

**TEXAS PHYSICIAN ASSISTANT BOARD
BOARD MEETING
February 24, 2006**

The meeting was called to order at 1:15 p.m. the Chairman, Timothy Webb, J.D. Board members present were Stephen D. Benold, M.D.; Margaret K. Bentley; Pamela W. Clark; Dwight M. Deter, PA-C; Michael Mitchell, D.O.; and Pamela Welch, PA-C. Staff members present were Donald W. Patrick, M.D., J.D., Executive Director; Michele Shackelford, General Counsel; Jaime Garanfio, Director of Customer Affairs; and various other staff members.

Agenda item #2, Board Member Report. Mr. Webb introduced and welcomed new Board members Pamela Welch, PA-C, and Michael Mitchell, D.O. Mr. Webb reminded Board members that the election of the Secretary for the Board will be scheduled during the May Board meeting.

Agenda item #3, Executive Session. There were no items for executive session.

Agenda item #4, Report of the Physician Assistant Workgroup meeting and presentation and discussion of draft rules. Ms. Shackelford gave a report on the Physician Assistant Stakeholders Workgroup. The Board discussed and reviewed the presented comments and recommendations received from the Stakeholder Workgroup regarding Rule 183.

Agenda item #5, Discussion, recommendation and possible action regarding proposed amendments to Chapter 185, Physician Assistants relating to changes mandated by SB419. Ms. Shackelford reviewed the proposed amendments to Chapter 185. After discussion, **Ms. Clark moved, Mr. Deter seconded, and the motion passed to approve the proposed amendments to Chapter 185, Physician Assistants, relating to changes mandated by SB419 as distributed with the following changes:**

- 1.) 185.2(14) change "presiding officer" to "chairman";
- 2.) 185.4(10) change "three attempts" to "six attempts";
- 3.) 185.6(i)(4) remove the grace period;
- 4.) 185.7(a) remove "but meets guidelines set by the physician assistant board including, but not limited to, length of time out of active practice as a physician assistant and duration of temporary licenses";
- 5.) 185.8(d) remove "etc."; and
- 6.) 185.8(f) remove "original."

Agenda item #6, Discussion, recommendation and possible action regarding recommendations of adoption of board policies to include: (a.) Policy for the Use of Technology; (b.) Policy for Negotiated Rulemaking; and (c.) Policy for Excused Absences at Board Meetings. After discussion, **Mr. Deter moved, Ms. Clark seconded and the motion passed to adopt the following Board policies: (a.) Policy for the Use of Technology; (b.) Policy for Negotiated Rulemaking; and (c.) Policy for Excused Absences at Board Meetings.** The Board directed staff to adopt the policy guidelines and procedures.

Agenda item #7, Executive Director's Report. Ms. Shackelford reported the Open Government Training as required by state law as of January 1, 2006 was available from staff and online. Dr. Patrick reviewed proposed changes to Chapter 170 and the progress of the Office Based Anesthesia Stakeholders Workgroup.

Agenda item #8, Consideration and Approval of Non-Public Rehabilitation Orders and Modification Request/Termination Request of Non-Public Rehabilitation Orders. Ms. Clark moved, Ms. Bentley seconded, and the motion passed to go into executive session at 2:45 p.m. for consideration of possible rehabilitation orders under the authority of the Open Meetings Act, GOVERNMENT CODE, §551.071; and the Medical Practice Act, TEXAS OCCUPATIONS CODE ANNOTATED, §152.009; and the Physician Assistant Licensing Act, Texas Occupations Code Annotated, §§204.208, 204.254, 204.305, and 204.306; and Attorney Generals' Opinion No H-484. Open session resumed at 2:50 p.m. and it was announced that no action was taken. A certified agenda was made.

After discussion, **Ms. Clark moved, Mr. Deter seconded, and the motion passed to approve the proposed Non-Public Rehabilitation Order #32 as a public order.**

After discussion, **Mr. Deter moved, Ms. Bentley seconded, and the motion passed to approve the Non-Public Rehabilitation Orders #33 and #34.**

There were no items for Agenda items #9 - #16.

Agenda item #17, Consideration and approval of Board meeting dates for calendar year 2007. Mr. Deter moved, Ms. Clark seconded, and the motion passed to approve the Board meeting dates for calendar year 2007 as distributed.

Agenda item #18, Consideration and approval of minutes of the November 4, 2005 Full Board Meeting. Ms. Clark moved, Ms. Bentley seconded, and the motion passed to approve the minutes of the November 4, 2005 Full Board Meeting.

Agenda item #19, Consideration and Approval of the minutes of the February 24, 2006 Licensure Committee Meeting. Mr. Deter gave a report of the Licensure Committee meeting. He reported that information became known during the Licensure Committee meeting that an applicant had been allowed to work at Texas Department of Criminal Justice/Texas Tech as a physician assistant prior to licensure. The committee directed staff to send a letter to TDCJ/Texas Tech concerning the issue of individuals working as physician assistants without a Physician Assistant license and requesting TDCJ/Texas Tech to explain their current procedures and corrective action

plan. **Mr. Deter moved, Ms. Bentley seconded, and the motion passed to approve the Licensure Committee Meeting minutes and action items with a clerical correction that one applicant was reapplying not two.**

Agenda item #20, Consideration and approval of minutes of the February 24, 2006 Disciplinary and Ethics Committee Meeting. Ms. Bentley gave a report of the Disciplinary and Ethics Committee Meeting. **Ms. Bentley moved, Ms. Clark seconded, and the motion passed to approve the Disciplinary and Ethics Committee Meeting minutes and action items.**

Agenda item #21, Adjourn. There being no further agenda items the meeting adjourned at 3:07 p.m.