



**TEXAS PHYSICIAN ASSISTANT BOARD  
BOARD MEETING  
November 13, 2015**

The meeting was called to order at 10:58 a.m. by Jason Cooper, PA-C, Presiding Officer. Board members present were: Clayton "Clay" P. Bulls, PA-C; Anna Arredondo Chapman; Jennifer L. Clarner, PA-C; Karrie L. Crosby, PA-C; Maribel De Ponce, PA-C; Melinda Gottschalk, PA-C; Victor Ho, M.D.; Felix Koo, M.D.; Teralea Jones, PA-C; Jorge Martinez; Michael D. Reis, M.D.; and R. Blayne Rush. Staff members present were Scott Freshour, J.D., General Counsel; Megan Goode, Governmental Affairs and Communications Manager; Monique Johnston, Interim Licensure Manager; Rob Blech, Assistant General Counsel; Sarah Tuthill, J.D., Assistant General Counsel; Wendy Pajak, J.D., Assistant General Counsel. Mari Robinson, Executive Director, was not present.

**Agenda item #2, Board Member Report.** A resolution was read into the minutes in honor and recognition of Reginald Baptiste, M.D., and Linda C. Delaney, PA-C, for their outstanding service on the board. The newly appointed Chair, Jason Cooper, PA-C, welcomed and introduction the new board members, Clay Bulls, PA-C; Jennifer L. Clarner, PA-C; Karrie L. Crosby, PA-C; Maribel De Ponce, PA-C; Melinda Gottschalk, PA-C; Victor Ho, M.D.; and Jorge Martinez.

**Agenda item #20, Consideration and possible action for Proposal for Decision.**  
**Richard Fears, P.A., SOAH #503-14-2882.PA.** Mr. Freshour, General Counsel, gave a brief summary of procedural background. Susan Rodriguez, J.D., staff attorney was present. Richard Fears, P.A., was not present. No one appeared representing Mr. Fears. Ms. Rodriguez gave a presentation. After discussion, **Dr. Koo moved, Ms. Chapman seconded, and the motion passed to adopt the Findings of Fact and Conclusions of Law recommended by the Administrative Law Judge in the Proposal for Decision, except for the Administrative Law Judge's recommendation as to sanction, because the determination of any final action is reserved to the Board, and to approve the staff suggested Final Order for Richard Fears, P.A., by Board staff for revocation.**

**Agenda item #3, Executive Director's Report.**

**Budget Update.** Ms. Brandy Corrales, Finance Manager, presented and reviewed the updated budget.

**Audit Update.** Ms. Goode reported and reviewed the FY 15 Internal Audit on the physician licensure process that was completed.

**Legislative Update.** Ms. Goode gave a brief update on legislation related to physician assistants. Ms. Goode reviewed SB202 that transferred four regulatory programs from DSHS to TMB and created associated advisory committees and boards.

Ms. Goode reported the State Strategic Planning process will begin April 2016.

Mr. Goode reported the Sunset Evaluation was submitted and the Sunset Review process is schedule to begin the spring of 2016.

**Outreach Update.** Ms. Goode presented the updated Outreach scheduled for 2015-2016.

There were no items for Agenda item #4.

**Agenda item #5, Physician Assistant Liaison Report.** Ms. Jones presented a brief report of the August 27-28, 2015 Medical Board meeting that included information on developing a Facebook page and a presentation during the Telemedicine Committee.

**Agenda item #6, Public Information Update.** Ms. Goode gave a report on the development of a Facebook page and the draft policy. Ms. Goode reported the upcoming bulletin will include a photo of the board members.

**Agenda item #7, Consideration and possible action regarding pending litigation.** Mr. Freshour gave a brief report on pending litigation.

There were no items for Agenda item #8.

**Agenda item #9, Consideration and Approval of Modification Request/Termination Request Orders.** After discussion, Ms. Jones moved, Ms. Chapman seconded, and the motion passed to approve the Modification Request Order Denied for Andrew Vargas, P.A.; and the Termination Order Granted for Joel D. Lueskow, P.A., as presented.

**Agenda item #10, Consideration and Approval of Agreed Board orders.** After discussion, Ms. Chapman moved, Dr. Koo seconded, and the motion passed to approve the Agreed Board orders for Judith Anne Hantl, P.A.; Gladys A. Huertas, P.A.; Jeremy B. Hutson, P.A.; Paul Medina, P.A.; and Kasey Murphy, P.A., as presented.

There were no items for Agenda items #11-12.

**Agenda item #13, Consideration and Approval of Mediated Settlement Agreement Orders.** After discussion, Dr. Reis moved, Mr. Rush seconded, and the motion passed to approve the Mediated Settlement Agreed Order for Jennifer L. Behm, P.A., as presented.

There were no items for Agenda item #14.

**Agenda item #15, Consideration and Approval of Remedial Plans.** After discussion, Mr. Rush moved, Dr. Koo seconded, and the motion passed to approval the Remedial Plans for Rolando De Luna, Jr., P.A.; Charles K. Holt, P.A.; Yoshida J. Kirkwood, P.A.; M. Jo Kitsmiller, P.A.; Kathryn L. Mayes, P.A.; and Michael E. Nesbitt, P.A., as presented.

There were no items for Agenda item #16.

**Agenda item # 17, Report on Temporary Suspension/Automatic Orders/Automatic Actions.** A report was presented on the Auto Suspension Order of Stephen D. Oakley, P.A.

There were no items for Agenda items #18-19.

Agenda item #20 was heard earlier in the meeting.

There were no items for Agenda item #21.

**Agenda item #22, Discussion, recommendation, and possible action regarding proposed amendments to 22 T.A.C. §177.16, including approval for publication of proposed rule in the Texas Register: §177.16. Physician Assistants.** Rob Blech gave a brief summary. No one signed in to present oral comments. No written comments were received. **Dr. Reis moved, Mr. Rush seconded, and the motion passed to approve the proposed amendments to 22 T.A.C. , §177.16. Physician Assistants, for publication in the Texas Register for public comment.**

**Agenda item #23, Discussion, recommendation, and possible action including adoption of proposed amendment to 22 T.A.C. Chapter 185, Physician Assistants:**

- a. §185.2 Definitions;**
- b. §185.3 Meetings and Committees;**
- c. §185.4 Procedural Rules for Licensure Applicants**

No written comments received. No one signed in to present oral comments. After discussion, **Dr. Reis moved, Mr. Martinez seconded, and the motion passed to approve to adopt the proposed amendments to 22 T.A.C. Chapter 185, Physician Assistants: a. §185.2 Definitions; b. §185.3 Meetings and Committees; and c. §185.4 Procedural Rules for Licensure Applicants, and forward to the Texas Medical Board for adoption.**

**Agenda item #24, Open Forum for Public Comments.** No one was present to give Public Comments during the Open Forum.

**Agenda item #25 Consideration and Approval of the July 17, 2015 Board Meeting Minutes.** Ms. Chapman moved, Dr. Koo seconded, and the motion passed to approve the March 6, 2015 Board Meeting Minutes. Dr. Reis abstain.

**Agenda item #26, Committee reports and the consideration and approval of minutes and action items of committees meeting during the board meeting.**

Ms. Jones gave a report of the Licensure Committee. **Ms. Jones moved, Mr. Rush seconded, and the motion passed to approve the Licensure Committee Meeting Minutes and Action Items.**

Ms. Chapman gave a report of the Discipline and Ethics Committee. **Ms. Chapman moved, Dr. Ho seconded, and the motion passed to approve the Discipline and Ethics Committee Meeting Minutes and Action Items.**

**Agenda item #27, Adjourn.** There being no further agenda items, **Dr. Reis moved, Dr. Koo, seconded, and the motion passed to adjourn at 12:09 p.m.**