



**TEXAS PHYSICIAN ASSISTANT BOARD
BOARD MEETING
August 1, 2014**

The meeting was called to order at 10:17 a.m. by Margaret K. Bentley, Presiding Officer. Board members present were Felix Koo, M.D., Secretary; Reginald C. Baptiste, M.D.; Anna Chapman; Linda Delaney, PA-C; Jason P. Cooper, PA-C; Teralea Jones, PA-C; Michael D. Reis, M.D.; R. Blayne Rush; and Stanley Wang, M.D, Liaison from the Medical Board. Staff members present were Mari Robinson, J.D., Executive Director; Robert Breidt, M.D., Medical Director; Scott Freshour, J.D., General Counsel; Tonie Knight, Licensure Manager; Megan Goode, Governmental Affairs and Communications Manager; Sarah Tuthill, J.D., Assistant General Counsel; and Wendy Pajak, J.D. Assistant General Counsel.

There were no items for Agenda item #2.

Agenda item #3, Executive Director's Report.

Legislative Update. Ms. Robinson reported the Strategic Plan for 2015-2019 was submitted to the oversight agencies and posted on the website.

Ms. Robinson reported on the Sunset Advisory Commission's hearings related to the Department of State Health Services, including occupational licensing.

Ms. Robinson reported on the Senate Health & Human Services hearing regarding interim charge on opioid prescribing and drug abuse.

Ms. Robinson also reviewed the concerns surrounding the FDA's approval of Zohydro, and the Medical Board's direction to pursue rulemaking.

Ms. Robinson summarized the FY2016 and FY2017 Legislative Appropriations Request and reviewed the Exceptional Items for additional staff to address the increase in physician licensure applications and the increased complexity of enforcement cases.

Audit Update. Ms. Robinson gave an update on the Internal Audit and Risk Management Audit.

Outreach Update and communications. Ms. Robinson presented the Outreach schedule and reported an Outreach presentation was presented at every physician assistant school in Texas.

Budget Update. Ms. Robinson presented the budget which is predicted to end the fiscal year in good standing.

There were no items for Agenda item #4.

Agenda item #5, Report Medical Board/Physician Assistant Liaison. Dr. Baptiste gave a report of the Licensure Committee and discussed the Federation licensure compact. The board directed staff to research the options for a licensure compact for physician assistants. Dr. Wang gave a report that the Medical Board approved rules referred by the Physician Assistant Board and reported Acudetox was supported but the issue is statutory. The board directed staff to bring up issue of Acudetox during the agency's Sunset review. Dr. Wang reported on the option of coaching that Medical Board uses for some disciplinary action for licensees. After discussion, the board directed staff to research the option of coaching for physician assistants.

Agenda item #6, Discussion, recommendation, and possible action regarding the process for remedial plans. After discussion, the board directed staff to begin the process of contacting a board member each month as needed to review files that may qualify for a remedial plan.

Agenda item #7, Discussion, recommendation, and possible action regarding CME approvals. After discussion, the board directed staff not to offer to evaluate or to offer cme credit for proposed DEA seminar.

Agenda item #8, Consideration and possible action regarding pending litigation. Mr. Freshour gave an update of pending open records request cases and pending litigation.

Dr. Baptiste left the meeting at 10:55 a.m.

After discussion, **Ms. Jones moved, Dr. Reis seconded, and the motion passed to go into Executive Session at 10:53 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 under the authority of the Open Meetings Act Section 551.071, Government Code.** The executive session ended at 11:05 a.m. on August 1, 2014. There was no final action, decision, or vote with regard to any matter considered or discussed in executive session. A certified agenda of the executive session was made.

There were no items for Agenda items #9-11.

Agenda item #12, Consideration and Approval of Modification Request/Termination Request Orders. Dr. Koo moved, Ms. Chapman seconded, and the motion passed to approve the Termination Granted Order for Thomas R. Cook, P.A., as written.

Agenda item #13, Consideration and Approval of Agreed Board Orders. After discussion, Dr. Reis moved, Dr. Koo seconded, and the motion passed to approve the Agreed Orders for Arnold D. Kolman, P.A.; Christopher Magill, P.A.; Frank Radke, P.A.; Mark Gordan, P.A.; and Gerald E. Petrash, P.A., as written.

After discussion, Mr. Rush moved Ms. Chapman seconded, and the motion passed to approve the Agreed Order for Richard L. Easton, P.A., as written.

There were no items for Agenda item #14-17.

Agenda item #18, Consideration and Approval of Remedial Plans. After discussion, **Dr. Koo, moved, Ms. Chapman seconded, and the motion passed to approve the Remedial Plan for Salvador Arellano, P.A.; Patricia M. Kane, P.A.; and Herman J. Splatt, Jr., P.A., as written.**

There were no items for Agenda item #19.

Agenda item #20, Report on Temporary Suspension/Automatic Orders/ Automatic Action. A report was presented on the Temporary Suspensions hearings of William L. Cooper, P.A. and Rodger D. Reid, P.A.

There were no items for Agenda item #21.

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

§185.7. Temporary License. Ms. Tuthill gave a brief summary. Written comments were received and reviewed. No one signed in to present oral comments. After discussion, **Mr. Rush moved, Ms. Chapman seconded, and the motion passed to approve proposed amendments to 22 T.A.C. Chapter 185, Physician Assistants, §185.7. Temporary License, as published, and to refer to the Texas Medical Board for adoption.**

§185.28 Emeritus retired status. Ms. Tuthill gave a brief summary. No written comments were received. No one signed in to present oral comments. After discussion, **Dr. Koo moved, Mr. Cooper seconded, and the motion passed to approve proposed amendments to 22 T.A.C. Chapter 185, Physician Assistants, §185.28 Emeritus Retired Status, as published, and to refer to the Texas Medical Board for adoption.**

Agenda item #23, Discussion, recommendation, and possible action, including approval for publication as notice of proposed rule in the Texas Register, for proposed amendments to 22 T.A.C. Chapter 185:

§185.16. Employment Guidelines. Ms. Robinson gave a brief summary of the two options for proposed amendments to §185.16. Employment Guidelines. Written comments were received and reviewed. Melinda Gottschalk PA, and James Delaney, P.A., signed in and presented oral comments. After discussion, **Mr. Cooper moved, Ms. Delaney seconded, and the motion passed to approve the second option that repeals supervision numerical limits as a proposed amendment to 22 T.A.C. Chapter 185, 185.16. Employment Guidelines for publication as notice of proposed rule in the Texas Register, for public comments.**

Agenda item #24, Open Forum for Public Comments. No one signed in to present public comments during the Open Forum.

Agenda item #25 Consideration and Approval of the March 7, 2014 Board Meeting Minutes. After discussion, **Dr. Koo moved, Dr. Reis seconded, and the motion passed to approve the March 7, 2014 Physician Assistant Board Meeting Minutes.**

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. **Dr. Koo moved, Mr. Cooper seconded, and the motion passed to approve the Licensure Committee minutes and action items.**

Ms. Chapman gave a report of the Discipline and Ethics Committee. **Ms. Chapman moved, Ms. Delaney seconded, and the motion passed to approve the Discipline and Ethics Committee minutes and action items.**

Agenda item #27, Retreat/Training. Training was presented regarding Ethics & Confidentiality; Robert's Rules, Open Meetings & Open Records; and Finance.

Agenda item #28, Adjourn. There being no further agenda items, **Dr. Koo moved, Ms. Chapman seconded, and the motion passed to adjourn the meeting at 2:10 p.m.**