



**TEXAS PHYSICIAN ASSISTANT BOARD
BOARD MEETING
December 14, 2012**

The meeting was called to order at 10:53 a.m. by Presiding Officer, Margaret K. Bentley. Board members present were Anna Chapman; Linda Contreras, PA-C; Teralea Jones, PA-C; Felix Koo, M.D.; Richard R. Rahr, Ed.D, PA-C; and Stanley Wang, M.D, liaison from the Medical Board. Reginald Baptiste, M.D.; James Endicott, Jr.; Michael Reis, M.D. were not present. Staff members present were Mari Robinson, Executive Director; Robert Bredt, M.D., Medical Director; Tonie Knight, Licensure Manager; Jennifer Kaufman, Assistant General Counsel; Megan Goode, Public Informational and Special Projects Manager and various other staff members.

The board's mission statement was read: *Our Mission is to protect and enhance the public's health, safety and welfare by establishing and maintaining standards of excellence used in regulating the practice of medicine and ensuring quality health care for the citizens of Texas through licensure, discipline, and education.*

Agenda item #2, Board Member report. Ms. Bentley directed staff to check the attendance records and report the attendance records at the next board meeting.

Ms. Bentley welcomed and introduced Linda Contreras, PA-C to the board.

Agenda item #3, Executive Director's report.

Legislative Update. Ms. Robinson briefly stated there were no bills that have been filed that would affect PA's directly.

The House Public Health Interim Committee report related to prescriptive delegation relationships between APN/PA's is yet to be filed. Key legislation dates were given. Staff will be tracking bills related to the board during the legislative session. Ms. Robinson gave a brief update on self direct semi independent status.

The Legislative Appropriations Request was filed in the summer; Ms. Robinson reviewed Exceptional Items the agency requested.

Texas Institute of Health Care Quality and Efficiency. Ms. Robinson gave an update on the Texas Institute of Health Care Quality and Efficiency Committee related to the healthcare data in the State of Texas. The committee will begin to analyze the current data to see what efficiencies can be made.

Penalty Guidelines. Ms. Robinson presented the penalty guidelines that were adopted by the Medical Board that was set in place to ensure consistency in the disciplinary actions. Ms. Robinson asked the Board if they were interested in setting penalty guidelines as well. The board directed staff to start with the current penalty guidelines as presented and

bring back in March to make any necessary changes or additions as it relates to Physician Assistants.

Internal Audit Update. Ms. Robinson gave an update on the internal audits that were performed and completed for FY2012. The 2013 Internal Audit Plan was presented to the board; the audit will cover governance and ethics issues for staff and all three boards.

Outreach Update and Communications. Ms. Robinson gave a brief update on the number of outreach presentations given to physician assistant program students and discussed future plans to present at schools for physician assistants and physicians with the idea to inform and educate students on agency functions as well as agency processes.

A training session for board members that will encompass the licensure and enforcement processes, applicable statutes and rules, and recent legislative changes will be conducted at the next board meeting.

A mandatory quarterly webinar/conference call will be set up in FY13 for Board and DRC members to be held after board meetings to cover information from the most recent board meeting.

Agenda item #4, Medical Director Report. Dr. Bredt reminded the board he is available for any input that the board members may need.

Agenda item # 5, Budget Update. Ms. Robinson presented the budget report and stated the budget is in line with the previous year during the same timeframe.

Agenda item #6, Medical Board/Physician Assistant Liaison update. Mr. Rahr gave a brief report on the November 29-30, 2012 Medical Board meeting. Dr. Wang discussed the positive outcomes of having liaisons between the Medical Board and Physician Assistant Board.

The board directed staff to continue evaluating potential physician and physician assistant related cases to ensure consistency in disciplinary process.

Agenda item #7, Report on Workforce Commission's audit. Ms. Robinson gave a report on the Workforce Commission's audit findings.

Agenda item #8, Discussion, recommendation, and possible action regarding reporting Remedial Plans to the Federation of State Medical Boards. Ms. Robinson gave a summary of the reporting process and requested the board's direction as to whether or not to report Remedial Plans to the FSMB. After discussion, the board directed staff to not report Remedial Plans to the Federation of State Medical Boards.

Agenda item #9, Discussion, recommendation, and possible action regarding reporting actions to the National Practitioner Databank. Ms. Robinson reviewed the current National Practitioner Databank reporting requirements. After discussion, **Ms. Chapman moved, Ms. Jones seconded, and the motion passed that the following are not considered related to the delivery of healthcare a.) Monitoring; b.) Falsification on an application c.) Failure to get CME; d.) Failure to update address; e.) Failure to release medical records.**

Agenda item, #10, Consideration and possible action regarding pending litigation. Ms. Robinson gave a brief update on a lawsuit involving the Physicians Assistants Business Alliance Texas vs. Texas Medical Board. After discussion, **Rahr moved, Koo seconded, and the motion passed to file an appeal regarding the Physicians Assistants Business Alliance Texas vs. Texas Medical Board.**

There were no items for Agenda item #11.

Agenda item, #12, Consideration and Approval of Agreed Orders. After discussion, **Mr. Rahr moved, Dr. Koo seconded, and the motion passed to approve the Agreed Board Orders for George Deerfield, P.A.; Michael Dome, P.A.; Glenn Humphress, P.A.; Jason P. Montague, P.A.; Monty G. Morris, P.A.; Ron E. Van Wetering, P.A.; and Anna M. McClellan, P.A.**

The board directed staff to review any relevant information to investigations related to the information received from the Temporary Suspension for Order #1.

Agenda item, #13, Consideration and Approval of Modification Request/Termination Request Orders. After consideration, **Dr. Koo moved, Ms. Chapman seconded, and the motion passed to approve the Termination Granted Order for John Garcia, Jr., P.A.**

There were no items for Agenda items #14-15.

Agenda item, #16, Consideration and Approval of Mediated Settlement Agreement Orders. After discussion, **Mr. Rahr moved, Ms. Chapman seconded, and the motion passed to go into executive session at 12:08 p.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 12:45 p.m. 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.**

After discussion, **Mr. Rahr moved, Dr. Koo seconded, and the motion passed to approve the Mediated Settlement Agreement Order #1, with the modification to restrict DEA Schedules II-V, in addition to the current terms presented, due to non-therapeutic prescribing to multiple patients.**

After discussion, **Mr. Rahr moved, Dr. Koo seconded, and the motion passed to approve the Mediated Settlement Agreement Order #2, with the modification to restrict DEA Schedules II-V, in addition to the current terms presented, due to concerns of standard of care involving multiple patients.**

There were no items for Agenda item #17.

Agenda item, #18, Consideration and Approval of Remedial Plans. After consideration, **Dr. Koo moved, Mr. Rahr seconded, and the motion passed to approve the Remedial Plans for Mohammed S. Antwi, P.A.; and Mia D. Gonzalez, P.A.**

There were no items for Agenda items #19-20.

Agenda item, #21, Report on Temporary Suspension/Automatic Orders/Automatic Actions. Reports on the Temporary Suspension Without Notice for Mark H. Kett, P.A.; and the Temporary Restriction With Notice for John Boyle, P.A.; and Rose G. Omamogho, P.A.

There were no items for Agenda items #22-25.

Agenda item, #26, Public Comments. No one signed-in to present public comments.

Agenda item, #27, Consideration and Approval of the August 3, 2012 Board Meeting Minutes. After consideration, **Mr. Rahr moved, Dr. Koo seconded, and the motion passed to approve the August 3, 2012 Board Meeting Minutes.**

Agenda item, #28, Committee reports and the consideration and approval of minutes and action items of committee meeting during the board meeting.

Ms. Jones gave a report of the Licensure Committee meeting. **Ms. Jones moved, Mr. Rahr 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 meeting. **Ms. Chapman moved, Dr. Koo seconded, and the motion passed to approve the Discipline and Ethics Committee meeting and action items.**

There being no further agenda items, the meeting adjourned at 12:54 p.m.