

TEXAS PHYSICIAN ASSISTANT BOARD
LICENSURE COMMITTEE MEETING MINUTES

December 9, 2011

The meeting was called to order at 8:35 a.m. by Chair, Teralea Jones, PA-C. Committee members present were James A. Endicott, Jr. and Michael A. Mitchell, D.O.

Dr. Mitchell moved, Mr. Endicott seconded, that the Committee close the meeting to the public and continue in Executive Session. The motion passed. Ms. Jones announced that the meeting would be closed for deliberations at 8:37 a.m. for private consultation and advice of counsel concerning pending or contemplated litigation, settlement offers, and/or legal matters subject to the attorney-client privilege and for deliberations concerning personal matters under the authority of The Open Meetings Act Sections 551.071 and 551.074, Government Code, and that while in executive session, the Board would not take any action, make any decision, or vote with regard to any matter that may be considered or discussed. A certified agenda of any executive session will be made.

The Executive Session ended at 8:57 a.m.

Agenda Item 2 Discussion, recommendation, and possible action regarding licensure applicants referred to the Licensure Committee by the Executive Director for determination of eligibility of licensure.

Applicant #1167 appeared before the Committee, with counsel, after referral by the Executive Director. **Mr. Endicott moved to recommend to the full Board that the applicants current supervised temporary license be extended to March 31, 2012 so the applicant can complete the required hours needed to meet the active practice of medicine. Upon completion of the required hours the supervising physician shall submit a log showing time worked and an evaluation regarding the applicants work performance; if the evaluation is favorable, the applicants name may be placed on a list of applicants who have met all requirements for licensure to be considered at the following board meeting; if the evaluation is unsatisfactory, the applicant will be required to appear at the following Board meeting for**

reconsideration of the application. Dr. Mitchell seconded the motion. All voted in favor and the motion passed.

Applicant #988 appeared before the Committee because the minutes of a previous appearance before the Committee required the applicant to appear for reconsideration if an independent forensic psychiatric examination was not favorable. **Dr. Mitchell moved to recommend to the full Board that a Texas physician assistant license be granted subject to the following terms and conditions for two years: payment of fees related to forensic psychiatric evaluation within six months, quarterly reports from applicants supervising physician, notification of the militarys decision regarding applicants appeal of General Court Martial conviction within 30 days of decision, payment of administrative penalty of \$2000 within 90 days. Applicant will also be required to appear before a panel of the Board should the military conviction be upheld or should the quarterly reports reveal negative evaluations.** This recommendation is due to recommendations in the forensic psychiatric evaluation, prior restrictions on clinical practice unrelated to professional concerns, falsification of the licensure application and the Committees determination that the falsification was intentional. **Mr. Endicott seconded the motion. The Committee further directed staff to extend the applicants current supervised temporary license for two weeks to allow staff to draft the order. All voted in favor and the motion passed.**

Mr. Rahr entered at 10:25

Applicant #1188 appeared before the Committee after referral by the Executive Director. Following discussion, **Dr. Mitchell moved to recommend to the full Board that the applicant be granted an unrestricted license. The motion failed for lack of a second. Mr. Rahr moved to recommend to the full Board that the applicant be granted a Texas physician assistant temporary license with an expiration date that will allow the applicant to obtain at least twelve months of supervised practice, subject to the following restrictions: that the applicant work full time, only in a setting that provides continuous full-time, on-site physician supervision; the applicant be restricted from prescribing controlled substances; the supervising physician shall submit, quarterly reports regarding the applicants work**

performance; if the evaluations are favorable, upon the completion of the twelve months, the applicants name may be placed on a list of applicants who have met all requirements for licensure to be considered at the following board meeting; if the evaluations are unsatisfactory, the applicant will be required to appear at the following Board meeting for reconsideration of the application. This recommendation is due to negative evaluations from the applicants previous employers. **Mr. Endicott seconded the motion. All voted in favor. The motion passed.**

Applicant #1160 appeared before the Committee, after referral by the Executive Director. **Mr. Endicott moved to recommend to the full Board that a decision be deferred so staff may obtain additional investigative information from the Arizona Medical Board and a criminal background check through the Federal Bureau of Investigations. Dr. Mitchell seconded the motion. All voted in favor and the motion passed.**

Agenda Item 3 Discussion, recommendation, and possible action regarding applicant requests for rehearing regarding eligibility.

Applicant #1125s application was considered for rehearing due to submission of new information. **Dr. Mitchell moved to recommend to the full Board that a rehearing be granted. Mr. Endicott seconded the motion. Dr. Mitchell, Mr. Endicott, and Ms. Jones voted in favor. Mr. Rahr abstained. The motion passed.**

The applicant was present. Applicant #1125 previously appeared before the Committee after referral by the Executive Director due to being out of practice since 1987. The Committee determined the applicant ineligible, but recommended that applicant shadow a physician for at least 20 hours a week for 6 months, and then reapply, at which time a 12-month temporary license will be considered. **The Committee granted a rehearing based on the new information that the applicant has completed 5 months of shadowing of at least 20 hours per week. Dr. Mitchell moved to recommend to the full Board that upon completion of her shadowing requirements the applicant be granted a granted a Texas physician assistant**

temporary license with an expiration date that will allow the applicant to obtain at least twelve months of supervised practice, subject to the following restrictions: that the applicant work full time, only in a setting that provides continuous full-time, on-site physician supervision; the applicant be restricted from prescribing controlled substances; the supervising physician shall submit, one month prior to the temporary license expiring, a log showing time worked and an evaluation regarding the applicants work performance; if the evaluation is favorable, the applicants name may be placed on a list of applicants who have met all requirements for licensure to be considered at the following board meeting; if the evaluation is unsatisfactory, the applicant will be required to appear at the following Board meeting for reconsideration of the application. This recommendation is due to applicants being out of the practice of medicine since May 1987 and applicants expected completion of the recommended shadowing requirements in January 2012. **Mr. Endicott seconded the motion. Dr. Rahr abstained. Dr. Mitchell, Mr. Endicott and Ms. Jones voted in favor and the motion passed.**

Agenda Item 4 - Discussion, recommendation, and possible action regarding review of physician assistant applications for permanent licensure. There were 196 applicants and 7 relicensure applicants who met all requirements to be considered for permanent licensure by the full Board. **Mr. Rahr moved to recommend to the full board that all 196 applicants and 7 relicensure applicants be approved for permanent licensure. Dr. Mitchell seconded the motion. All voted in favor. The motion passed.**

Agenda Item 5 Discussion, recommendation and possible action regarding proposed orders offered by the Executive Director. Ms. Garanflo reported on three orders offered by the Executive Director and accepted by applicants. **Mr. Endicott moved to recommend to the full Board that all 3 orders be approved. Dr. Mitchell seconded. All voted in favor and the motion passed.**

Agenda Item 6 Report on physician assistant licensure process statistics Ms. Garanflo reported that the applicants licensed at this meeting were completed in an estimated average of 17 days.

Agenda Item 7 - Discussion, recommendation, and possible action regarding proposed additions and modifications to board rules:

- a. 22 TAC 185.4 Procedural Rules for Licensure Applicants

Mr. Endicott moved to recommend to the full Board to publish the rule in the Texas Register for public comment. Mr. Rahr seconded. All voted in favor and the motion passed.

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Agenda Item 8 - Discussion, recommendation, and possible action regarding practice under a supervised temporary license. Ms. Garanflo presented a situation in which an applicant has inquired if a spouse could act as a supervising physician under the supervised temporary license. **Mr. Rahr moved to recommend to the full Board that a policy be adopted that supervision under a supervised temporary license may not be provided by family members. Mr. Endicott seconded the motion. All voted in favor and the motion passed.**

Agenda Item 9 - Discussion, recommendation, and possible action regarding surgical physician assistant programs. Ms. Garanflo asked the Committee for clarification regarding surgical physician assistant programs and what is required for surgical assistant licensure. The Committee directed staff to clarify to the Medical Board that the requirements for surgical assistant licensure allow completion of an accredited surgical physician assistant program, which should be an ARC-PA accredited postgraduate program in surgical physician assisting following completion of a physician assistant program.

Agenda Item 10 - There being no further business, the meeting adjourned at 11:55 a.m.