a bunch of critical care people.

Narcisse: [00:16:30] Bunch of critical care people. That work for him. That he recently hired.

Rios: [00:16:35] Well see. Dr. Wilson told me that it was actually a lot of subspecialists. And I don't know that that's the thing I don't really have a good idea of who it is.

Law: [00:16:45] And you won't until they start the process and they appoint them. And that's one of the problems is, you don't know who the players are going to be until you get into it.

Rios: [00:16:56] I see.

Law: [00:17:00] Here's another issue that I see that I think we should talk about. Is is can they make the argument with Med Exec or whoever it is, that these kinds of complaints involve generically patient safety.

Rios: [00:17:23] Yes.

Law: [00:17:24] OK.

Rios: [00:17:25] This generically on his part because I think there's an ulterior motive that he's doing this, I don't think it's.

Law: [00:17:31] And that may well be.

Rios: [00:17:31] Yeah.

Law: [00:17:31] And there may well be. And what I'm concerned about is sometimes if they know that peer review is going to take a long time, sometimes they have the ability to summarily suspend. And am I not right with the Bylaws?

Narcisse: [00:17:51] The committee does have that right.

Rios: [00:17:52] Right. If they feel that patient safety is really in jeopardy.

Law: [00:17:55] If it's a patient safety issue.

Rios: [00:17:55] Right.

Law: [00:17:59] And then, you know the fair hearing thing goes on but you don't have the privileges to practice there anymore. Summarily suspension, right or wrong get reported to the National Practitioner Databank. So, is there any way to gauge the likelihood of that happening? From either one of you?

Rios: [00:18:22] I don't know. I know Victor is currently part of Med Exec committee so he probably has more insight into what may.

Law: [00:18:30] I mean should we should we should we factor that possibility into the discussion.

Narcisse: [00:18:35] True.

Law: [00:18:36] OK.

Narcisse: [00:18:36] I'll Tell you what, I have two data sources, both telephone calls I received yesterday. First and, do I have leave to say anything here?

Law: [00:18:53] I don't know, you do with me.

Narcisse: [00:18:56] Tomas, Tomas.

Law: [00:18:57] If it's Med Exec.

Narcisse: [00:18:59] I I I haven't I haven't been engaged on the Med Exec.

Law: [00:19:02] Ok.

Narcisse: [00:19:05] Tomas I need to speak frankly to you about conflicts of interest that I have.

Rios: [00:19:09] Ok.

Narcisse: [00:19:11] Ok? So I have a lot of different hats here. I'm a member of the Medical Executive Committee, at least until, until December 31st.

Rios: [00:19:18] OK.

Narcisse: [00:19:19] So ultimately I'm going to be one of the people that the report's going to go to, that's going to say, up or down. It actually ends up happening long before it ever comes to Med Exec.

Rios: [00:19:29] Ok.

Narcisse: [00:19:30] I'm the head of IPC at St. Luke's and my responsibility there is to try to protect all the doctors and the entire practice. I'm an administrator at St. Luke's. I'm the medical director of the transfer center. I have a chairmanship of a couple committees, and I can tell you that in the last 24 hours I've been made to feel like, Dr Narcisse you need to fix this problem.

Rios: [00:19:59] ok.

Narcisse: [00:20:00] Immediately. ok? Again you, what do I think about you as a physician? If my mother was in the hospital you'd be one of the people I'd be comfortable taking care of her. Your medical care is without question.

Law: [00:20:18] And let's be clear. I've got two hats too. I've been offered I've been asked to help you with this, but I represent IPC as well. So to the extent that the interests can be together.

Rios: [00:20:36] Right.

Law: [00:20:36] That's great. To the extent that they're not together, I think we just have to have full disclosure about that.

Narcisse: [00:20:44] And That's what I wanted to do here, Tomas. I want to make sure that you you listen to the suggest, what, the things that I say.

Rios: [00:20:50] Ok.

Narcisse: [00:20:50] And evaluate them appropriately, and don't, and feel that at least, at the very least I am being transparent with you.

Rios: [00:20:57] Ok.

Narcisse: [00:20:58] OK. I've been called by the chief of staff Mike Wilson And I've been called by the clinical the chief of staff David Berger. I had conversations with with thema Mike Wilson is the chief of staff said that if he had heard about. His words were, and going to paraphrase, quoting closely as possible. If he had heard about any of these matters within 24 hours of their occurrences, that he would have suspended you summarily at that time.

Law: [00:21:29] Listen, what's he hearing?

Rios: [00:21:29] Yeah.

Narcisse: [00:21:30] I don't know that he has.

Law: [00:21:31] See thats the problem.

Rios: [00:21:31] That's the, yeah, right.

Law: [00:21:31] We don't know what he's hearing.

Narcisse: [00:21:33] This is a problem because he's not heard it from Tomas and prior to this conversation he's not heard it from me.

Law: [00:21:39] Right.

Rios: [00:21:39] Right.

Narcisse: [00:21:40] So what he's hearing is completely one sided, it's completely from from Herlihy. But that, the political climate here I think is, must be considered because if his director of ICU says that there is a Patient safety matter.

Rios: [00:21:56] Right.

Narcisse: [00:21:58] Why would he, as the Chief of Staff, say, no no no no no, that isn't a patient safety matter, i mean it becomes a high bar for him to prove the negative.

Rios: [00:22:09] Right.

Narcisse: [00:22:11] And if he can't do it until the whole process.

Rios: [00:22:14] Process takes place.

Narcisse: [00:22:14] Has been done.

Rios: [00:22:15] Right.

Law: [00:22:17] But by then the damage is done to you.

Narcisse: [00:22:19] Correct.

Law: [00:22:19] If you get suspended.

Rios: [00:22:21] Well. So he so he cannot. So he's you're telling me that he would consider summarily suspending my privileges until this goes to review?

Narcisse: [00:22:31] He said that if he'd heard, the Bylaws say that if something is a patient safety matter and its brought to the attention of X Y Z person, peer review, Chief of Staff, Med Exec. He has the authority to.

Rios: [00:22:44] To summarily suspend.

Narcisse: [00:22:45] Because it's happening in real time. It represents a real time patient safety matter. He is the suthority to to summarily.

Rios: [00:22:51] And see. This is the interesting thing is these are the very issues that I've been trying to bring to light and telling him look. It's funny that he's telling me that's patient safety, I'm saying look at all these unnecessary procedures we're doing on these patients. This is really a patient safety matter. And in the case of this guy, under Dr Herlihy's care he died unexpectedly.

Law: [00:23:09] So you want to talk about it from the other side.

Rios: [00:23:11] Yeah I'm saying no wait a minute, this guy who's directing the ICU is the guy who is is a threat to patient safety.

Narcisse: [00:23:16] So you see where the conflict for me has been, because I'm stuck in the middle here. And Tomas is my guy. And Tomas is covering me. He's my partner. And you know there's a real there's a real that's going to going to come here. And if you take the science of it I, think it going to be a close call. It's not a slam dunk, either way. The politics of it are completely on the other side and Tomas has zero chance of even getting into the room and. In fact, I'm going to say what I was told not to say. I'm going to tell you who. Is that that when they look at this. They're going to give you level 4 adjudication. So some people have already made up their mind that this represents an egregious situation.

Law: [00:24:14] Level 4 means exactly what?

Narcisse: [00:24:16] Level 4 the highest level of patient safety and the finding of such will allow for one of two things to happen. "A" it's reportable. And 2, even if his privileges are not summarily suspended, what's a more likely scenario is that he would have to be proctored for a period of 6 months. And just for, for history, we actually just imposed that penalty upon a cardiologist. And the reason for that penalty was two adverse malpractice claims were settled in one, two year reappointment cycle. For not big dollars.

Law: [00:25:00] I mean, the concerns that I have. One concern I have, and you tell me if i'm wrong or not. Is that if he were to be summarily suspended, and we could evaluate the likelihood that. That will happen without Wilson hearing his side.

Narcisse: [00:25:19] Correct.

Law: [00:25:20] It just happens. They just do it. Now. You have some rights after that. To Try to overturn it, to sue them, to do those kinds of things. you have all those kinds of rights. You've got to evaluate at some point, where that gets you.

Rios: [00:25:35] Right.

Law: [00:25:36] You know and the other concern is if you were to go to fair hearing and do all of this, is the situation already skewed in such a way where you don't have a chance. Or can we evaluate that. It sounds like we think we can.

Narcisse: [00:25:58] I'm worried that I can.

Rios: [00:26:00] You're worried you're worried that what?

Narcisse: [00:26:01] The fact that I got this e-mail with these complaints about IV opioids and IV benadryl use. Which are things that are very very defensible. But The fact that it was sent to me is is a very very clear message to me that they're evaluating everything that Tomas has ever done. Up or down. Any little complaint. And the concern I have isn't so much that there's a singular death blow problem. Because I don't think that there is.

Law: [00:26:31] It's a combination.

Narcisse: [00:26:34] It's going to be the death by a thousand knife cuts.

Law: [00:26:34] Yeah.

Narcisse: [00:26:36] That's the concern that I have. That they're use the the sheer weight and the sheer number of concerns.

Rios: [00:26:45] So they're just bringing up a kind of frivolous complaint and using it as evidence. Saying oh well look. This is Iv opioid. We have drug seekers that come in. I don't I don't give it to them but oh this is a complaint because the drug skeer who, by the way one of them owes the hospital. It was really weird that one they showed us, said that they called her about some \$15,000 bill that she had, and I'm reading this whole complaint from the financial office. And then at the very top it says something about a physician saying that she was in regular clothes and couldn't stay in the hospital.

Law: [00:27:13] Yeah and what they're going to try to do is use 10 of them.

Rios: [00:27:16] Yeah.

Law: [00:27:17] Together.

Rios: [00:27:17] Right.

Law: [00:27:17] To show a pattern. (inaudible)

Rios: [00:27:18] Right, yeah. Which is which is, there for, there. I mean like in reality you know, and like we talked about before a lot of physicians get these kind of random complaints and just it's just what happens.

Law: [00:27:31] Right.

Rios: [00:27:31] But you know this is my concern is that, if it's this easy to oust a person in the facility. If we're really, laws and everything that we've learned. Is I'm I'm just, I have training (inaudible).

Law: [00:27:42] I understand.

Rios: [00:27:42] We're supposed to report patient safety issues. We have a duty to report this kind of stuff, but it sounds like like the minute you do it, you're retaliated against and they're going to get you out of there, you know. And that's the problem. Why why why are we doing this then. Why is it in law? I can be charged with a misdemeanor for not reporting something that's patient safety. But you know if it goes into the under the radar that's fine. But with this issue, these issues are coming up and you've got some medical ICU director that has a chip on his shoulder and he wants to try and prove a point and try and ruin my career. I mean I take that very seriously.

Law: [00:28:12] I understand you should.

Rios: [00:28:14] And so I mean you know like I told Victor. I understand, for this fight. It may not be something that I'm going to win and I want to go about it in the best way possible to preserve my livelihood, my career,.

Law: [00:28:25] Absolutely.

Rios: [00:28:26] And go through. That's what that's my goal.

Law: [00:28:28] Absolutely.

Rios: [00:28:29] At the end of the day once I'm out of the hospital. He can no longer have any power. And every regulatory agency's going to hear about all the safety issues that I had. You know and he's not going to be able to do anything about it. You know and so these are serious concerns that should be non-punitive, we get, we have a discussion. Why do you think, Dr Rios, this is a safety issue. Why do you think this is a safety issue, Dr Herlihy. But that's not how it works. They don't play fair. You know, and it's like. You know, and I told Victor. My my my recollection of St. Luke's as a trainee with very fond. But I was like, if this is how it's going to be in the future, I can only predict that it's not going to ever be that way again. Because you're going to have a one sided way of doing things and it's not going to be in the patient's best interest. And I'll tell you I was reading a report. Actually it says right here. I was reading this. And it talks about William Mayo, one of the founders of Mayo Clinic in 1910 he addressed the rush College of Medicine. And he was

talking about the sum of total medical knowledge in 1910, if you can imagine, saying that it was vast and no one person could practice autonomously. He says, and I'm just quoting one of the parts that I thought was very very interesting. He says, the best interest of the patient is the only being considered. And in order that the sick may benefit advancing knowledge Union forces is necessary. This is a separation of forces. You know Herlihy's going in his corner and saying, it's my way or the highway. And I'm saying, this is n't in the best interest of patient care and patient safety and he's, saying I don't care. I'm going to just throw the book at you and have you out of here because you're not agreeing with that I'm doing.

Narcisse: [00:30:11] (inaudible) They may or may not be able to take you head on, on the patient safety pieces of the medical care.

Rios: [00:30:23] Right.

Narcisse: [00:30:27] The fact that Dr Herlihy used the word impaired physician.

Rios: [00:30:27] Right, yeah.

Narcisse: [00:30:29] Suggests another potential strategy that may be levied against you.

Rios: [00:30:35] Well what's my impairment?

Law: [00:30:36] What does that have to do with.

Narcisse: [00:30:39] Not that your impaired, but the issue around disruptive physician behavior.

Rios: [00:30:43] Right.

Narcisse: [00:30:44] And so the question is, could the sum total of these minor infractions be woven into a tapestry that says that Dr Rios is disruptive.

Rios: [00:30:56] Well of course they're, they're going to try and use every aspect.

Narcisse: [00:30:58] Well, I I understand.

Rios: [00:30:58] I mean it sounds like he's he's declared war on me. And so he's going to use every aspect to try and do it, whether it's right or wrong he's going to try and do it. The the, the, like I tell you, the ironic thing is that he is the very definition of disruptive physician according to this. And you know if you wanted to actually get random and truly anonymous evaluations from different nursing staff and different whomever. It will tell a whole different story about me. It won't say I'm disruptive. It'll say that I'm cordial to them and I'm very nice. And, sure I've had some bad days and I've probably not been on my best behavior.

Law: [00:31:30] (inaudible).

Rios: [00:31:31] But yeah but everybody has. But, Truly this guy is disruptive and he is egregious and what he's trying to do to me is.

Narcisse: [00:31:40] Wrong.

Rios: [00:31:40] Is wrong. It's just blatantly 100 percent wrong.

Law: [00:31:44] Here are two questions. If you were to take him on, head on.

Rios: [00:31:51] I'm going to lose.

Law: [00:31:52] Could you win?

Rios: [00:31:53] I.

Law: [00:31:54] and number two is, is it worth the fight?.

Rios: [00:31:57] Well that's the thing. I mean what's the outcome. The outcome is that I stay at the hospital. I'm vindicated and, ok that's my my, the positive outcome. If I do win.

Law: [00:32:10] If that's what you want.

Rios: [00:32:11] Right, I know. And the negative is that, he gets his way and I get dealt a serious blow to my career.

Law: [00:32:19] Right.

Rios: [00:32:20] So true. like I said before my first priority is preservation of my career, my ability to provide for my family.

Law: [00:32:26] I understand.

Rios: [00:32:27] So if this guy is threatening my career and livelihood, he can do it on somebody else. I'm not going to be, I don't want to stick around to do it. I'm not, you know. Now if this is, this is the thing. Like you said, evaluating the people on the other end. If they are reasonable. If they are truly independent then I truly believe that this is not going to go anywhere. But if they're not then yes if he had some type of control over these committees I think it could end up bad.

Law: [00:33:02] So so Victor what do we know about composition of these since it's changed?

Narcisse: [00:33:08] It's an ad hoc committee.

Law: [00:33:08] Which means?

Narcisse: [00:33:12] People specifically appointed by Dr Wilson as the chief of staff to sit on (inaudible). I've sat on these ad hoc disciplinary committees before. There are typically three members, and the decisions of the three are forwarded to the entirety of the credentials committee. And then to the Medical Executive Committee, but are typically adopted.

Law: [00:33:44] It's a rubber stamp, usually?

Narcisse: [00:33:45] The committee that I sat on was not a rubber stamp. And it was a cardiologist. And we end up giving him sort of a middle level penalty for for bad physician behavior, yelling at nurses in the cath lab, that kind of stuff. And he was sanctioned. You know, again, I took it pretty seriously. The other members took it pretty seriously.

Law: [00:34:11] You think It was rubber stamped above you?

Narcisse: [00:34:15] It's entirely possible.

Law: [00:34:17] (inaudible) by Med Exec?

Narcisse: [00:34:18] That the selection selection of the membership is probably the most crucial part of this, Because depending on who you pick. Mike Wilson knows the people very very well and he's got a long standing relationship with them. You can pretty much tell before you put somebody on this committee, are they likely to want to put a hammer down, or are they likely to want to give some leniency. Do something in the middle.

Law: [00:34:46] Are all these ad hoc people, are they already members of the credentialing committee?

Narcisse: [00:34:50] No.

Law: [00:34:51] There just staff physicians? This is, yes.

Narcisse: [00:34:54] They're just staff.

Law: [00:34:54] And if you could predict, you may not be able to, the composition of this ad hoc committee would be, hammer down or compromise or?

Narcisse: [00:35:08] I think that the, It is my sense in speaking to Dr. Wilson that they're going to try to put the hammer on him. It's my it's my opinion based on the conversations I've had in the last 48 hours with people, that the decision has already been made at some level, or that there's a desire for a certain outcome at a certain level. And they're trying to develop the evidence to prove up the point. That's. That's my. That's, and Tomas I want to be very very precise with you.

Rios: [00:35:42] I appreciate the transparency because it gives me.

Law: [00:35:44] And you know you have rights, you know if the fair hearing goes down the wrong way you the rights to challenge it. you can do so in court.

Rios: [00:35:54] Yes.

Law: [00:35:59] There's um, something you want to do. It's something that's going to be a worthwhile effort.

Rios: [00:36:01] right.

Law: [00:36:01] Is the composition of the committee going to be so clear yet you can make a case that it's a bunch of good old boys as opposed to someone who's going to be unbiased and impartial to begin with. Those are all things that nobody can predict now.

Rios: [00:36:22] Right.

Law: [00:36:23] In terms of what the outcome would be.

Rios: [00:36:25] So and I want to ask you about. And I don't know if this would be a move that would be pointless or something that could be possible. OK. I had the privilege of taking care of Judge Reavley and his wife I met Judge Carolyn King.

Law: [00:36:51] ok.

Rios: [00:36:53] And we had a very good experience and a good relationship and I actually took care of him when he was in the hospital and I had multiple conversations with Judge King. She is one of the people on the board of directors at Baylor. Would it.

Law: [00:37:07] Baylor College of Medicine?

Rios: [00:37:08] Baylor College of Medicine.

Law: [00:37:10] Baylor, not St Lukes.

Rios: [00:37:11] Well Baylor St. Luke's. It's part of.

Narcisse: [00:37:17] You mean the hospital joint venture or do you mean the medical school?

Law: [00:37:17] The medical school.

Rios: [00:37:17] Well I don't know if that to be to be fair I don't know. So.

Narcisse: [00:37:22] It's my sense that it's the medical school and not the hospital.

Rios: [00:37:24] So I guess we could try, but if if if that's the case would it be reasonable, or would, to reach out to her?

Law: [00:37:34] It would be reasonable in character.

Rios: [00:37:47] In a last ditch effort to try and have a resolution before I say OK fine I'm leaving.

Law: [00:37:54] Yeah that's what I'm saying is reasonable I think from a character support kind of standpoint. But at this stage my gut reaction is that Wilson if he was going to do what he was doing would say to her. Thank you. I appreciate your input but this is something else. Therefore I going to disregard what you say and do what i'm doing. Now if you were to to have her as in support of you at the fair hearing afterwards. Yeah great. I can understand that I just don't know how effective it would be at this stage, and I don't know whether Wilson is going to pay her any attention or not. Unless from a political standpoint He was to have the impression that doing something against what she said would be harmful to the hospital or harmful to the college. There's no way to predict that. I'm just I'm just thinking that, the converse is, if you had a if you had a physician on staff there, not IPC related, who was totally in your corner, who had enough stroke to go to Wilson and say this is bullshit, then that might carry some weight. I don't know if there's anybody like that or not.

Rios: [00:39:25] I I have met on multiple multiple occasions. The only other person I can think of I've met on multiple occasions the president of the Texas Heart Institute Dr Willerson. He was one of our physicians during training and also I interviewed with them when I was looking for cardiology I interviewed with Dr. Wilson too. And so and I've had several interactions with him. You know the only the only way I think, sounds to me like this is going in to the field of politics more than actual is you know, so the only thing that I can think of that I would be able to do at this point in time, and obviously. You tell me you think I'm right or wrong, or your advice, Is reaching out to figures that I feel may have and I'm not sure, but may have political influence to call off the dogs, and say look we need to sit down and have a real discussion. You're trying to you know you're trying to execute someone who who is by and large has been in a good physician and you all would need to stop.

Narcisse: [00:40:38] So the one comment to that, Tomas, is the, I think that this is a really really important piece for you. What Dr. If I were Dr Wilson and someone were to come to me and make whatever supportive or negative claims against you, what I would say is, we're going to refer whatever commentary to the peer review process, and through the peer review process. All of these things will be heard and adjudicated. And the issue for you from my perspective is whether or not that chance of the fair hearing is worth it given the potential outcome. What the committee has not as far as I know has not been set has not formally launched their investigation although, my information suggests that they're clearly gathering up papers, commentaries.

Law: [00:41:46] Who starts that, the credentialing guy?

Narcisse: [00:41:46] I think in medical staff services.

Law: [00:41:46] That Lawson guy? Ok.

Narcisse: [00:41:55] Let me ask a question, was Willerson involved in your fellowship?

Rios: [00:41:59] No no. He was involved in residency.

Law: [00:42:02] ok. You know that I get access to this.

Rios: [00:42:08] right.

Law: [00:42:09] And I can get access to this.

Rios: [00:42:11] right.

Law: [00:42:12] Tell me about this. I don't want a whole lot.

Narcisse: [00:42:16] If you'd like I'm willing to leave the room.

Law: [00:42:18] No, because it's public notice. I just I I want to know who started this.

Rios: [00:42:22] So.

Law: [00:42:24] and is it st lukes people?

Rios: [00:42:25] No no no, this was at UT, I trained at UT. And this is this is the thing and you know I've I've had obviously time to have introspection because I'm trying to see where where am I going wrong here. Obviously I'm pissing people off at the top and they're wanting to kind of get back at me. OK. The bottom line and it's also public knowledge that I entered into a lawsuit with the University of Texas and the physicians who were involved and it's currently in the court right now.

Law: [00:42:52] Ok, i didnt know that.

Rios: [00:42:54] It is currently right now. And the reason is and I have a lot of evidence to prove it, that. So it wasn't the fact that they didn't want me to be in the cardiology fellowship. I was going to leave. I said fine we have too many differences. I'm willing to leave but what they wanted to do after I left. I got a certificate from, an official certificate saying that I successfully completed 12 months of a cardiology fellowship at UT. I, what, I got confirmation from the program director that I was going to get credit for the year. And he says, "you go and you continue working somewhere else and you can just finish your last year somewhere else." and i said OK. Well I thought that was

it. OK. What happened was they placed arbitrary requirements on me in the last month that I was there saying you have to meet at the beginning of the end of the day with your attending. Which never happened. And then after I left the program they reported to the ABIM that I unsuccessfully completed the program even though they gave me a certificate with with the dean, the Dean's signatures, the program director Signatures, everybody. And so they didn't want to give me credit even though they told me I was going to get credit and they were upset because there was similar issues going on there just like there's a political upheaval right now because a change in leadership there is the same thing over there when when a group of cardiologists from St. Luke's came over to Hermann and there was, you know. So when you start looking at patient safety issues as as trainees, were were, in medical school we're taught to kind of stick up for the patients so I mean you follow what you're told, Right. OK let's do it. Well obviously it pisses people off at the top saying no. You need. You're wrong you're wrong you're doing this wrong you need to just shut your mouth. So obviously I made reports. And what ended up happening was when they put those arbitrary requirements they must have known that the medical license application you have to list, "Have you ever been placed on some type of restriction?" So I had to answer yes. So when I answered yes, the fellowship file followed and all of the documents that they had written, And there was only two or three key people who wrote them. They actually had false statements in there and I had evidence to prove they were false. So my lawsuit is based on the fact that they were defaming me. I went and I volunteered to go before the Medical Board and tell them, I said listen this is what happened. They reported false information on my behalf. And I have evidence to prove it. But the board's argument, "was look we we're not a we're not like a court to sit here and make that judgment. All we do is have this information in front of us." So what they agreed to was a non disciplinary remedial plan and they referred me to some guy Teegarden who who basically, I did some personality tests and you know.

Law: [00:45:38] ok So bottom line, do you think that this, in terms of the current situation. Do you think this has any bearings that are non issue, is that someone's going to use it against you.

Rios: [00:45:54] Seems like he says yes.

Law: [00:45:55] You think so?

Narcisse: [00:46:00] They're going to find everything. they had to have had.

Law: [00:46:00] They would have known about this.

Rios: [00:46:01] They did know.

Narcisse: [00:46:04] Actually to be honest with you I did not know about it, but they they knew about it.

Law: [00:46:07] It's non disciplinary. I mean she's not a big deal. In the real world in a practical sense, when tort reform came about, the legislators said to the TMB, "you got to do a better job at policing your."

Rios: [00:46:22] Right.

Law: [00:46:22] "policing you doctors." So when they get complaints,.

Rios: [00:46:27] They feel like they have to do something about it, right.

Law: [00:46:28] do something, and this is their first step.

Rios: [00:46:29] Right.

Law: [00:46:33] If you can agree to something that's not a big deal.

Rios: [00:46:33] Yeah.

Law: [00:46:33] Then it moves it off my plate.

Rios: [00:46:34] Yeah.

Law: [00:46:35] Ok so that's what they do. It's not a big deal I just don't like it because it's a mark.

Rios: [00:46:39] No. Right. That's exactly what I didn't need to go meet with them. But I wanted to tell them that, say look and I was there with the. I got an attorney in Austin and I said this could potentially affect my career because there is these issues going on and the people at higher places have an issue with it. They want to sit there and try and do and I think that's what's happening here. My goal moving forward obviously is going to say OK look you know if I find that there are issues in an institution what I need probably just do and if I don't have any political power I need to just leave. You know I'm not going to sit here and try and make corrections like we're supposed to I'm going to get up and leave.

Law: [00:47:12] Who do you think started this? An individual, or, this would have had to have a complaint from somebody at UTH.

Rios: [00:47:18] Yes. It started.

Law: [00:47:22] With a particular individual?

Rios: [00:47:23] With a physician yeah.

Law: [00:47:25] Any, do that physician have any connection to any of this other stuff at St. Luke's?

Rios: [00:47:29] Well. So Dr. Smalling is one of the guys who he's been around the med center a long time. He is a cardiologist and he actually curiously fits the bill of disruptive. He's like Dr. White. If you read the summary listen about Dr. White that that's Dr. Smalling.

Law: [00:47:48] He's a big dog though.

Rios: [00:47:50] Yeah. And he's done a lot of research she's contributed to you know all the stuff. Wilson is a cardiologist who is the chief of staff there at St. Luke's so.

Law: [00:48:02] Wilson and Smalling have some connection.

Rios: [00:48:03] Maybe I don't know. They both have been around the med center for a long time so odds are, you know they may. So I don't know if there's any connection. I really don't. But you know I would never know.

Law: [00:48:14] I just saw and I wanted to ask.

Rios: [00:48:16] Yeah.

Law: [00:48:17] OK. So it sounds like we, in reading the tea leaves with the information that Victor has, we think that more than like, More likely than not it's going to go to peer review.

Rios: [00:48:44] Yeah, it will, for sure.

Law: [00:48:44] And your chances of prevailing on an even slate are at best 50/50. And There's a concern that you could be summarily suspended without having your day in court until the time it gets resolved which is sixty to ninety days out. Is that all fair, do we all think that?

Rios: [00:49:14] yeah, reasonable.

Law: [00:49:17] So.

Narcisse: [00:49:21] The timetable for the assembly of the peer review I think is at the end of this week.

Law: [00:49:24] Tomorrow?

Narcisse: [00:49:25] Yeah.

Law: [00:49:27] ok, and what does that mean?

Narcisse: [00:49:29] Once they start the process, again they haven't they haven't assembled the peer review and officially launched the investigation.

Rios: [00:49:39] Well Dr. Wilson said that if I resign my privileges.

Narcisse: [00:49:42] so He told you.

Rios: [00:49:43] Yeah, no because I asked him because he, what he was saying, He said look if you go through a peer review, and he kept saying if you go if you go. And I said well you keep saying if I go, What's my alternative. And he says well the alternative is you resign your privileges and this all goes away. That's what he said.

Law: [00:50:00] They, and put it in perspective. If on the other side they think that there's something there which would cost you your privileges. They always give you a way out.

Rios: [00:50:19] Ok.

Law: [00:50:21] and the way out is resignation.

Rios: [00:50:21] ok.

Law: [00:50:24] Because I dont ever think that, I think it's the easy way out for them. But by the same token they want to tell you that is to your benefit.

Rios: [00:50:34] Right.

Law: [00:50:34] Because, If you're wrong if you lose it gets reported to the bank and it's with you forever.

Rios: [00:50:40] Right.

Law: [00:50:41] So I think there's a couple different ways to look at it. You could look at it that they're doing it for your benefit. but i dont ever think that.

Rios: [00:50:51] No they're doing it to save money, because if not.

Law: [00:50:52] They're doing it to save the time and the heartache and emotional toll on everybody from having to go through it. If it were.

Narcisse: [00:51:00] But I think that they also, that the tea leaves that have been presented to me is that they also, in addition to wanting me to resolve this. I think that they also want to give you your best chance of going forward.

Rios: [00:51:22] Ok.

Narcisse: [00:51:23] You know, I I.

Law: [00:51:23] I mean You believe that.

Rios: [00:51:26] Well I don't think Herlihy believes that, Herlihy.

Law: [00:51:27] Hey may not, he may not.

Narcisse: [00:51:28] No, no, Herlihy is a different matter. I'm talking about at the Wilson level.

Rios: [00:51:31] Ok.

Narcisse: [00:51:33] I think that, I think that he definitely wants you to have a future. And I believe that based on what's been told to me that he believes that your future will be severely curtailed if you go through the peer review process. That's that's totally my interpretation, Tomas. And I'm going to apologize to you. I do not have any evidence of that, I have a series of telephone calls that, with a whole bunch of people who are going to deny that they ever had them with me. ok. And so the reason why I wanted to disclose all the things to you is that, at the end of the day, you're going to have to, you're going to have to adjudicate my recommendation based on what you think about me.

Law: [00:52:24] Well you know here's what I think. I think that whoever's telling you this is using you as a conduit.

Narcisse: [00:52:31] Definitely.

Law: [00:52:31] To get back to him.

Narcisse: [00:52:33] Definitely.

Rios: [00:52:33] Right.

Law: [00:52:33] You know they're not saying it to you directly.

Narcisse: [00:52:37] They can't.

Rios: [00:52:38] No.

Narcisse: [00:52:38] Not allowed to.

Rios: [00:52:39] Well wait a minute. Dr. Herlihy has the ability and he's allowed to sit down and talk with me but in multiple occasions has refused to do so.

Law: [00:52:49] Ok. So lets take him out of the equation.

Rios: [00:52:49] Well he's the one, this is where it all started though.

Law: [00:52:51] I know but he's a given. We know we know we know where where he lies and we know what he's going to say, and we know what he's going to do to try to get your out of there, don't we?

Rios: [00:53:00] Ok. Yes.

Law: [00:53:03] Ok, So but I think some of this other information that you have was given to you to get to him.

Narcisse: [00:53:12] Definitively.

Law: [00:53:12] So that he could make a valid decision about what to do.

Rios: [00:53:18] Now can I volunteer to go in (inaudible) Would that be of any benefit? I mean I've already spoken to Dr Wilson, and he gave me a cell phone number, he said call me anytime. But Dr. Berger thr chief clinical officer, you know, I know he called him and you know, as a matter of fact I got a, I got a letter from them. Remember I showed (inaudible) the IPC office that showed me, and I still have it, it showed a compliment from a patient. Ok, and it came from Dr. Berger's office and it was carbon copied to everyone and their mom and.

Narcisse: [00:53:47] It was.

Rios: [00:53:47] So I mean you know there's there's been a lot of positives here.

Law: [00:53:52] Yeah, I mean I think you should have the right to talk to him. Let's talk about whether or not it would be any good.

Narcisse: [00:53:55] So when I spoke to Dr Wilson about this. He said that as a department, as a leader in the organization, when he receives a complaint, or anybody else who's in a leadership position and received a complaint, it's their obligation to pass that complaint on to whatever oversight body.

Rios: [00:54:13] Right.

Narcisse: [00:54:14] In this case the peer review.

Rios: [00:54:15] Right.

Narcisse: [00:54:16] So I think they feel that it's important that if they get something, its, they have to get it off of their plate.

Rios: [00:54:25] Right. so they have to go, yeah.

Narcisse: [00:54:26] So. So.

Rios: [00:54:27] So this is not an effort to abort the peer review. This is just in an effort to gauge and get a better idea of what may come, you know.

Narcisse: [00:54:34] So so everything that they have, they feel like they have to take it to peer review, and peer review is correctly the appropriate place to adjudicate it. Normally, I feel much more confident about the peer review process. I don't think it's typically a kangaroo court.

Rios: [00:54:50] Ok.

Narcisse: [00:54:50] I don't. I am concerned in this particular case because of the politics, because some of the substance, and because of the multitude of the concerns that whether that, whether that they have already chosen the outcome or not. I think that the outcome will be adverse to you. In fact, I'm certain it, adverse it would be adverse. I'm 100% certain of that.

Rios: [00:55:18] The question is how severe.

Narcisse: [00:55:19] Is how severe. And that's something that I can't predict that the options are going to be bad and really bad. And the one is going to be the reportable and the other one going to be the not reportable.

Rios: [00:55:32] Ok.

Narcisse: [00:55:33] And there's no way for me to predict that. It's my sense from the politics that there will be a push to get you the most severe one.

Rios: [00:55:46] Right.

Narcisse: [00:55:47] If they go through this process.

Rios: [00:55:49] Right.

Narcisse: [00:55:49] Because the last thing they would want to do is go through all this. Ruin their, their interpersonal relationship with you, and then have you stick around. It's like, forgive me, forgive the analogy but when you have a conspiracy for an assassination. The number one rule is you've got to get the guy that you were going after. And then none of the people who were involved get implicated. Those are the. That's the rule. And so the way that I see this set up.

Law: [00:56:18] It doesn't sound that far off.

Narcisse: [00:56:20] Is that you've got to be gotten.

Rios: [00:56:22] Right.

Narcisse: [00:56:24] They've got to execute you because if you stick around, they know that you're going to, all these concerns that you have, you're going to bring them to some regulatory person. Some somebody or another, and then they're going to live with you in the same room, while all of that plays out. And I'm going to tell you that I believe that they would see that as unacceptable. So I don't think that they believe that you'll go to the board or whatever. But, you may. But whatever happens I think if they start this process the goal will be to make sure that you're gone.

Rios: [00:57:02] And I told Victor I said, Look. And I remember telling you this. I told him Look I don't want to fight. I don't want to fight with any of these people. Like I said my preservation is my family, my livelihood. But at the same time I feel that when I'm attacked, I have to defend myself to some degree. ok. And so the only way that I can defend myself, I can't do it in the political realm. So I haven't made decisions as to what I would or would not do. But I can tell you that I have established connections at the board because I voluntarily went and spoke with them. I have this guy that I call, you know, that he told me I could call him. There's other people. I told I told and I told Victor, this was a couple of months ago when Herlihy was starting to do it. I said I don't want to fight this guy, but please tell him to back off of me. OK, because it's not going to be good for me if I resign and I leave. That's not good. But it's also not going to be good for him. And, you know, the thing is that we need to resolve conflict. We we don't we don't have to sit here and start making threats to each other like he was saying. I mean he specifically told me if you read this that he was going to take administrative action on me in July. And now we're in September and October and now he's done it. You see. So I mean, I don't want to kind of play this back and forth. I don't want to stick around and be in this hostile environment. I'd rather not be in it. But I'll tell you what, I mean, he. You know, I think we live in a different world now. OK. Where people have realized that there is, there has to be a lot of interdependence on the whole organization. So I don't know what he's trying to prove, or if he's upset because I just I wouldn't let him yell at me and I wasn't submissive. But the problem is that you know he obviously has. He's going to learn hard lessons at some point in time in his life and I'm not going to be the one to teach it to him. I'm going to be long gone by the time it happens. in But I can tell you that a lot of the things I've seen are very serious. There are serious quality issues in that hospital and he is the leader. And like I told him before. I think this guy unfortunately is a victim of the Peter Principle in Management Theory where he's been elevated to another level and now he's incompetent of doing what he's supposed to do. But he's not going to let anybody tell him that. So he's not amenable to criticism. And now he's started this whole thing. So I, I'm telling you. Voluntarily I will resign and I will leave St Luke's hospital. And I can look at alternative causes. If it means that all this stuff is going to drop and whatever I'll do that. I have no problem with that. But you know that's not going to take care of the issues that are at hand at St. Luke's. Those are still going to be there.

Law: [00:59:44] Absolutely.

Rios: [00:59:45] So you know and obviously Victor, I think Victor plans on staying there for a while and he's going to be witness to this kind of stuff. So who knows. But you look. I'm all I was doing was doing my job and doing what I thought was right.

Law: [00:59:59] I understand that.

Rios: [01:00:00] And that's it. So.

Law: [01:00:02] Let's talk about solutions, Victor, just for awhile. Because you know more about their process than probably me or Dr Rios. Is there anything that can be done behind doors, or out in the open, either one, To keep this from going either the route of summary suspension or peer review. Or do you think those are set in stone?

Narcisse: [01:00:34] So the summary suspension I think is not a guarantee. That's not a given. I think that the peer review is a given. And whatever outcome the peer review provides for.

Law: [01:00:46] Ok so we've got risk with respect to summary suspension.

Narcisse: [01:00:51] That's correct.

Law: [01:00:51] Ok. And then, we'll be give some, a peer review, which we think, would most probably be unsuccessful in your way in some form or fashion. You're going to get something. (inaudible). So.

Narcisse: [01:01:12] What they've offered as a possibility is, if he's no longer on the medical staff, then they would not pursue the peer review action. If he's not on the medical staff at the, by the time the peer review begins.

Law: [01:01:28] Okay. and Is there any way to buy time with respect to that?

Narcisse: [01:01:34] I don't know the answer to that. Thats, I could ask.

Law: [01:01:38] I mean, If we. What worries me is if we were to buy time with respect to that. Would it make them go toward summary suspension, if they're that serious about this.

Narcisse: [01:01:55] It's possible. I don't know the answer.

Law: [01:01:58] Ok.

Narcisse: [01:01:58] It's unknowable to me.

Rios: [01:02:00] well, can can I call Dr Wilson and ask him? He's the Chief, he'd be the one to do it. can I just ask him.

Law: [01:02:04] I think so. But I want to talk about solutions for you.

Rios: [01:02:10] Ok.

Law: [01:02:14] Ok let's just think about. I've got to be honest with you, I'm thinking about this if I were you.

Rios: [01:02:21] Right.

Law: [01:02:21] And I can almost guarantee you 100% that I wouldn't want to be there.

Rios: [01:02:28] Right.

Law: [01:02:28] I just.

Rios: [01:02:28] Yeah, no, i've.

Law: [01:02:28] You didn't make this situation, and you're probably not going to fix it, but you don't want to be a part of it, and you don't want to be in a hostile environment. I wouldn't want to be either.

Rios: [01:02:40] No I agree.

Law: [01:02:40] Ok So.

Rios: [01:02:43] I mean I smelt danger from the day he told me that he was going to want to label me an impaired physician. That kind of just.

Narcisse: [01:02:50] (inaudible).

Rios: [01:02:51] All this other stuff, I thought oh well you know. you know tempers fly all the time in the hospital. so you don't which ones to.

Narcisse: [01:02:55] I'll tell you, the impaired physicians commentary is what got my antenna up as well.

Law: [01:02:59] Because that's big time stuff. So.

Rios: [01:03:03] Yeah and the thing is that there, it's baseless. What am I impaired. I don't know how I'm impaired.

Law: [01:03:06] Well they're going to they're going to.

Rios: [01:03:09] They're going to try.

Law: [01:03:10] They're going to say judgement.

Rios: [01:03:10] they're going to.

Law: [01:03:10] is what they're going to do. Ok So if either if he were to resign his privileges are there potentially, and i don't know if really you're interested in this or not. But are there potentially other IPC options for him?

Narcisse: [01:03:30] Potentially.

Law: [01:03:30] OK.

Narcisse: [01:03:32] So.

Law: [01:03:32] How do we figure that out? Through Fred?

Narcisse: [01:03:35] Through Fred, primarily. Our pod, and the other pod that I oversee. Which not coincidentally, Dr Rios' wife works in as well. I think that has to be.

Law: [01:03:49] Your wife's a physician?

Rios: [01:03:49] Yeah. She works at IPC.

Law: [01:03:51] With IPC? Oh.

Narcisse: [01:03:51] And guess where she works?

Law: [01:03:54] It's a tangled web.

Narcisse: [01:03:55] wait a minute wait a minute. Guess where she works?

Law: [01:03:56] Where?

Narcisse: [01:03:58] One guess.

Law: [01:03:59] With you.

Narcisse: [01:04:00] No no no better than that. Hampton.

Law: [01:04:04] She works at Hampton?.

Narcisse: [01:04:04] Yes.

Law: [01:04:04] Oh. Sorry for that.

Narcisse: [01:04:07] So, if if if if.

Law: [01:04:07] Does she like Hampton?

Rios: [01:04:07] She said she liked it, yeah.

Law: [01:04:07] Full time? She work full time?

Rios: [01:04:13] Uh yeah well, three quarters time.

Law: [01:04:14] You still go there?

Narcisse: [01:04:15] She's kind of taken my spot.

Law: [01:04:17] Ok good.

Narcisse: [01:04:17] But I still oversee.

Law: [01:04:19] She works with Kristie?

Narcisse: [01:04:20] She works with Kristie.

Law: [01:04:21] Ok, what a tangled web we weave.

Narcisse: [01:04:23] So Tomas knows tangentially, and he doesn't need to hear the specifics. But Dick is my attorney in a matter involving a patient at the Hampton.

Rios: [01:04:36] Oh interesting, ok.

Law: [01:04:37] It's a tangled web.

Narcisse: [01:04:38] That's why, when you covered me the other night, the personal emergency was that we got an emergent, we learned emergently that I was going to court the next day.

Rios: [01:04:46] I see.

Narcisse: [01:04:47] So so when I told when I told Dick what was going on. I said look this is the guy that I, that I personally depend on. And so if there's anything I can do to make things good for him. That's what I want. So the the answer is that there's some, though not a lot of opportunities inside of my sphere. It probably wouldn't be enough money for full time. But so he could do some of those things with the privileges he already has available to him. Even if he left St Luke's. 90% of

his current income would, comes from St. Luke's and I don't know that I could replace all of it. Fred May be able to replace more of it within the IPC network. But it would require his successfully obtaining privileges at another facility. And while I didn't know about this at the time there was something I suspected. Your credentialing at St Luke's took an inordinately long period of time. From the time we hired you to the time it was completed. And most of it was because of the problems at the board. not at St Luke's.

Rios: [01:05:57] Right.

Narcisse: [01:05:58] But at kindred, when they, when Kindred credentialed you they had questions and they asked me some funny questions that I've never been asked before. And I said look he's a good guy. Just do it and they did and you're here. But this already has got people's antenna up. And the only reason why i bring this up.

Rios: [01:06:20] This is precisely why I'm fighting it because.

Narcisse: [01:06:22] No no no i understand. But the but it's a double edged piece because this, in the in the board world was a relatively small strike.

Rios: [01:06:30] Right.

Narcisse: [01:06:32] Where the thing that you're exposed to is a really big one.

Rios: [01:06:35] Right.

Narcisse: [01:06:36] And the kind that people would say not here not me.

Rios: [01:06:39] Right.

Narcisse: [01:06:40] In terms of you. So.

Law: [01:06:43] Can you make a judgment that if t'sis possible for you to stay.

Narcisse: [01:06:47] If you freeze him where he is now with that on his record and a letter that you and I construct it would be appropriately worded, fairly stated but generally supportive. And I Would use language like he could, I would be comfortable with him taking care of my mother.

Law: [01:07:05] No i wouldn't fairly state it, I'd spin it toward him.

Narcisse: [01:07:08] Well I I I'm saying. But you know I think you can get privileges at other places. I think that you can. At this lev, if we freeze you at this level. Based on the kind of weird dynamics I heard. If you get the other Mark I'm not sure if that's possible.

Rios: [01:07:29] Yeah, right.

Narcisse: [01:07:31] You see what I'm saying. Just, when I look at this and I hear this today. This was a, this was a small thing. And everyone got freaked out about this. If they give you a big one then you may be unemployable for many most places you'd want to be.

Law: [01:07:51] This goes in my mind to, providing for your family.

Rios: [01:07:51] Right.

Law: [01:07:51] Ok.

Rios: [01:07:54] No I, and that's, like. You know, I'm I'm completely open to looking at other options. Even if I go to Kindred full time or if I do Kindred and post acute full time. Or we go. and go to the other LTACs and I Kind of do LTACs for a while or whatever. You know and, you know I can leave as soon as next week, you know. If it needs to be. And so but the thing is that I, you know, I want to make sure I get an accurate account of what's going on and make sure that I'm making the right decision. Because if I could go through and have a fair trial or fair hearing at the level of the hospital then I think.

Narcisse: [01:08:34] That's clearly better for everyone.

Rios: [01:08:34] Right.

Narcisse: [01:08:36] It's better for me because I don't have to disrupt the schedule. It's better for me because I like working with you. It's Better for me because if, at the end of this, if Herlihy is brought down two notches, man am I happy. I'm really happy. But here's the thing. When I when I went to bed. Went to bed is probably a figurative statement because i was up all night. When I when I've been thinking about this. What I'm worried about is Nicolin and your little one and about to be second little one, and you. And I think that you're a good guy. And I want people to know you're a good guy. And if these people get their claws in you. And they do what I, what I think they're going to try do. Even if it's a 50/50 chance. Your your ability to to do what you want to do and be a doctor may be permanently impaired.

Law: [01:09:29] To put it in another way. If you have the fair hearing and if you win, are you really winning? I wouldn't want to be there. That's just me. And as long as as long as as you can leave there without there being a black mark. It may well be the best thing. And it may well be such that you can leave there, do LTACs for a while and then go on to something else. But if all you've got to live with is this, this is nothing. In the grand scheme of things.

Narcisse: [01:10:07] I can get I can get you another job within IPC. Or you can get another job outside of IPC with this.

Law: [01:10:13] Yeah.

Rios: [01:10:13] Well That's true. And actually I had an opportunity to go with the Vinh Nguyen group before I went with IPC. If they're still looking. I know that they're expanding, maybe I can try and do that. But I know that Methodist privileges would take. I know that's three months for sure.

Narcisse: [01:10:29] Yeah.

Rios: [01:10:30] So I mean you know.

Narcisse: [01:10:33] To be honest with you, any of the big acute care hospitals where IPC is.

Rios: [01:10:35] Yeah.

Narcisse: [01:10:37] It's going to take a long time. And I don't believe that there's any mechanism by which.

Rios: [01:10:42] To expedite.

Narcisse: [01:10:43] Where I can give you a full salary.

Law: [01:10:46] So what that translates to is a disruption of income.

Narcisse: [01:10:48] Correct. And I want to be.

Law: [01:10:50] For a certain period of time.

Narcisse: [01:10:50] I want to be very transparent about that. I don't think that Fred can cover your whole salary. I know that within my budget. I can't cover your whole salary. I don't think there's enough clinical work at LTAC. Right now we having, we had seven patients when I was there the other day. We're averaging five. And that's probably a third of your salary I think. If you did seven, if you did 5 a day times 30 (inaudible).

Rios: [01:11:17] I do have options to, now if you all would allow. I have, that there's an opportunity that my cousin actually told me about for moonlighting where you go and you you get you go and you cover.

Law: [01:11:31] ER shifts.

Rios: [01:11:31] It's either ER shifts or LTACs or something like that.

Narcisse: [01:11:34] There are lots of people who do that.

Rios: [01:11:36] Yeah and there's a, there's services that.

Narcisse: [01:11:39] That there's a number of people who do that. The one piece about it is that you have to have privileges there already.

Rios: [01:11:44] Well.

Narcisse: [01:11:44] to do it.

Rios: [01:11:45] a lot of a lot of the places that they go to are like in El Paso. My cousin was flying to El Paso and doing 24 hour ER shifts and flying back. and he got privileges in probably a week, you know. Or there's places outside of Houston that you know they say we have some place in Fresno.

Law: [01:12:00] (inaudible).

Rios: [01:12:01] Yeah, they'll just give you.

Law: [01:12:02] Tell me this. if he chose not to resign. If he were summarily suspended, Could he work other places?

Rios: [01:12:11] I think this is something I would have to report though to get privileges.

Narcisse: [01:12:14] That's exactly it. He would have to report to every place that he got privileges that he'd been summarily suspended by St Luke's.

Law: [01:12:19] ok.

Narcisse: [01:12:23] And they would have to make their own adjudication without a fair hearing. Without any of the information.

Law: [01:12:26] (i audible).

Narcisse: [01:12:30] And if you were in their position, Tomas. If that were to happen, any place that had any problem with you. Whether it was your fault or not. If it got out that you were under suspension at St Luke's while a problem occurred. They would have zero legal support. And if i'm mistating, please.

Law: [01:12:49] No, I.

Narcisse: [01:12:53] So.

Law: [01:12:53] I think that's certainly a possibility.

Narcisse: [01:12:58] What I would anticipate is that if you got some kind of suspension reportable thing, that you would lose all your credentials everywhere. And you would not be able to obtain them until your peer review process had been completed and then you were either formally labeled, or you were formally exonerated.

Rios: [01:13:18] Right.

Law: [01:13:20] So that that translates to me is, a complete loss of income for a period of time.

Narcisse: [01:13:23] Correct.

Law: [01:13:23] Which may or not be acceptable.

Rios: [01:13:29] No no no it wouldn't be. And actually I mean it wouldn't want to be because obviously my only step at that point in time would be.

Law: [01:13:36] (inaudible).

Rios: [01:13:36] Yeah, to be to recover. that's it. I'd have to recover.

Narcisse: [01:13:39] But but you know that that's sort of a years long. Right.

Rios: [01:13:43] No I know I know.

Narcisse: [01:13:44] Lots of money upfront and.

Rios: [01:13:44] I understand. I understand that. I mean.

Narcisse: [01:13:50] and and and, if the peer review process says. and this is why the exe, the assassination analogy is so important. If the peer review process says you are a bad doctor because of X Y and Z. Then they're able to freeze that in time.

Rios: [01:14:08] Yeah.

Narcisse: [01:14:10] and then they're able to permanently protect themselves.

Rios: [01:14:11] Right.

Narcisse: [01:14:12] through the peer review reporting structure from all, you be. If if Herlihy in good faith reported you to peer review. peer review found adversely against you. You don't have enough. I don't think you have an ability to to sue the people involved in peer review.

Law: [01:14:29] you know that labeling goes to National Practitioner Databank. and that labeling, you can bet your bottom dollar it's not going to be spun your way. It's going to be spun against you and you're going to have to deal with that.

Rios: [01:14:41] Well I was told by, and I don't know if this is true or not. The Austin attorney told me that because when we were talking about this, said that if it's reported to the National Practitioner Databank, you have an opportunity to provide a.

Law: [01:14:53] You do.

Rios: [01:14:53] Response.

Law: [01:14:53] You do you do.

Rios: [01:14:56] So I don't know you know. but obviously I wouldn't want to, I mean, I don't want to.

Law: [01:14:58] But but. The first one's going to be there.

Rios: [01:15:00] Right.

Law: [01:15:00] You know.

Narcisse: [01:15:03] They're going to get there, they're they're going to get their kind of (inaudible). and you can soft pedal it but they're going to read theirs first.

Law: [01:15:09] Yeah. so.

Rios: [01:15:13] So that, I mean if at the end of the day we can figure out that this really is something that is not going to go in my favor. And the best thing for me to do is resign and then I mean then that's what I do.

Law: [01:15:33] What do you. Unless You can call off the dogs for a while. Is this is a decision that he's got to make by tomorrow? Is there a way to call off the dogs? for. and i don't know how much. i don't know what we can resolve by getting more time.

Narcisse: [01:15:50] I can only ask. I don't know the answer.

Law: [01:15:52] One of the things that that I'd like to know from Fred is what can Fred do for you in terms of other places. to work.

Rios: [01:16:11] Do we go to St Luke's Sugarland? Because one of the guys, I know a guy that's on the med exec committee over there.

Narcisse: [01:16:19] I don't think so. The Murray the Murray group is the one that's, there's a

Sugarland pod.

Rios: [01:16:24] Oh there is, but not St Luke's?

Narcisse: [01:16:27] I don't recall all the places they go.

Rios: [01:16:32] I can look into my options for other places. If they allow me to do this.

Narcisse: [01:16:38] You want me to ask Fred?

Rios: [01:16:39] Yeah I talked I asked him actually. I asked him yesterday and I said you know he said my options are going to another part of IPC. Going to getting a job elsewhere. And he said well we can try to send you to memorial city. But he says you know the credentialing would take you know.

Narcisse: [01:17:00] Three month thing.

Rios: [01:17:02] Three month thing and all kind of stuff. So you know.

Narcisse: [01:17:06] would you be interested in doing fulltime LTAC for awhile?

Rios: [01:17:09] No of course. I mean like I said my priority is making money and making sure that I'm still having an income to provide for the things I need to provide for. So.

Narcisse: [01:17:20] The pod I don't think would be adverse to you going to Kindred.

Rios: [01:17:23] No and we could go to Cornerstone and the other. We could build an LTAC practice. You know I mean I think that would be. I'm most certainly open to that. Yes.

Narcisse: [01:17:36] One of the things that I would I would ask you to consider as you go through all of this. Is whether you stay with IPC, whether you don't stay with IPC. Whether you stay with St Luke's or don't stay with St Luke's. Is I want you to, be very introspective about what are the things that got us to this point.

Rios: [01:17:53] right.

Narcisse: [01:17:57] Because I feel like you and I have talked about a couple of the things before. And there are recurrent events.

Rios: [01:18:04] I.

Narcisse: [01:18:04] I'm going to tell you that, about the recurrence of those things, I'm mad. You have to hear about that. I am, as the leader I am mad because I don't feel like your you've listened to me all the time.

Rios: [01:18:14] ok.

Narcisse: [01:18:15] As your, as a person who I hope that you would consider a friend. I personally consider you a friend. I'm I want to make sure. This has happened to me once before in IPC. I don't know if Fred told you this story. But their was a physician that was in my pod, who was my best friend in the pod. I was actually adverse to everybody else in the pod. It may not be that dissimilar to where things are going to go in the future. This was my best friend and he had a communication

problem at St Luke's. And ultimately, before it got to the peer review process, Fred made a unilateral decision based on the pod dynamics. Got to go, and he left. And I was upset, devastated. And that guy's still my friend. He still comes over to my house, I still talk to him on the phone.

Rios: [01:19:04] Yeah.

Narcisse: [01:19:06] But Fred won't hire him because Fred was upset with him. But the communication piece is. There are similarities that you need to make sure that whatever this, wherever this goes in the future, that you really really really understand that you are at the last strike. I mean if we ever get you out of this. If we're able to get you out of this, its going to be expensive to you. But you just barely got out. And you don't have slack anywhere else, anywhere else. And you've got to be. you've got to do it better and better and better and better than the next guy. Because even if you're doing it as well as everybody else. If somebody wants to make a deal they can.

Rios: [01:19:56] Are you talking about with IPC?

Narcisse: [01:19:58] I'm just saying everywhere. Just Everywhere in medicine. That guy's name is Renee and that's what Renee ended up having to do and he swallowed a lot of humble pie. and he went in and talked to a lot of people, and kind of got some analysis and kind of, really looked at himself and said, why is this happening to me. and I think he's in a better place now than he was when was with me.

Rios: [01:20:20] What I can tell you. I mean I've since this I've had a lot of introspection and I think that. Like I told you, you know where does this come from on my end. I think that part of it has to do with, and you know there's no science i think behind this but. My, the order of my birth, I was the youngest. And so I was very, I was a trouble maker as a kid and you know my dad says.

Narcisse: [01:20:46] havent changed much.

Rios: [01:20:47] yeah and my dad says that. You know when my. my, and i don't know if you knew Nicolin was pregnant again.

Narcisse: [01:20:52] Yes.

Rios: [01:20:53] So we're having a boy.

Narcisse: [01:20:54] congratulations.

Rios: [01:20:54] Thank you. and my My dad says, payback. you know. So. So anyways perhaps that was kind of where it stemmed from. It's not that I don't have regard for authority, I do. But I feel that what doing what's right goes above authority and so because of that, that gets me into trouble because I go against authority if I feel something's right and then that's what conflict happens. And so the authoritative figure says, well who's this little guy trying to do this that and the other. Let's teach him a lesson. You know.

Law: [01:21:26] you know. what i've (inaudible) is that politics are everywhere. Politics are here.

Rios: [01:21:26] right.

Law: [01:21:26] and the question that has to be answered always is, can you work within the politics, or is it something you're not comfortable with and you need to get out. and thats kind of

always the situation. and a lot of people can find a way to accomplish their goals by working within the system. you (inaudible) play politics. (inaudible). Ok so, where do we go from here. Do we need more time to talk with Fred about options or are we to the point where you can say.

Narcisse: [01:22:12] Fred is the final (inaudible) about this.

Law: [01:22:21] I'm wanting to know getting back to getting back to St. Lukes about getting (inaudible). those kinds of things.

Narcisse: [01:22:29] Want me to get Fred?

Law: [01:22:29] Yeah.

Grates: [01:22:29] Hey Victor.

Narcisse: [01:22:52] Hi Fred. I've got you here on speakerphone. I'm with Dr Rios and I'm with Dick Law who's an attorney with the Doctor's Company, appointed to.

Grates: [01:23:01] Yes sir.

Narcisse: [01:23:01] Dr Rios. and I want to personally thank you for your your efforts in that regard.

Grates: [01:23:06] ok. (inaudible) Mr Law.

Law: [01:23:06] How are You? Are you still ain McAllen?

Grates: [01:23:12] yeah i'm in McAllen.

Law: [01:23:15] Well I talked to Cynthia a few minutes ago and she told me you were down there. and gave me some numbers to try to find you. I think that we're trying to discuss options and alternatives with Dr. Rios so that he could make a value judgment for him.

Grates: [01:23:39] (inaudible).

Law: [01:23:41] himself. You still with me?

Grates: [01:23:42] Yes sir.

Law: [01:23:44] And what are the things we were talking about trying to gather information for him to make a decision relates to if he were to to resign his privileges at St Luke's. Is there a mechanism where he could continue to be with IPC. Continue to be with Dr. Narcisse's pod so that he doesn't have to be on the streets for 30 60 90 days while he's getting privileges elsewhere. Victor talked with him about the possibility of LTACs within his pod as a potential solution. And we were just trying to gather information from you about what you thought was available in the event that Dr. Rios decided to resign his privileges. Can you talk openly about that or is it?

Grates: [01:24:54] Sure. sure. in fact, somehow someway we would make it work. i'm not that. my only concern is, that as you alluded to or referenced. we have, I think we can easily place him at Memorial City But it's going to take at least 3 months to get privileges. thats just you know thats just the way it is. in the interim, and i think i said someting to him (inaudible) yesterday, is that I hope you won't go crazy but the only alternative might be doing post acute until then to happen. but

we would make it work.

Law: [01:25:24] ok.

Grates: [01:25:24] There's no question we would make it work.

Law: [01:25:24] ok.

Grates: [01:25:30] (inaudible) I think Dr Rios, that we would make it work, so.

Law: [01:25:31] ok. is that.

Grates: [01:25:31] that's the answer.

Law: [01:25:44] does that give you some comfort level?

Rios: [01:25:44] Mhm.

Law: [01:25:44] Is he involved at St lukes

Grates: [01:26:01] alrighty, you there?

Law: [01:26:01] Yeah We lost you a minute.

Grates: [01:26:02] I know. what i'm saying is that we would make it work. I think so highly of Dr Rios that we would somehow someway make it work.

Law: [01:26:10] ok.

Narcisse: [01:26:13] Thank you Fred.

Rios: [01:26:13] Thank you.

Law: [01:26:15] Now let's just talk out in the open for a minute. is the situation such where he should not go back to St. Luke's.

Narcisse: [01:26:25] Yes.

Law: [01:26:27] OK.

Rios: [01:26:29] Like starting now?

Narcisse: [01:26:31] Yes.

Rios: [01:26:31] Ok.

Law: [01:26:31] Ok.

Narcisse: [01:26:32] The the timetable that was provided to me as a (inaudible). They're going to build this committee, they said the end of the week. Which I interpreted as Friday, but today is Thursday. They could try to do that, impanel this today. Once started, then of all these options we're talking about are gone.

Law: [01:26:48] So.

Narcisse: [01:26:49] He's not scheduled to work at St Luke's today or tomorrow. His next scheduled day to work would have been Saturday.

Rios: [01:26:54] Friday night.

Grates: [01:26:54] But this sounds, this sounds like a damn kangaroo court.

Law: [01:26:58] Yep.

Grates: [01:26:58] Can They do that?

Law: [01:27:01] They can do it. Well they have to give him, they have to give him if they're going to run him through peer review, that they have been give him a hearing. They have to give him due process. It's going to be 30 60 90 days down the road. (inaudible) of trying to evaluate the fact that if it really is a kangaroo court that he runs the risk of being summarily suspended in the interim if there is somebody out there within the political structure who wants to make a case for patient safety and that type of thing. And we're trying to avoid the possibility of running the risk that those kinds of things would. Be summarily suspension is a reportable event. And we're trying to be. We're trying to be concerned about not taking that risk if there is another way out that's palatable to everyone and that can work for Dr. Rios in terms of providing for his family.

Grates: [01:28:01] Well.

Law: [01:28:06] I think I think you know the concerns we have are are, can you win the fight. What happens between now and the fight. and What's the what's the outcome if it's predictable at all. And I think Victor is of the opinion that the die has been cast, in large part regardless of the right or wrong of it which takes the fair hearing part about, part of it out of it. But you can't you can't, you may not be able to prove that it was or was not a fair hearing in a lawsuit. And is that the way you want to go in the event that there is an adverse outcome. We're just trying to we're trying to make sure that there's not a blemish on his credentials for the rest of his life.

Grates: [01:29:07] I agree i agree.

Law: [01:29:09] And we're trying to eval.

Grates: [01:29:10] That that.

Law: [01:29:11] Go ahead.

Grates: [01:29:11] and i agree. and thats thats why i'm glad that you're there because i was hoping you would help us evade a way. i know it's impossible to predict what the outcome would be. but it's something in me. i sticks in my craw that's fundamentally unfair. they've accused the guy and convicted him before he has even a minute to say anything.

Law: [01:29:36] Well I agree with that. And you know the problem is that if someone chooses to summarily suspend him, he won't have a chance to say his peace for another 90 days. Yet he's got this mark that's going to follow him on his career and it's going to be going to be reportable. Victor's kind of got some behind, back door kind of comments which are suggesting to hi.m That he thinks this is pretty much a done deal which is a travesty. But I'm.

Grates: [01:30:09] It is a travesty.

Law: [01:30:09] Not sure but I'm not certain that. You know we've talked about the validity of it and we've also talked about the fact that if it were me I wouldn't want to be working in an environment like that I'd want to find someplace else.

Grates: [01:30:22] Right. alright, well as much as. i'm a player from way back. (inaudible). If you guys think, you know. i was hoping that we had a little light at the end of the tunnel that evening but. if you think it is kind of fait accompli then I think we move forward. and we'll fit that. my commitment to Victor and to Dr Rios is that we'll make it work somehow. and not to worry about that part.

Law: [01:30:56] OK. We appreciate your participation and support. Is there anything else we need from him. All right we're going to let you go.

Grates: [01:31:03] Alright thank you God Bless.

Law: [01:31:07] God Bless you.

Rios: [01:31:07] Thank you.

Grates: [01:31:08] Alright bye.

Narcisse: [01:31:11] Do you want Wilson? Do we need to talk to Wilson?

Law: [01:31:13] What are we (inaudible).

Rios: [01:31:13] Can. Ask him if he is going to consider summer, summer, what do you call it, summarily suspending me.

Narcisse: [01:31:20] And what timetable for the. for the.

Rios: [01:31:25] So the decision to resign. yeah, ask him what the timetable.

Law: [01:31:28] I think the reason is that he's trying to explore other work options within IPC at other facilities. We just don't know what's there. does that sound valid?

Narcisse: [01:31:43] (inaudible).

Law: [01:31:43] (inaudible).

Narcisse: [01:31:43] I know it.

Law: [01:32:15] So how does your wife like the Hamptons?

Rios: [01:32:19] She she enjoys it.

Law: [01:32:20] She works part time?

Rios: [01:32:21] She works three quarters.

Law: [01:32:22] That's kind of what Kristie does.

Rios: [01:32:22] Oh.

Law: [01:32:24] Kristie works like.

Rios: [01:32:25] she moonlights.

Law: [01:32:25] monday wednesdays. she's a sweetheart I like her alot. have you met her?

Rios: [01:32:29] Yeah oh yeah.

Law: [01:32:30] yeah she's a good lady. so how many kids do you have?

Rios: [01:32:33] one.

Law: [01:32:33] you can't get him?

Narcisse: [01:32:33] Didn't get him.

Law: [01:32:36] OK. Let me go to the bathroom then i'll come back.

Rios: [01:32:37] Well.

Narcisse: [01:32:37] Tomas.

Rios: [01:32:37] Yes sir.

Narcisse: [01:32:37] Regardless of how this turns out, hopefully you. i know you are going to be ok. and be, you know that you will always be my friend. i don't know how you're going to feel about me at the end of all this. but i hope that, i hope that you know (inaudible).

Rios: [01:33:35] You know I, my judge, my interpretation of what has happened is that I put you in a very difficult situation and I apologize for that, because I know that you have a lot of responsibilities to the hospital and to other things. So I do not want to cause trouble. And you know I know that and you're, like yeah right.

Narcisse: [01:34:06] No it's just that, it's this is funny.

Rios: [01:34:08] but it's obviously it's obvious that that I've turned a few key heads.

Narcisse: [01:34:13] Yeah.

Rios: [01:34:15] And.

Narcisse: [01:34:15] Yes you have.

Rios: [01:34:16] And I think that what they're doing is they're using it as a political move to say Victor fix this, or we'll fix it. you know.

Narcisse: [01:34:26] I i think that was conveyed to me in no uncertain terms, sir.

Rios: [01:34:31] So I understand that. And you know I, all you know all I ask for in these situations is that you know you not take part in the lynching that that obviously they are trying to do.

Narcisse: [01:34:46] No i'm not going to so That.

Rios: [01:34:48] And yeah I mean I understand that this is a business world and people don't, you know that they're kind of all out for self-preservation and you know that's why they want me out of here.

Law: [01:35:00] Can i have these?

Rios: [01:35:01] Yes. These, I don't know if You want these. These are the the ones that apparently he was upset about regarding my documentation. These apparently he was going to send to peer review. I deidentified them. but, i dont know if.

Narcisse: [01:35:12] Mike wilson

Law: [01:35:12] call him back. i want to talk to you. (inaudible) and you tell me if (inaudible). That we've been in meetings with Dr Rios and lawyers. you can put that in or not. it may give a little leverage. That he's giving consideration for resignation of his privileges. That we are working now on exploring other options at other facilities within IPC. We need some time to cement that. I don't know we can talk about it. He will not be back at St Luke's.

Rios: [01:36:26] If if that's what they want.

Law: [01:36:30] I'm assuming that's what they want.

Rios: [01:36:30] Ok.

Law: [01:36:32] And in return for that, I want the peer review process not to start. and i want no summary suspension. What would you think is a reasonable timetable for Fred to get him on the schedule.

Narcisse: [01:36:56] For where.

Law: [01:36:58] Some place else.

Narcisse: [01:37:02] For the LTAC and the skilled nursing piece.

Rios: [01:37:02] I can do kindred.

Narcisse: [01:37:05] I put him on. I do the schedule I can redo the schedule this afternoon and he's there. He's there this afternoon if he wants. Tomorrow.

Law: [01:37:12] I mean, I think we. You tell me if I'm wrong, but. And if you want time to talk with your wife, that's cool too. But I think we've made the decision that that the best thing for you to do is resign. The second best thing is for you to work at these other places. You can go on and make an application to Memorial city and work in these other places.

Narcisse: [01:37:30] In the meantime.

Law: [01:37:33] but the way to not piss these people off any Further is for you not go back there.

But in return they've got to agree not to start peer review and they've got to agree not to summarily suspend. Let's go outside Dr Rios. So. Where did you go to medical school?

Rios: [01:37:47] St Louis University. (inaudible).

Law: [01:37:47] You matched down here and did your residency at UTH?

Rios: [01:38:30] Did my residency at UT Houston (inaudible). Then did a year fellowship there at UT for cardiology. Then that issue came up. I left. Found a job with Victor with IPC at St Luke's.

Law: [01:38:47] Good. and where'd you meet your wife?

Rios: [01:38:49] St Louis.

Law: [01:38:49] Yeah? good for you. where'd you grow up?

Rios: [01:38:52] El Paso.

Law: [01:38:53] Well good for you. You need to go back to El Paso. Have you all talked about that?

Rios: [01:38:57] Yes we have and I've told her. My goal is to eventually do that. I'd Like to go back. What I want to do is finish my cardiology training first. You know obviously that's on hold. And it's going to be on hold until this issue's resolved with UT but in the meantime, the plan was , work a couple years, save up some money, and then eventually go back.

Law: [01:39:20] Were you doing interventional?

Rios: [01:39:22] No I was. No it was a general fellowship and interventional hasn't really been my, it wasn't really my my my particular interest. I really liked the heartfailure world. And I think obviously it's very prevalent and a lot of advancement in therapies are very interesting.

Law: [01:39:41] Yeah.

Rios: [01:39:42] So eventually I'd like to go back and do that, but.

Law: [01:39:46] How many hospitals are in El Paso now? Big hospitals?

Rios: [01:39:51] Big hospitals. There's only maybe the only a handful.

Law: [01:39:53] Is there a UT Branch there?

Rios: [01:39:55] No. No there's there's Texas Tech.

Law: [01:39:57] Ok that's right.

Rios: [01:39:58] Texas Tech and UT El Paso has, that's where I went to undergrad.

Law: [01:40:04] Right.

Rios: [01:40:05] It has a school nursing that they recently established. And they actually partnered with. So my my grandfather was a surgeon. He was the chief of staff at this place called Providence

where I was born. And you know it was kind, of all my family's been born there. my mom was born there. She was a candy stripper. remember those. and she was a nurse there for 30 years. Well they recently just partnered with with Providence to make it a teaching hospital. Which I was very happy to hear. I think that the only thing they need to do now is hopefully get it running a little bit better because. I think that when Tenet took over, it used to be run by a religious entity. But Tenet kind of bought it had some troubles with it. I'm hopeful that this is a step in the right direction. You know.

Law: [01:41:01] My dad was a (inaudible) of mine. (inaudible).

Rios: [01:41:05] Oh is that right?

Law: [01:41:05] Yeah (inaudible).

Narcisse: [01:41:12] yes sir.

Law: [01:41:12] how was he.

Narcisse: [01:41:12] more amenable than (inaudible). He said it would be best if Dr Rios not come back in that period of time. But he would. But he has nothing to enforce in that regard. He's not currently at risk for summary suspension. if, it's an action he would take if there was sort of something happening in real time.

Rios: [01:41:51] Yeah.

Narcisse: [01:41:51] Because it's happened in retrospect, it's got to go through the more regular parts of the peer review process. The peer review committee is going to see it in two weeks.

Law: [01:42:01] Ok, So we've got.

Narcisse: [01:42:04] But it'd still be, so I asked. So after he gave all that, I asked him, does he have to not come back to St Luke's. We're willing to consider that. He said it'd be best if he not come back.

Law: [01:42:11] Ok.

Narcisse: [01:42:11] So that's what we have.

Law: [01:42:24] Ok, are you ok? The best that we can be?

Rios: [01:42:31] You know it is unfortunate that it kind of. this Happened kind of quickly.

Law: [01:42:39] I know.

Rios: [01:42:40] So I think that you know although I'm kind of surprised at how quickly it's happened. You know I'm prepared to move forward and obviously take on the responsibilities that I have.

Law: [01:42:57] I want to ask you a question and I want you to answer it as a friend and as a mentor to him. is this in your mind the best outcome?

Narcisse: [01:42:57] Not for me.

Law: [01:43:09] Well I know that. Is it the best outcome for him?

Narcisse: [01:43:11] Definitely.

Law: [01:43:11] OK. then, (inaudible).

Narcisse: [01:43:16] This is the best outcome. Get out without a mark. It's out in the way that you can look at, not getting into the situation in the future. still with IPC. Fred sounds like he's willing to keep him around. You've earned a lot of respect by a lot of your colleagues and by Fred, and Patty and the rest of us. And we all and we all think highly of you.

Rios: [01:43:42] Thank you.

Narcisse: [01:43:45] And I think that that's why you got to this point.

Rios: [01:43:48] OK. I mean I want to make things very clear. Like I have before. I am a physician who is committed to lifelong learning that we have said. I am a physician who holds in high regard the ethics of practicing medicine. And to that end I feel like what I need is guidance on how best to achieve those goals without compromising my my duties my my duties and integrity. And do you mind if I borrow one of these? This is the principles the fundamental principles and the commitment to professional responsibilities as laid out by this document. The commitment to professional competence. Commitment to honesty with patients. Patient confidentiality. Maintaining appropriate relations with patients. Commitment to improving quality of care. Commitment to improving access of care. Commitment to a just distribution of finite resources. Commitment to scientific knowledge. Commitment to maintaining trust by managing conflicts of interest. Commitment to professional responsibility. You know I'm not. I'm not a complex guy. OK. I promise you I'm not. These are my ideals and this is what I follow. I want to do it in a in a sound in a in a amicable way. I don't want to have conflicts for the rest of my life. I can't handle the going through this over and over and over again. I don't know particularly if I had these ideals in mind. Why we're at this point we're at. But you know maybe it's just all in communication. Maybe it's all in interpersonal relations. Who knows. But I never want to put patient safety at risk. I don't want to put anybody and as a matter of every time I step into a patient's room. My question is how would I want to be treated if that were me or if that were Nicolin, or if that were my parents. Because that's how I want to treat that person. I want to treat them with respect, with dignity, not looking down on them. Everything that patients wished in the recent past they would have. A lot of patients say doctors don't give them the time of day or they are condescending and you know this and that. And I want to change that. You know I want to change that. In my personal statement to medical school, and I contemplated printing it out and bringing it. I talked about that and I said, my grandfather often lamented about the loss of compassion in medicine and the encroachment of managed care and how it depersonalized medicine. And obviously he practiced he practiced in the 50s 60s 70s 80s and he retired and 91. So he was already starting to see it probably in the 80s and 90s that this was happening. Well now we're in 2016. I'm hoping that enough time has passed that we can reintroduce compassion in medicine. Because that's I think we're missing.

Narcisse: [01:46:52] I think you're a good guy to do it.

Rios: [01:46:54] Well and again I don't want to cause conflicts and I don't want to cause fights with people who are in big positions. But a problem, The problem that I see Victor is that that's part of the problem. And that's not going to go away until the problem is fixed. You see what I mean.

Narcisse: [01:47:11] Because the way that I sleep at night. I see things that I don't like in the

hospital. I see them often. A lot of different things. The question that I ask myself is, what's the best way for me to achieve the outcome, the long term outcome that I want. And this the assumption that I made is that if I'm part of the system, I can change the system from within. That may may not be correct but that's the belief that I have undertaken. The alternative is, hey I'm going to tilt against the windmill and I'm going to take the system down. That might work some times. Won't work other times.

Rios: [01:47:57] A lot of times yeah.

Narcisse: [01:47:59] And whether it worked or not. Will I achieve the outcome that I was looking for. And so this isn't a matter of me speaking about morality or lack thereof. It's about pragmatism. So the question is can you get closer to the goal by working within the system and fixing it. Or by standing on the outside and pointing at the system and saying this is what's wrong with it. And you may. You may come to a different conclusion that I have come to. In the future you may come to a different conclusion than you come to that you had in the past. But what I believe, what I believe is that by achieving a position within the organization, then you can say, hey look, we need to do this. We need to keep hospitalists in the ICU. We need to keep X Y Z.

Rios: [01:48:51] Right.

Narcisse: [01:48:55] You know, it's my personal belief that this issue around Dr Rios is, a straw, he's a straw man for a bigger political fight, that is levied at me and all the other hospitalists. Because this guy doesn't want hospitalists in the ICU. And so the guy is sort of, saying look you see the conflicts that they cause. Their too many chefs in the kitchen. and This is why you don't have hospitalists in the ICU.

Law: [01:49:21] It's a power deal.

Narcisse: [01:49:22] It's a power deal. and as Tomas had pointed out, but he can come to our non ICU floor bed and said, hey your patient looks sick to me. I'm going to take them to the ICU. You have no recourse about that. So this is where he's consolidating power and that's just kind of. I've been at the Medical school a long time. I lost a big political battle at the medical school why I was one reason why I left. So I've seen this happen time and time and time and time and time again. This is how they operate. This is their modus operandi. and so when you get closer and closer and closer to it, you see how how ugly it is. So you have to decide do you want to try to fix it from within? Or do you want to Get outside and point? and so that the question is, that question on the table for both of us. At the moment my decision is to stay within and try to point, and try to fix it. I don't know if that's always going to be my decision. Because I don't know that they want me there. I'm a troublemaker too. I don't make as loud of trouble. And I'm much more selective and surgical about where I make trouble. But I do make trouble. People ask me, how are you. You've heard me say that and there's a reason why I say that, because I understand that to fix things to make things better you have to be disruptive and the people who like how things are don't want it disrupted.

Rios: [01:50:51] And they'll fight to keep.

Narcisse: [01:50:52] and they'll fight to keep the status quo.

Rios: [01:50:53] Right.

Narcisse: [01:50:55] Even when they say they want things better (inaudible). So I only say these things to say that I really feel your position is, generated at a position of passion for medicine that comes across. I think you you're really good guy. You're a really good doctor. you're a really good

friend to me. I told you about the coverage thing. So I want you to understand how I think about you. and how I feel about you. And I admire some things that you're doing. I just don't agree with how you've done them. I just don't think, I think that it leads to this.

Rios: [01:51:40] Right it Wasn't.

Narcisse: [01:51:42] and not to the change and the reform that You believe so passionate about. That's actually the part that bothers me the most. Because I saw you in exactly the person I wanted to be part of the change. Disrupt, to to agitate, to fix. But I also told you we had to have air cover. These guys got there. They have their air cover we don't have our air cover yet. you've got to have air cover before you do this. You've heard me give that analogy many many many times. And.

Law: [01:52:14] But you will at some point. you will have that air cover at some point.

Narcisse: [01:52:19] I'm hoping. put it this way. I'm going to have that air cover or I'm going to be to be in road. Because they're going to get me.

Law: [01:52:26] You know, and some of it to me and has always been, It's always been new guys old guys. and it's always been new school old school.

Rios: [01:52:34] Yeah.

Law: [01:52:34] And that seems to me like we've done it this way forever. (inaudible) we're not going to do give any new advances, new thoughts, new techniques. we're going to do what we've always done and that's.

Rios: [01:52:48] Right.

Law: [01:52:48] You know that's the price you pay when you're young. But as you get older you're able to implement your ways.

Rios: [01:52:59] and I think it's why there's a, there's a well known statement in medicine that, new advancements and what. New research and evidence based medicine takes like 10 years for implementation and I think part of it is not that no one hears it and no one reads it. Especially the way communication flows these days, I think that it's a reluctance of those people who are in power to change it.

Law: [01:53:20] Right, absolutely.

Rios: [01:53:21] And it's unfortunate because you know you'd say well it could be so much better. But you know the thing is I've I've looked at at patient care in a little bit of a different light. Almost akin, and I know people have drawn a lot of analogies to the airline industry. To where you know, majority of crashes were done due to pilot error. And so for instance they found that you know co-pilots and navigators would be reluctant to speak up when they saw something was wrong. well what ended up happening was that cost them their lives and lives of everybody onboard. So because it's such a high stakes you know, game in what you're doing, the airline industry has tried to change things to make it easier for things to be for hard stops to be in place. If the navigator think there's a problem, He has the right without fear of retaliation and punitive action to say something about it. And I think Ideally in the hospital we should have that. If we had. Doesn't matter who it is whether it's a patient, a patient family member, a doctor, a nurse, a physician, a janitor. If someone sees a problem raise a concern without fear that someone's going to come back at you like this guy and try and oust you, you know. And you need to have strong rules and laws in place to make sure that

we're not doing this for ourselves. We're doing this for the betterment of the hospital. You know and my hope is that even though I won't be at this hospital anymore, that I've made some impact somewhere that's going to end up hopefully better for the patients and that's the, that's the end game.

Narcisse: [01:54:57] (inaudible).

Law: [01:54:59] well you know and I think the concern is, how do I raise these concerns in the right way.

Rios: [01:55:04] Right.

Law: [01:55:04] Get my point across, and not create a fire storm.

Rios: [01:55:10] It's just, I think you know.

Narcisse: [01:55:12] Since you're talking to my malpractice lawyer. I'm just going to say that in the chart ain't the way.

Rios: [01:55:16] Right.

Narcisse: [01:55:17] Is not the way.

Rios: [01:55:19] And I've brought examples of what it what he was upset about me putting in the chart if you want to review it.

Law: [01:55:24] No.

Rios: [01:55:25] Your welcome to.

Law: [01:55:25] It just, it doesn't matter. ok what else can I do? You're going to work on getting his schedule for the other places. You're going to have to put together, or you can put together or the hospital can put it together. Whatever they want for him to sign relative to resignation of privileges. If you want me to see it before you sign it I'm fine to do that. I don't want it to say anything more than I hereby resign my privileges at CHI St Luke's Episcopal Hospital. whatever the name is. Period. The End. Very Truly yours. I don't want it to say anything more that. I don't want either you to promise anything, or they promise you anything. and I think you feel comfortable that if he does that, peer review's not going to happen.

Narcisse: [01:56:09] That's what I've been told.

Law: [01:56:09] Ok. And you're comfortable, you can count on that.

Narcisse: [01:56:09] I do.

Law: [01:56:09] Ok.

Narcisse: [01:56:21] The peer review is a time consuming process lots of people, lots of personnel time and they don't want to do it.

Law: [01:56:25] If they can avoid it they will. ok what else. What else can I do for you, Dr Rios?

Rios: [01:56:34] I think that's it. I think the only other thing, I don't know if it necessarily involves

this but. Would I be allowed to try and acquire moonlighting positions to supplement my income if I need to.

Narcisse: [01:56:44] That's up to Fred I think the answer is yes.

Rios: [01:56:44] Ok.

Law: [01:56:44] You all work that out. ok.

Narcisse: [01:56:44] If Fred says yes the answer is yes. you know, again whatever arrangement you make with Fred is good with me. What I'm going to do in the meantime is change the schedule and put you on LTAC essentially every day until you say uncle. if You need a day off. I'm willing to take. I'm willing to cover you myself.

Law: [01:57:12] And I really think that you should. And you tell me if I'm wrong. I think you should get with Fred first part of next week when he's in town, and start the process for Memorial City. Memorial city still does the pods in Katy?

Narcisse: [01:57:28] No.

Law: [01:57:29] Or is it separate now?

Narcisse: [01:57:30] They spun off. Katy spun off now.

Law: [01:57:32] Ok. well.

Narcisse: [01:57:34] But we have. I think they have thirty some-odd doctors in Memorial City.

Law: [01:57:39] And how many are at Katy and Methodist West?

Narcisse: [01:57:41] Probably about 3 or 4 or 5.

Law: [01:57:45] Where do you live, do you live out there?

Rios: [01:57:47] I live in Highland Village.

Law: [01:57:51] ok. Behind the, behind Westheimer?

Rios: [01:57:53] Yeah.

Law: [01:57:53] One side or the other?

Rios: [01:57:54] Yeah yeah. Wesleyan and Essex.

Law: [01:57:58] Ok i live a little bit. i live on the other side of the tracks.

Rios: [01:58:02] Oh really, those are nice places I hear.

Law: [01:58:05] No No Not any nicer than yours dont (inaudible). I just live on the other side of the tracks.

Rios: [01:58:09] Yeah.

Law: [01:58:10] And you're still in Bellaire?

Narcisse: [01:58:11] Yes Sir.

Law: [01:58:14] The good part about. do you service both Methodist west and Memorial Hermann Katy?

Narcisse: [01:58:20] I believe.

Law: [01:58:22] Good part about that is you're going against traffic the whole time.

Rios: [01:58:25] Where is Willowbrook?

Narcisse: [01:58:28] 290. 290 northwest.

Law: [01:58:30] 249.

Rios: [01:58:33] I think what I need to do obviously is just talk with Nicolin and see what.

Narcisse: [01:58:38] Evaluate your options.

Rios: [01:58:39] Evaluate it from that perspective.

Narcisse: [01:58:42] I would tell you, and this sounds like the, perhaps the polar opposite of everything we've been doing for the last two hours. you're the kind of person I would want to have within IPC.

Law: [01:58:54] Yeah and I think its good that you. If you want to I think it'd be a good idea for you to stay there. Because they'll give you the support that you need. In terms of doing all that nickel and dime stuff that you have to do. and they'll help you and you're not on your own.

Rios: [01:59:07] Yeah.

Law: [01:59:09] So I know I just, I don't want you working at The Hamptons. The Hamptons is a troubled place. OK. You have my card you can tell me whenever you want. Ok?

Rios: [01:59:22] ok, thank you very much for your time.

Law: [01:59:22] Yes sir, Victor you ok?

Rios: [01:59:24] I appreciate it, thank you.

Law: [01:59:25] Good to see you again. I didn't know we'd be seeing each other so quickly.

Narcisse: [01:59:25] I didn't either.

Rios: [01:59:31] So at some point that I don't know at some point Nicolin is going to probably want to sit down and maybe talk with you and or Fred.

Narcisse: [01:59:38] I'd be happy to do it.

Law: [01:59:42] I'm going to write Cynthia. I'll send her an email and tell her what we talked about today so i'll take care of that, and i'll. (inaudible).

Narcisse: [01:59:51] Thank you sir. Just from a communication perspective. There are two options. Either you tell the pod or I tell the pod.

Rios: [01:59:59] I can send an email.

Narcisse: [02:00:02] Ok. Well then if you would send it let me know when you're going to send it. I'm going to prepare a response and have it set to go. Essentially you send your letter and I'm going to send my email response and it will be sort of like a one two kind of a thing and then.

Rios: [02:00:22] I'll probably prepare to send tomorrow I'll let you know though.

Narcisse: [02:00:24] Please do because I'm about an hour away from going back to work. (inaudible).

Law: [02:00:32] Whatever you say, be short and sweet. And just have a watchful eye of everything that goes in right for awhile, ok.

Rios: [02:01:08] So is Cornerstone an option with those other LTACs?

Narcisse: [02:01:08] Well they are. (inaudible) seven day a week of coverage there. And you might say well look. Depending on exactly what Fred is willing to do. I don't. I can extrapolate but I don't know. It may be like, hey look, Victor I want to work as many days as I can. I want to work as close to seven days as possible. If you're if it was something like that where peopl from the pod didn't have to go and cover. They would be happy you just go and do whatever you did.

Rios: [02:01:38] Right.

Narcisse: [02:01:40] Now I don't have privileges at that Cornerstone. We've had Cornerstone privileges in the past and then gave them up because we just never sent any patient there.

Rios: [02:01:49] You mean the the.

Narcisse: [02:01:50] So Select Specialty is the other one.

Rios: [02:01:52] Right.

Narcisse: [02:01:53] And they've been actually after us for many many years to come back. Sarma's the one who pulled, who suggested we pull away.

Rios: [02:01:59] Oh really. I mean i suggest that you know, we pull. (inaudible). and I don't know. I'll have to talk to Nicolín about it. but. I don't know if she'd be willing if there is, there were times where she'd want to cover a weekend and I'd be off. Let's just say we're covering L TAC. She would do LTAC on the weekend and we'd kind of just, you know what I mean.

Narcisse: [02:02:26] Sure. I think if Nicolín was amenable. you know, there's no down side from IPC.

Rios: [02:02:37] Yeah.

Narcisse: [02:02:37] IPC sees it as volume and business. A Building (inaudible) potentially might get more of St Luke's patients.

Rios: [02:02:45] yeah.

Narcisse: [02:02:45] (inaudible). At many of our post acute practices around the country, the post-acute people do the LTAC not the acute care people. we've done it the other way so far because the LTAC has a seven day a week requirement. 24 hour a day requirement, which is more like the schedule's that we set up in acute than in the post acute. but it doesn't have to be that way. So if she wanted to do, I mean, you know.

Rios: [02:03:20] well i'll talk, i mean she's not going to be happy about this, and.

Narcisse: [02:03:22] I understand.

Rios: [02:03:23] we'll see what.

Narcisse: [02:03:24] I mean I'm not sure you'd want her to do this. but the other possibility, you know. She wanted to come into the acute and spend some time there and said hey look. You have credentials at Hampton. You spent some time there. She spent time here. I mean, I I dont.

Rios: [02:03:41] Try and organize it that way.

Narcisse: [02:03:42] I don't. I don't know. Everything's on the table from my perspective. Everything is on the table. You know as long as whatever Fred says in terms of the amount of support is what you'll get. And but from a personal perspective we'd want to do it.

Rios: [02:04:01] Ok. all right i'll be in touch. thank You for your help, i appreciate it.

Narcisse: [02:04:03] No thank you.

Rios: [02:04:03] alright.

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